



Mr Carey McIntyre
General Manager
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529

Our ref: PP_2015_SHELL_005_00 (15/16207)

COPY

Attention: Ian Rankine

Dear Mr McIntyre

**Planning Proposal to amend Shellharbour Local Environmental Plan 2013 –
Short term rental accommodation**

I refer to Council's planning proposal for short term rental accommodation and the recent Parliamentary Inquiry into the Adequacy of Regulation of Short Term Holiday Letting (the Inquiry).

On 19 April 2017, the NSW Government released its response to the final report of the Inquiry. The Department now intends to release an options paper on potential regulatory approaches to short term holiday letting for community consultation. It is expected this options paper will be released in the near future.

I understand that Parliamentary Counsel has recently issued an Opinion advising that Shellharbour Local Environmental Plan (Amendment 16) giving effect to the proposal may legally be made. The amendment sets criteria that identifies short term rental accommodation as either exempt development or as development requiring consent.

I have decided to revoke the written authorisation to exercise delegation for this proposal dated 27 November 2015 which allowed Council to exercise the plan making functions of the Minister under section 59 of the Act. This has the effect that any decision by Council to finalise the LEP amendment will need to be referred to the Department for a final determination.

The Department will defer making a final determination for this proposal until the state-wide approach has been finalised. This is to ensure that Council's approach to the regulation of short term rental accommodation is not inconsistent with the finalised approach.

I appreciate the regulation of short term rental accommodation is an important issue for Council and the community. It is an equally important issue across many other parts of New South Wales and therefore any regulatory provisions must be carefully considered and consistent across the State.

If Council would like to discuss this matter, please contact Mr Graham Towers, Team Leader at the Department's Wollongong office on 4224 9467.

Yours sincerely

 30 May 2017
Stephen Murray
Executive Director, Regions
Planning Services



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Shellharbour City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_SHELL_005_00	Planning proposal to permit short term rental accommodation with or without consent.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 27/11/2015

Linda Davis
Acting General Manager
Southern Region
Planning Services
Department of Planning and Environment