

Planning Proposal (Rezoning) (PP) for 9 lots for St Vincent Street, Ulladulla

0. Content

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I. Introduction

Council Reference Number: 50572E (D16/19567)

This Planning Proposal (Rezoning) ('**PP**') submitted to the Shoalhaven City Council ('**the Council**') is to enable the development of higher density residential development, (Clark via Shoalhaven City Council, 2016), with these lots form '**the site**' (or '**subject land**')

- 116 St Vincent Street (DP21597 Lot 1)
- 118 St Vincent Street (DP21597 Lot 2)
- 120 St Vincent Street (DP21597 Lot 3)
- 122 St Vincent Street (DP21597 Lot 4)
- 124 St Vincent Street (DP21597 Lot 5)
- 126 St Vincent Street (DP21597 Lot 6)
- 37 Deering Street (DP21597 Lot 7)
- 39 Deering Street (SP42583 Lot CP)
- 41 Deering Street (DP21597 Lot 9)

Given the size of the site and a change of use from one business zone to another, this PP has been classed as Minor Proposal.



Figure 1: Our development site (Same as Figure 9 and Figure 15)

Source: Google Map (2016)

II. Site description and context

The site lies in a typical block, which is bounded by the Princes Highway on the East; Deering Street on the South; St Vincent Street on the West and South Street on the north. Our site has a direct frontage to St Vincent Street.

Address (Street Number)	116	118	120	122	124	126	37	39	41
Address (Street)	St Vincent St						Deering Street		
DP Number	DP21597							SP 42583	DP 21597
Lot	1	2	3	4	5	6	7	CP	9
Current Zoning (LZN)	B5 (Business Development)								
Nearby Zoning	<ul style="list-style-type: none"> • B2 (Local Centre) • B3 (Commercial Core) • B4 (Mixed Use) • R2 (Low Density Residential) • R3 (Medium Density Residential) and • IN2 (Light Industrial) 								
Minimum Lot Size (LSZ)	No								
Minimum Lot Size nearby	500 m ²								
Maximum Building Height (HOB)	H (7.5 metres)								
Maximum Building Height nearby	I2 (8.5 metres), L (11 metres) and N2 (14 metres)								
Maximum Floor Space (FSR)	1.5:1								
Maximum Floor Space nearby	N (1:1) and T (2:1)								
Heritage (HER)	No								
Urban Release Area (URA)	No								
Land Reservation Acquisition (LRA)	No								
Biodiversity (BIO)	No								
Riparian Lands and Watercourses (WCL)	No								
Scenic Protection (SCP)	No								

Address (Street Number)	116	118	120	122	124	126	37	39	41
Flood Planning Area (FLD)	No overlay, Clause 7.3 applies								
Coastal Risk Planning (CRP)	No								
Lands (NRL)	No								
Acid Sulphate Soils (ASS)	Soil Class 5								
Buffers (BFR)	No								
Clauses (CLS)	No								
Shoalhaven DCP 2014 Area Specific Chapter and Value	S8 Ulladulla Town Centre (Previously 'DCP 56')								
SLEP 1985 Zoning	3(b) Business (Transitional) Zone								
SLEP 1985 Zoning nearby	3(g) Business (Development Area), 2(a1), 2(b1) and 2(d) Residential and 3(a) Business (Retail)								
Site current use	Steel fabrication and supplies business known as Babington Geo Engineering		Coats hire		Motor mechanic			Fish shop	Accountant

Table 1: Existing SLEP 2014 controls (Same as **Table 22**)

Source: Shoalhaven City Council (2016b)





Figure 2: Our development site in light green bold trapezium – Large scale map
Source: Nearmap (2016)

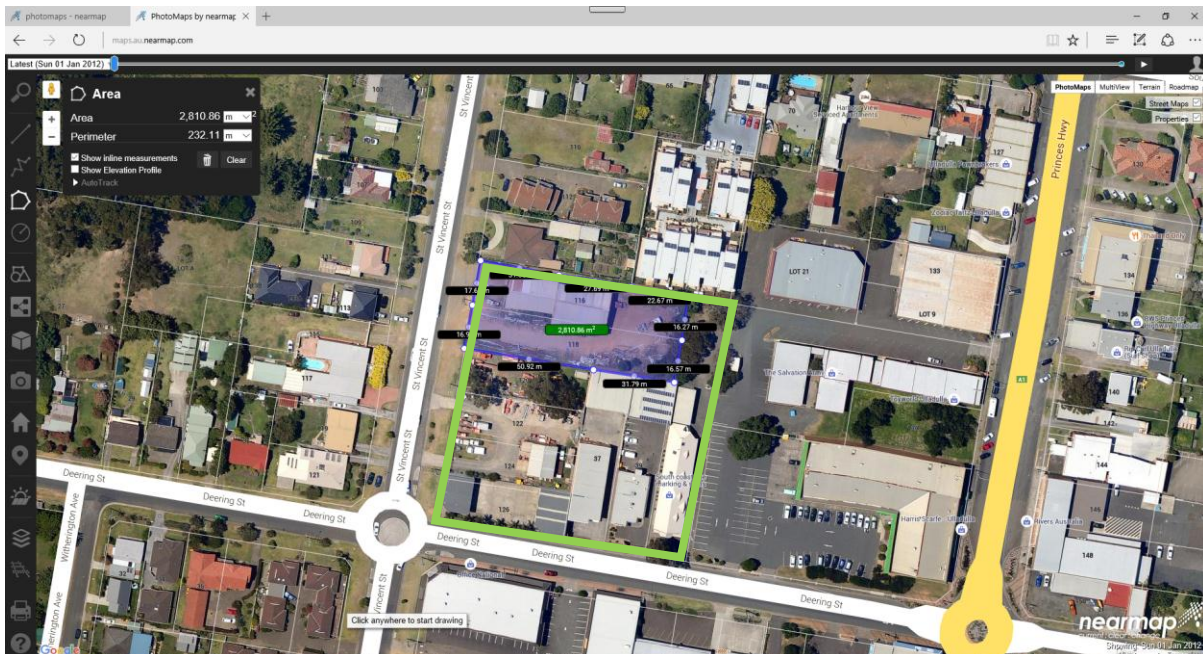


Figure 3: Our development site in light green bold trapezium – Small scale map
Source: Nearmap (2016)

III. The planning proposal

This PP has been prepared in accordance with the Department of Planning and Environment's Guide and detailed information as required under s55 (2) (a)-(e) of the *Environmental Planning and Assessment Act 1979 No 272* ('**EP&A Act**'), containing:

- Objectives and intended outcome;
- Mapping (including current and proposed zones);
- Proposed community consultation (and any agencies to be consulted);
- Explanation of provisions;
- Justification of the zone change in our site and processes for implementation (including consistency assessment against relevant section 117 direction/s and *State Environmental Planning Policies* ('**SEPP**')); and
- An indicative project timeline for the completion of this PP.

(Clark via Shoalhaven City Council, 2016)

A. Objectives and intended outcome

The objective of our rezoning is to enable the development of higher density residential development. (Clark via Shoalhaven City Council, 2016)

A B4 zone would better fit into the rest of the whole block surrounded by the Princes Highway, St Vincent Street, Deering Street and South Street as currently the B5 zone (where our site lies) occupies the relatively small corner within a larger B4.

A higher density residential development would be a more socially responsible highest and best use and enable affordable housing to be established with vibrancy and safety for the immediate locality. This is consistent with the findings of the *Stubbs report* 2004.



B. Explanation of provisions

1. Zoning

There will be a minor change from B5 (Business Development) to B4 (Mixed Use), in response to Council's preference for all 9 allotments located in the B5 zone (within a block that is largely zoned B4 with details shown at **Section II 'Site description and context' Table 1:** Existing SLEP 2014 controls (Same as **Table 22**)) to be rezoned to B4 at the same time for consistent planning strategy. (Clark via Shoalhaven City Council, 2016)

Section IX 'Mapping' contains a proposed zoning map.

Provision	Existing LEP control	Proposed LEP control
Zoning	B5 (Business Development)	B4 (Mixed Use)

Table 2: Existing and proposed LEP Controls

Source: Your Urban Designer (2016)

2. Height

The proposed development would have the height in-line with existing maximum height with the adjoining lots on the northeast of the subject land. **Section IX 'Mapping'** contains a proposed height map.

Provision	Existing LEP control	Proposed LEP control
Height of buildings	H (7.5 metres)	N2 (14 metres)

Table 3: Existing and proposed LEP Controls

Source: Your Urban Designer (2016)

3. Intended use

There will be a minor change from B5 (Business Development) to B4 (Mixed Use)

Provision	Existing use	Proposed new use
Intended use	Steel fabrication and supplies business known as Babington Geo Engineering	Shop-top higher density residential development

Table 4: Existing and proposed new use

Source: Clark via Shoalhaven City Council (2016)

The anticipated built-form will be at grade car parking with commercial façade (retail) fronting Deering Street and St Vincent Street corner, with three (3) levels of residential accommodation above. Such car parking will have appropriate façade treatment.

IV. Justifications for proposal

A. Need for the Planning Proposal

1. Q1 – Is the Planning Proposal a result of any strategic study or report?

No, there has been neither strategic study nor report. This PP is the result of owner's intention and the need to pursue better urban land use and social outcome to convert the current use as steel fabrication work to shop-top higher density residential apartments and residential flat buildings.

2. Need for more residential and commercial space in Ulladulla

There is an intention to extend the neighbouring B4 zone further south to facilitate a residential flat building. (Willmott and McDonald, 2015)

We understand that higher allowable building heights may be a general intention of the Council in Ulladulla. However, there is difficulty in terms of such construction given the current grade of land and a high water table rendering basement car parks not desirable. (Willmott and McDonald, 2015)

The following 2006 and 2011 Census statistics from the Australian Bureau of Statistics reveal and support the need for more residential and commercial land uses. All the supporting graphs can be found in **Section XII 'Appendix' Sub-Section B '2006 and 2011 Census graphs'**.

Item	Sub-item	Particulars	Predictions	How our rezoning will help
Age	The proportion of youth population (0 – 19 years of age)	2006 had a majority of around 21% - 25% whereas in 2011 it has risen to 21% - 30%. Thus, there has been an increase in the proportion of young population.	Up to 2026, the age structure forecasts for Ulladulla indicate a 16% increase in population under working age. (.id, 2015)	A wider choice of residences (mainly units and apartments) assists families with young dependents or planning to have children. It also reduces the need for broader greenfield rezoning.
	The proportion of mature population (65 years of age+)	In 2006, the majority was 26% - 30% with occasional 31% - 34%. In 2011, it has become 26% - 35%. Therefore, there is a rising proportion of mature population.	Up to 2026, the age structure forecasts for Ulladulla indicate a 21% increase in population of retirement age. (.id, 2015)	A wider choice of residences (mainly units and apartments) assists retirees, iterated in the <i>Stubbs report</i> .
Education	Highest year of school completed	The overall level remained the same at Year 10 , but other areas out of Ulladulla had a higher Year 12.		A considerably low education level generally gives rise to lower income and thus lower housing affordability. Please refer to the below comment.
	Non-school qualification (Education level)	It has not changed over these 5 years that the majority attained Certificate III and IV.	The removal of TAFE will worsen this situation.	
	Non-school qualification (Field of study)	There has been more diverse fields of study, though engineering and related technologies still dominated.	The removal of TAFE will worsen this situation.	
Income	Median household income	Income has stayed approximately the same from 2006 to 2011. Nevertheless, the income gap between the lowest and the highest has widened. (In 2006: < \$500 to > \$701; in 2011, < \$500 to up to \$1,200)		A wider choice of residences (mainly units and apartments) would increase the supply of affordable housing, which will suit the needs of lower income earners and other population in need, as per the <i>Stubbs report</i> .
Housing affordability	Loan affordability (Weekly)	In 2006 households spent 41% - 50% of their household	The shortage of supply, increasing cost of compliance,	A wider choice of residences (mainly units and apartments)



Item	Sub-item	Particulars	Predictions	How our rezoning will help
		income to pay off their mortgage. It has become worse in 2011 as it has surged to around 50% with some catchments indicating up to 81% - 90% based on medians.	stagnant and reducing income and increase in lower pay jobs will continue causing pressure on affordability.	would assist with affordability, especially for lower income earners, as per the <i>Stubbs report</i> .
	Rent affordability (Weekly)	Historical rents have been mostly affordable (< 30%). However, this is under pressure as rents are trending towards 31% - 40% of the median income.	The shortage of supply, increasing cost of compliance, stagnant and reducing income and increase in lower pay jobs will continue causing pressure on affordability.	A wider choice of residences (mainly units and apartments) would create more opportunities for renters in terms of supply.
Dwelling structure	Except detached houses	Detached houses dominate the housing supply. Since 2006, the percentage of other housing types e.g. semi-detached / row / terrace houses and apartments has decreased.		Increased units and apartments are required to reverse the trend.
Migration	Place of usual residence 1 year ago	More people stayed at where they lived: Intra-district movement has plummeted a little (from 15% to 10%) while intra-state movement was around similar small percentages (around 6%). Inter-state migration was minimal.	Net migration will continue to play a most important role in sustainability for the town over natural attrition. Nationally, higher immigration and Sydney forecast of reaching 8.5 million by 2061, (Australian Bureau of Statistics, 2013a) 17 years ahead of prediction. A 'big Australia' means towns grow faster than they are currently being planned.	As more residents remain at Ulladulla net migration will continue, more housing alternatives would be required to suppress urban sprawl.
	Place of usual residence 5 years ago	The result was similar to the 1-year one amid being slightly less, both intra-district (from maximum 30% to 20%) and intra-state (20% to 15%). Inter-state migration was minimal.		



Item	Sub-item	Particulars	Predictions	How our rezoning will help
Unemployment rate	Youth (15 – 25 years of age)	Youth unemployment remained extremely high over the 5-year period. In 2006, it was around 11% - 20% depending on the locality with the highest up to 40%. In 2011, it has increased had up to 50%.	In July of 2015, the youth unemployment rate was 14%. (Milton Ulladulla Community Magazine)	In supporting the rezoning providing greater housing choice, local jobs are provided in construction, retail, aged care, food services and tourism sectors. Increased supply will also assist with housing affordability.
	Total population	Unemployment was slightly reduced from 2006's 6% - 15% with a maximum of 20% to 2011's 1% - 10% with a maximum of 15%. However, these figures are still much higher than the national average .	It was reported 9.1% versus the national 6.1% in March 2015. As of June 2014, Shoalhaven's workforce (around 42,000) was more than the around 34,000 jobs – full-time, part-time and casual work. In addition, there is an overall net in-migration while at the same time no new jobs becoming available. (Milton Ulladulla Community Magazine, 2016)	
Industry of employment	Youth (15 – 24 years of age)	Retail trade and accommodation and food services are the main employers in both 2006 and 2011.		Increased residential opportunities, better services, a more pleasant and diverse urban environment and higher walkability brought about by our rezoning will attract a higher range of skillsets. The housing choice will be desirable for many, which in turns help consolidate Ulladulla.
	Total population	Retail trade, accommodation and food services and construction are the main employers in both 2006 and 2011, with the latter more diverse with the addition of education and healthcare.	The population projections seem to be out of line with the employment statistics, given their very heavy reliance on construction (.id, 2015) A 'big Australia' means towns grow faster than they are currently being planned. While these industries continue to dominate, age care will rise too with ageing population as	



Item	Sub-item	Particulars	Predictions	How our rezoning will help
			mentioned in the <i>Stubbs report</i> .	
Occupations	Youth (15 – 24 years of age)	Sales workers, technicians and trade workers and labourers dominate among all other occupations in both 2006 and 2011.		The existing established occupations are heavily focused on growth via a net migration. We need to ensure employment opportunities to support these occupations.
	Total population	Sales workers, technicians and trade workers and labourers dominate among all other occupations in both 2006 and 2011.		

Table 5: Analysis of 2006 and 2011 Census results

Source: Australian Bureau of Statistics (2008 and 2013) except otherwise stated

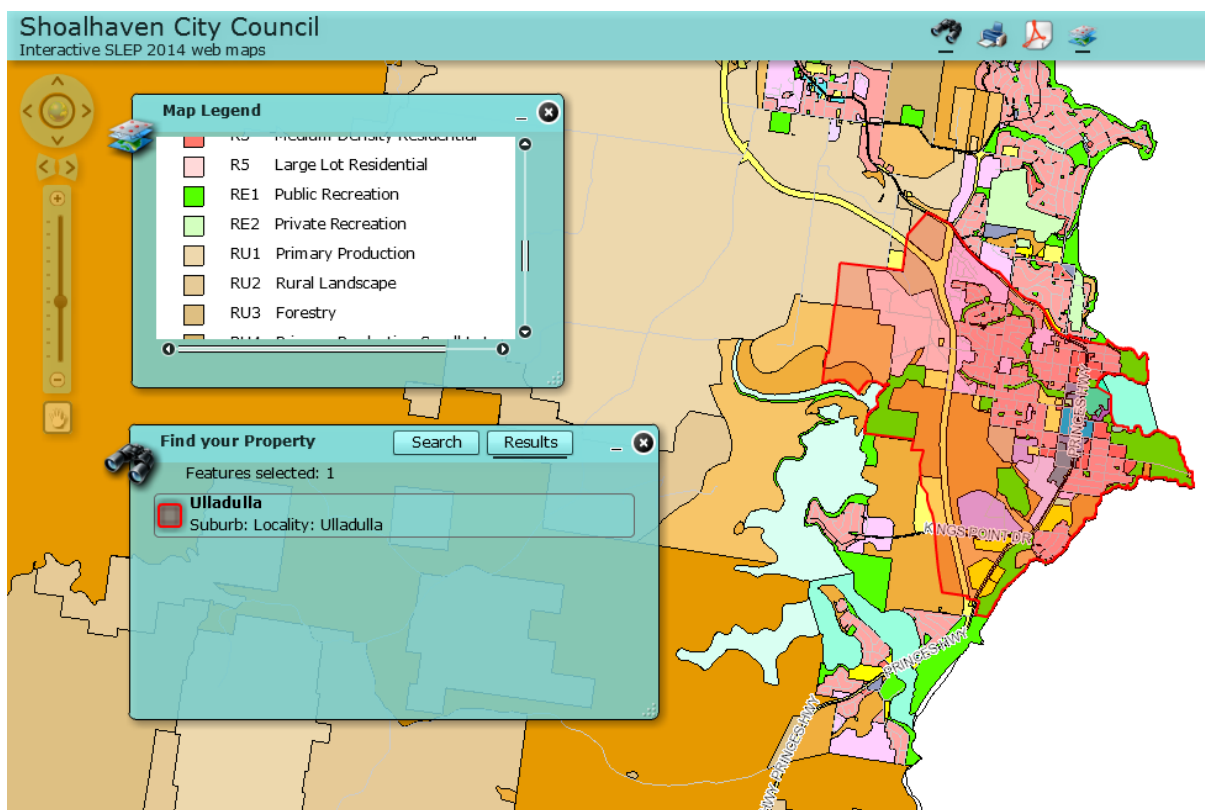


Figure 4: Boundary of Ulladulla (Suburb)

Source: Shoalhaven City Council (2014)

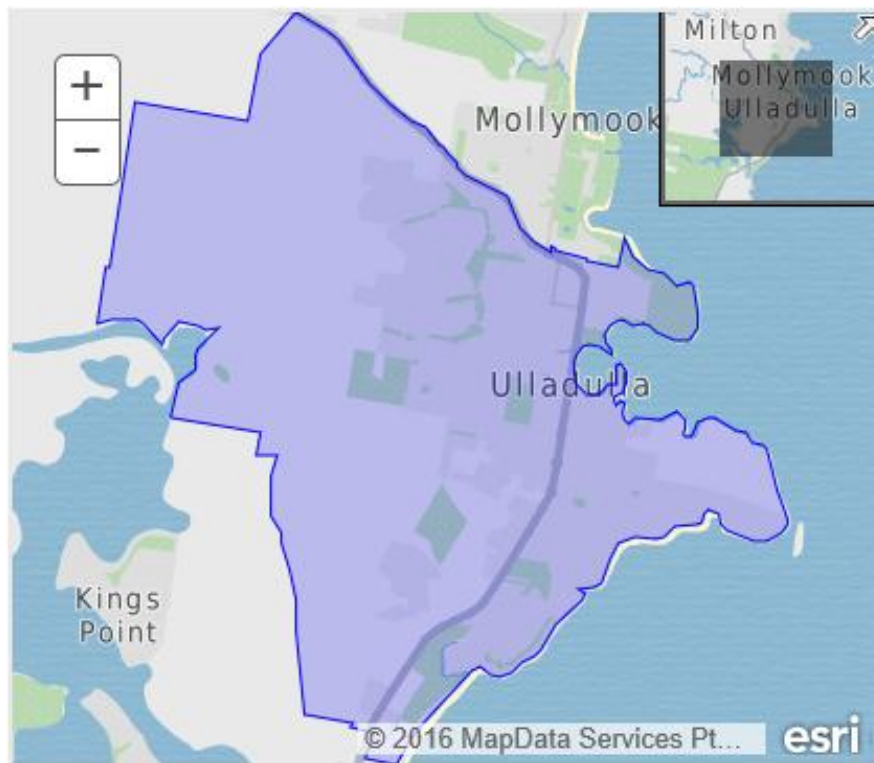


Figure 5: Boundary of Ulladulla (State Suburb SSC)
Source: Australian Bureau of Statistics (2016)

Figure 6 below shows that most vacant residential lots are around Ulladulla's West and Northwest. This proposal can act as a catalyst for brownfield residential development right at the Town Centre. Ulladulla, Milton, Mollymook, Mollymook Beach and Narrawallee have on current trends 4 years of supply remaining.



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

Figure 6: Ulladulla's vacant residential lots
Source: Australian Bureau of Statistics (2016)

3. Regional strategic merit

The projected population growth rates for the whole Shoalhaven Local Government Area by the Department of Planning (Department of Planning and Environment, 2014) and forecast.id (.id, 2015) showed from 2011 until 2031, there would be on average around 0.5% - 0.9% with a projected increase in the number of households in a steadily decreasing rate (from 1.1% to 0.6%). The number of youngsters (0 – 19 years of age) would remain within $\pm 2\%$ whereas a more than 10% uplift for the elderly (65 years of age +) every 5 years. As for the household types, most notably, the number of couples without children and lone persons would rise at a slightly decreasing fashion. (Department of Planning and Environment, 2014) These figures could be easily disputed given the 'big Australia' projections. (Australian Bureau of Statistics, 2013a) This proposal will enable environmentally sound growth to accommodate such projections.

a. South Coast Regional Strategy

This strategy confirmed Ulladulla and Vincentia having available land for growth.

The South Coast Regional Strategy, developed by the New South Wales State Government details that an additional 26,300 dwellings will be required in Shoalhaven over the next 25 years, of which 15,800 can potentially be accommodated within existing vacant urban land and existing investigation areas. The majority of land is located around the major centre of Nowra-Bomaderry and the major towns of Ulladulla and Vincentia (which includes the Jervis-Bay – St. Georges Basin area). The remaining 10,500 dwelling supply gap will be accommodated through medium density development within the town centres including at least 6700 dwellings in the Nowra area (as identified in the Nowra-Bomaderry Structure Plan). Some additional development may occur in outlying villages. In the smaller coastal villages additional growth is predominately expected to occur through infill development. The potential growth in these locations is discussed further in Section 7.

(Shoalhaven City Council, 2007)

However, in fact, available land is around Nowra but neither Ulladulla nor Vincentia.



b. Illawarra Shoalhaven Regional Plan 2015

In the recent *Illawarra Shoalhaven Regional Plan*, Ulladulla is classified as a regional centre, in which higher density residential development is encouraged. (Department of Planning and Environment, 2015)

Neighbourhood Planning Principles (NPP)	
Ensure a range of land uses to provide the right mix of houses, jobs, open space, recreational space and green space.	Provide a wide range of housing for different needs and different incomes, including traditional houses on individual blocks and smaller, lower-maintenance homes, units and terraces for older people and young singles or couples.
Ensure easy access to major town centres with a full range of shops, recreational facilities and services, along with smaller village centres and neighbourhood shops.	Facilitate housing diversity by providing a range of purpose-designed smaller lots and dwellings.
Focus on building the job market locally and regionally, reducing the demand for transport services.	Ensure new housing developments provide a proportion of adaptable housing to further increase housing choice across the region to cater for the ever changing needs of residents.
Plan streets and suburbs so that residents can walk to shops for their daily needs.	

Table 6: Neighbourhood Planning Principles (NPP)

Source: Department of Planning and Environment (2015) (pp. 44)

4. Strategic merit of the site

a. General merits

It is centrally located at Ulladulla at a higher altitude, with the close proximity within walking distance to the Ulladulla Harbour, two bus stops (Princes Highway corner Wason Street) and other facilities and services, e.g. shops and supermarkets. All these existing uses are compatible with our proposed changes as higher density shop-top housing and residential flat buildings.

Enabling commercial development on the ground-floor will provide job opportunities, more around strong retail demand and hospitality, to improve the labour market and reduce unemployment rate.

b. A B4 zone will achieve a better outcome than the currently B5 zone

(i) Comparison between B4 and B5

Historically, because of the presence of the industry, the B4 zoning around it was adopted, which was a slightly closer match with the industry. Had the industry not been there, all the site would have been zoned as B4.

The majority of the block has been designated as B4 zones except for the 9 lots (including our site) lying at the Southwestern corner as B5. It conflicts with one of the objectives of B5 that *'To allow a diversity of activities that do **not significantly conflict with the operation of existing or proposed development.**'*

Warehouse uses and bulky goods premises are not compatible with any town centre, as the latter is where most residents congregate for leisure and work purposes. Also, there may be conflicts in terms of differing traffic requirements, especially when the former catalyses truck and motor vehicle movements and the accompanying noise whereas the latter provides for pedestrian traffic – more walking and cycling.

Given the relatively steep gradient from the shoreline towards inland, the hydrology and high underground water table of Ulladulla, basement carparking is cost prohibitive. This site will provide the most cost effective supply of high density housing at an affordable price with carparking at grade with façades of commercial fronting the streets for activation and continuation of employment lands with 3 levels of residential above.

According to SLEP 2014, zone B5 does not allow for 'residential development'. On the other hand, zone B4 can fulfil this purpose, as reflected by its objectives:

To provide a mixture of compatible land uses.

*To integrate suitable business, office, **residential**, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

Residential use at town centre can create more activities, passive surveillance, vibrancy, higher walkability, improved health, lower the occurrence of heart disease and diabetes when combined with other retail and commercial uses. On the other hand, industrial uses do not achieve the same outcome given they are only active during business hours.

(ii) How to soften the boundary between B4 and B5?

Deering Street is the obvious dividing line between B4 and B5 zones. Currently north of Deering Street has walkways with grasses and some street trees while the south has brick pavements with street trees. If the north can imitate the south in terms of street furniture and tree planting, it would soften the boundary between B4 and B5 zones with less visual differences.

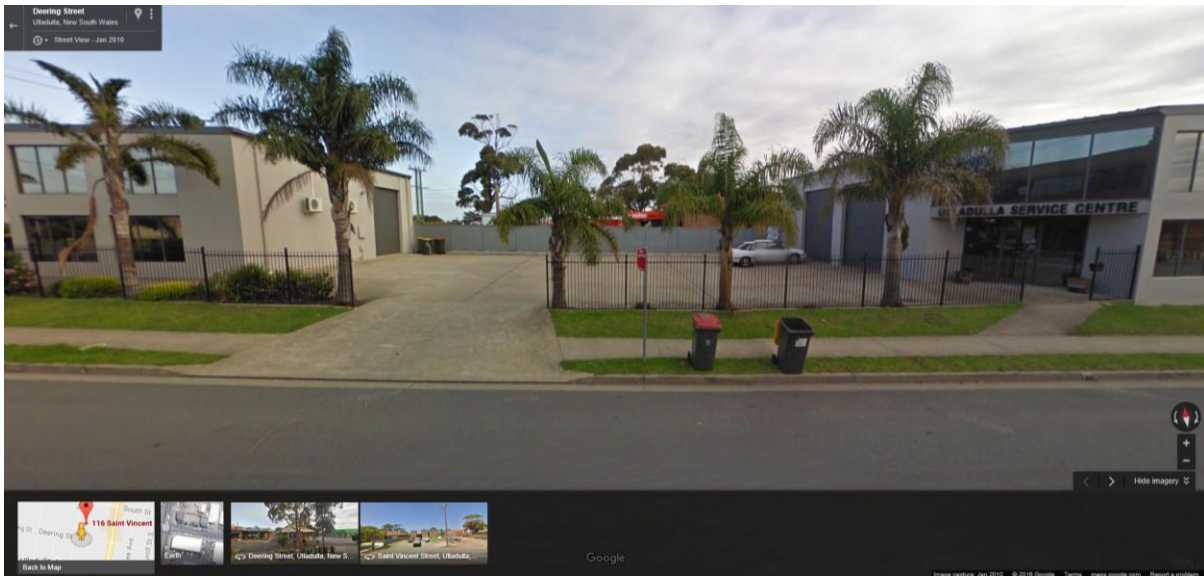


Figure 7: Existing streetscape (B5 Business Development Zone) on the north of Deering Street corner Deering Street and St Vincent Street (Same as **Figure 17**)

Source: Google Map (2016)

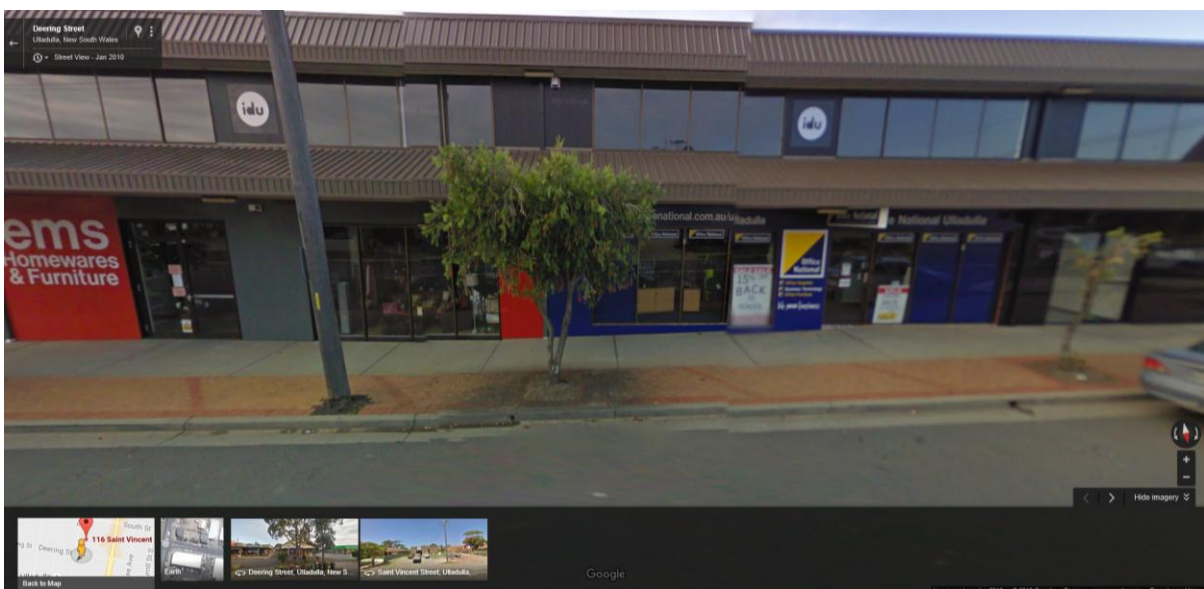


Figure 8: Existing streetscape (B5 Business Development Zone) on the south of Deering Street corner Deering Street and St Vincent Street (Same as **Figure 19**)

Source: Google Map (2016)

	B4 (Mixed Use)	B5 (Business Development)
Objectives	<ul style="list-style-type: none"> To provide a mixture of compatible land uses. To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. 	<ul style="list-style-type: none"> To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres. To allow a diversity of activities that do not significantly conflict with the operation of existing or proposed development.
Permitted without consent		
(Nil item)	Nil	Nil
Permitted with consent (✓ = Listed in 'Permitted with consent'; ○ = Not listed in 'Permitted with consent')		
Attached dwellings	✓	○
Backpackers' accommodation	○	✓
Boarding houses	✓	✓
Building identification signs	✓	○
Bulky goods premises	○	✓
Business identification signs	✓	○
Child care centres	✓	✓
Commercial premises	✓	○
Community facilities	✓	○
Educational establishments	✓	○
Entertainment facilities	✓	○
Function centres	✓	○
Garden centres	○	✓
Group homes	✓	○
Hardware and building supplies	○	✓
Hotel or motel accommodation	✓	✓
Information and education facilities	✓	○
Landscaping material supplies	○	✓
Light industries	○	✓
Medical centres	✓	○
Multi dwelling housing	✓	○
Passenger transport facilities	✓	✓
Recreation facilities (indoor)	✓	○
Registered clubs	✓	○
Residential flat buildings	✓	○
Respite day care centres	✓	✓
Restricted premises	✓	○
Roads	✓	✓
Self-storage units	○	✓
Seniors housing	✓	○
Serviced apartments	○	✓
Shop top housing	✓	✓



	B4 (Mixed Use)	B5 (Business Development)
Tourist and visitor accommodation	✓	○
Warehouse or distribution centres	○	✓
Any other development not specified in item 2 or 4	✓	✓
Prohibited (✗ = Listed in 'Prohibited'; ○ = Not listed in 'Prohibited')		
Agriculture	✗	✗
Air transport facilities	✗	✗
Airstrips	✗	✗
Boat building and repair facilities	✗	○
Boat launching ramps	✗	✗
Boat sheds	✗	✗
Camping grounds	✗	✗
Caravan parks	✗	✗
Cemeteries	✗	✗
Charter and tourism boating facilities	○	✗
Correctional centres	○	✗
Crematoria	✗	○
Depots	✗	○
Eco-tourist facilities	✗	✗
Electricity generating works	✗	○
Environmental facilities	✗	✗
Exhibition homes	✗	✗
Exhibition villages	✗	✗
Extractive industries	✗	✗
Farm buildings	✗	✗
Farm stay accommodation	✗	○
Forestry	✗	✗
Freight transport facilities	✗	○
Heavy industrial storage establishments	✗	○
Helipads	✗	✗
Highway service centres	✗	✗
Home occupations (sex services)	✗	✗
Industrial retail outlets	✗	○
Industrial training facilities	✗	✗
Industries	✗	✗
Jetties	✗	✗
Marinas	✗	✗
Mooring pens	✗	✗
Moorings	✗	✗
Mortuaries	✗	✗
Open cut mining	✗	✗
Recreation facilities (outdoor)	✗	○
Research stations	✗	○



	B4 (Mixed Use)	B5 (Business Development)
Residential accommodation	x	x
Resource recovery facilities	x	x
Restricted premises	○	x
Rural industries	x	x
Sex services premises	x	x
Signage	x	○
Storage premises	x	x
Tourist and visitor accommodation	○	x
Transport depots	x	○
Truck depots	x	x
Vehicle body repair workshops	x	○
Warehouse or distribution centres	x	○
Waste disposal facilities	x	x
Wharf or boating facilities	x	x

Table 7: Existing SLEP 2014 controls for B4 (Mixed Use) and B5 (Business Development) zones

Source: Shoalhaven City Council (2016b)

c. Relocation of the current metal works to a more appropriate industrial area

Southern Ulladulla has traditionally been populated with heavy industries, e.g. mills, etc. There is a statement from a former worker in the 1950s or 1960s identifying the use of the site.

As previously mentioned, the site should have been B4 rather than B5. However, due to the presence of such heavy industries, there would be conflicts with the residential component of B4.

d. General community objection over current industry

If the site is free of contaminants, the current use should be relocated outside the town centre. (Willmott and McDonald, 2015)

There have been numerous complaints over the years and the owners and the Council had made repeated interventions. The steelworks used to be a shipyard (e.g. the ‘Bonanza’ was built there), however because of these complaints it cannot build any boats anymore, reducing employment opportunities.

5. Discussion with the neighbours

Written notification to the neighbours has already been sent and we have obtained the most of the signed consent.

6. Site suitability

The site had an association with heavy industry, in particular boat vessels.

Bonanza II. Steel motor fishing vessel, 110 gross. Built Ulladulla, NSW, 1981. Length 23.73 metres. (Encyclopedia of Australian Shipwrecks, Unknown)

An earlier investigation into the existing use rights of the site is important to note as the heavy industry would not have been permissible under *SLEP 1985, (Le Bas P. via Turnbull Group Pty Limited, 2005)* rendering the use as a historic one and overdue for relocation to an industrial zone.

There has been no hydrocarbons present at the site whatsoever, as witnessed by one of the former workers at the site.



Figure 9: Our development site (Same as **Figure 1** and **Figure 15**)

Source: Google Map (2016)



Figure 10: Proposed possible streetscape montage (14 metre high residential flat buildings per SEPP 65 and shop top housing) (Same as **Figure 16**)

Source: Your Urban Designer (2016)



Figure 11: Proposed possible streetscape montage in aerial view (Maximum height of the neighbouring blocks is illustrated as per SLEP 2014) (Same as **Figure 18**)

Source: Your Urban Designer (2016); and ESRI (for the north arrow)



7. Summary

The above discussions have clearly demonstrated the need and reasons for applying for a rezoning, in terms of the need to provide more affordable housing opportunities in Ulladulla Town Centre, the site's merits and suitability in local and regional context.

8. Q2 – Is the Planning Proposal the best means of achieving the intended outcome?

Yes.

a. Option 1 (Status quo to stay at B5 zone without any rezoning)

As mentioned in the above **Section 4 'Strategic merit of the site'**, a B4 zone is more consistent with residential uses. The option to remain as B5 would not allow higher density residential use to happen, given low demand for commercial space as in shop top housing in B5.

b. Option 2 (Change to a higher density residential zone)

At the edge of the Ulladulla Town Centre (as shown in **Figure 12** below), any residential zone would not achieve the similar level of desired outcome.

R2 Low Density Residential has a hindering effect on any business development given a minimum lot size of 500 m² (*Clause 4.1A Area 1*) and a maximum building height of 8.5 metres.

Both R1 General Residential and R3 Medium Density Residential do allow for 'residential flat buildings', 'neighbourhood shops' and 'shop top housing'. However, the purpose is still mainly for residential use and facilities or services for the day-to-day needs of the residents. As such, wider choices of permissible and mutually compatible uses may not be enabled.



Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To identify land suitable for future urban expansion.

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the **housing needs** of the community within a **medium density residential environment**.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide **facilities or services to meet the day to day needs of residents**.
- To provide opportunities for development for the purposes of tourist and visitor accommodation where this does not conflict with the residential environment.

(Legislation New South Wales, 2016b)

As DCP S8 shows, as shown in **Figure 13** below, Council's intention for the site is to be 'Business development precinct' (Precinct 5) with the 'Mixed use precinct (commercial + residential)' (Precinct 2) on the north, rather than 'Residential unit living precinct' (Precinct 4) nor 'Medium density residential precinct' (Precinct 7).

'Home businesses', 'home industries' and 'home occupations' are no substitute for any other business zoning as they would not achieve the same level of local employment generation compared to 'shop-top housing', 'mixed use' or 'residential flat buildings'.

In addition, Direction 1.1 does not allow a reduction in existing business zones. For details, please refer to **Section V 'Relevant directions, legislation, acts, regulations and environmental planning instruments' Sub-Section A 'Environmental Planning and Assessment Act 1979 No 272 ('EP&A Act') Part 1 'Section 117 (2) Directions' Sub-Part a '1.1 Business and Industrial Zones'**.

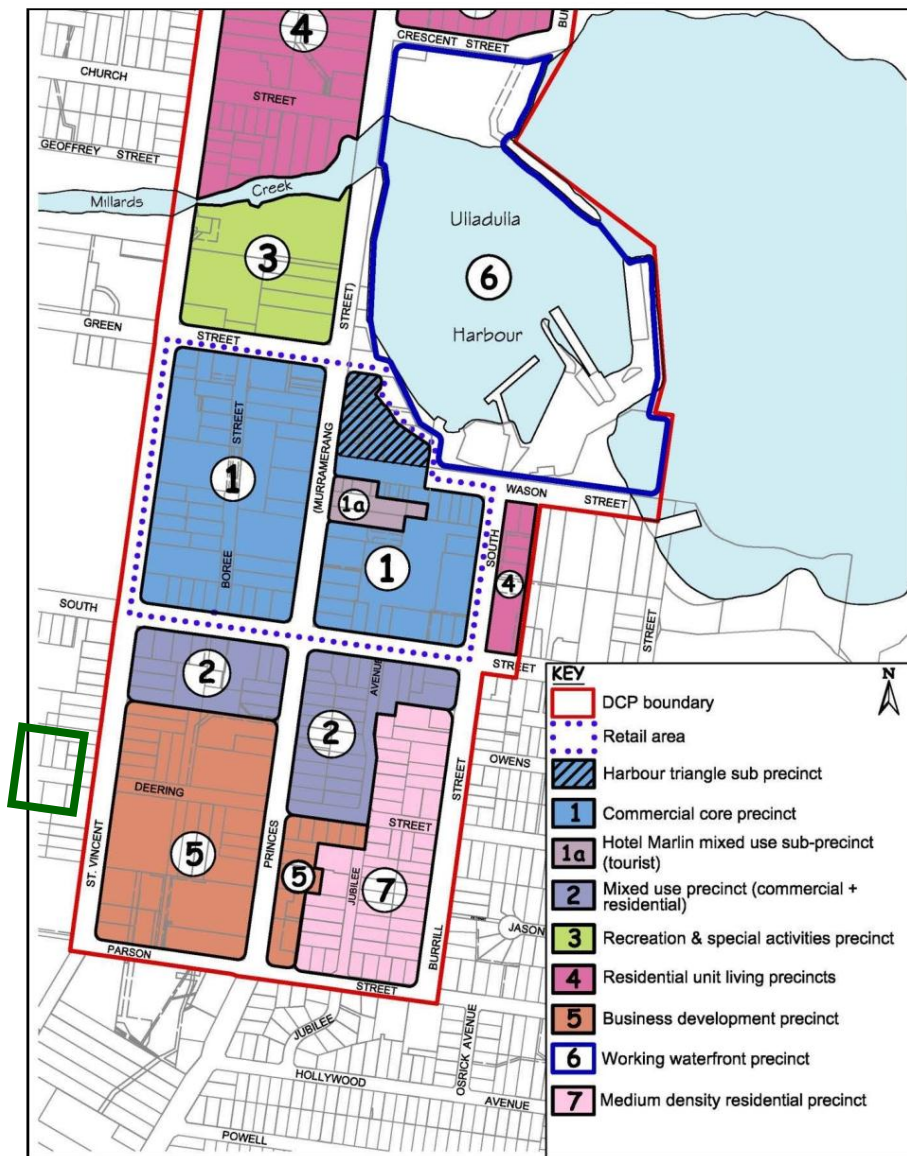


Figure 12: Ulladulla's town centre boundary and the proposed site (engulfed in the thick dark green rectangle) in Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre
Source: Shoalhaven City Council (2014a)

Shoalhaven Development Control Plan 2014
 Chapter S8: Ulladulla Town Centre

3 Context

This chapter identifies seven land use precincts as shown on Map 1 below. Development within these precincts will need to comply with the following requirements.



Map 1: Land Use Precincts

Figure 13: Land Use Precincts of the proposed site in Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre (Same as **Figure 22**)

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)

B. Relationship to the Strategic Planning Framework

1. Q3 – Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. Below outlines our proposal's consistency with other strategies.

a. *Illawarra Shoalhaven Regional Plan* (Department of Planning and Environment, 2015)

Our proposal is also consistent with the *Illawarra Shoalhaven Regional Plan*, as previously mentioned in **Section IV 'Justifications for proposal' Sub-Section A 'Need for the Planning Proposal' Item 3 'Regional strategic merit'**.

b. *South Coast Regional Strategy 2007*

This earlier strategy has laid another foundation to increasing the number of dwellings through the use of the then existing vacant urban land and investigation areas including the major town of Ulladulla, as well as closing the then supply gap through medium-density development within the town centres.

As for the housing mix, the report considered low density detached dwellings would not meet the needs of future households, dominated by singles and childless couples while the population was ageing and the significant demand for temporary or tourist accommodation which would become permanent housing by retiring and/or 'sea change-seeking' absentee owners. The identification and encouragement of suitable locations for housing adaptable for an ageing population, close to amenities and services would be important to meet the housing needs of the South Coast Region.

(Department of Planning and Environment, 2007b)

The proposed rezoning would enable a broadened mix of housing options to accommodate these groups while increasing the supply of dwellings.

c. Shoalhaven Beyond 2030 Growth Management Strategy

This Strategy referred ‘coastal urban centres’ being Ulladulla in the south. The key issues for future growth were the location and supply of new development land; the economic value of new development to help drive change and encourage more sustainable settlement patterns, reduced social isolation and more effective provision of infrastructure and public services; future growth being driven continuously by in-migration; new housing at appropriate styles and locations; minimisation of risks to human health and safety; harnessing the new development potential; and ensuring proper address of the environmental, social and economic issues.

Character Type – Applicable Town or Village	Development issues
Coastal Urban Centre - Ulladulla complex (includes Burrill Lake, Kings Point, Dolphin Point), St Georges Basin complex (St Georges basin, basin view, Sanctuary Point, Erowal Bay), Vincentia	<ul style="list-style-type: none"> • Development must emphasise the urban form around commercial centres • Public domain improvements vital to focus form of centres • Road and development network to provide appropriate pedestrian linkages to commercial centres • Environmental and scenic values to be protected

Table 8: Development issues to maintain hierarchical settlement character

Source: Whitworth Consulting via Shoalhaven City Council (2005) and Shoalhaven City Council (2016)

(Whitworth Consulting via Shoalhaven City Council, 2005; and Shoalhaven City Council, 2016)

d. Milton-Ulladulla Structure Plan

Based on SLEP 1985, this Structure Plan would only go up to year 2020, with the following big picture:

*‘By the year 2020 Milton-Ulladulla will be a system of coastal villages, set within an attractive undulating rural landscape. It would be a gentle yet exciting and creative place, where there is a place for everything and everything is in place. Economic activity would focus on: development of Ulladulla as a significant tourist centre; a service centre for the southern Shoalhaven, **providing for the needs of both the resident and the visitor**; ...’ (Monaro Consultants Pty Ltd via Shoalhaven City Council, 1996; and Shoalhaven City Council, 2016)*

SLEP 2014 has already taken us well beyond the vision of this Structure Plan dated year 1996. The resulting development from this proposal is consistent with the aims and objectives of SLEP 2014 with respect to urban consolidation of the Ulladulla Town Centre.

e. A Place for Aging

The Shoalhaven already fulfilled an important role in normal and affordable housing provision for the elderly, physically less mobile from the Greater Sydney Region, younger lower-income couples, families and singles. There have been a high demand for self-care units, a very high priority for purpose-built support accommodation development for younger residents with a disability and smaller developments of well located 'cluster housing' would be important.

Key housing principles for the elderly and the physically less mobile are affordability in terms of the cost relative to their income and/or assets; housing diversity to allow for choice at different stages of pre- and post-retirement; appropriate location with access to various essential services in the home, essential services and public transport in the neighbourhood / close proximity to their residences and in the Local Government Area (**LGA**); appropriate design regarding access, adaptability and long-term sustainability. There also needs to be more 'balanced' communities, careful monitoring of the long-term demographic impact of in-migration, land supply and planning policies, especially on affordability.

Their choices of accommodation were often multi-unit dwellings e.g. townhouses, villas or units, either to reduce the time and effort they spent on maintaining a house or lowering their housing costs; and affordable housing to free up money invested in assets, or find accommodation that better matches a reduced income. They prefer out-of-metropolitan-areas to own rather than rent, so that they can own their home outright rather than face a mortgage on a reduced income. There was a general preference for the majority of senior residents to live in the general community, rather than senior-specific developments until later years.

The Council generally favoured higher density housing in Nowra/Bomaderry, Milton/**Ulladulla**/Mollymook, and to a lesser extent the village areas of Sussex Inlet and Vincentia, which followed the descending order of concentration of community, health, recreation and support services.

The general recommendations for the Council to increase housing supply for the elderly and physically less mobile were as follows, which still have application value up to date:

- To put in place policies to encourage an increase in the diversity of accommodation
- To increase the supply of medium density and lower density housing options (e.g. with smaller yards and less bedrooms), and adaptable housing (per AS4299)
- To extend medium density zones in places close to transport and to comprehensive service, retail and commercial concentrations, and especially those areas characterised by large lots, larger housing stock and declining population



- To make sufficient provision for medium density and smaller-lot low density housing options when planning new subdivisions
- To pro-actively identify appropriately located smaller in-fill developments as well as larger retirement villages
(Dr Judith Stubbs via Judith Stubbs & Associates, 2004)

Any development following the approval of this proposal would fulfil these recommendations by increasing the diversity of accommodation, the supply of medium density housing options and adaptable housing, being located close to transport and comprehensive service, retail and commercial concentrations and being a small in-fill development.



2. Q4 - Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

a. Shoalhaven City Council Development Control Plan Chapter S8 Ulladulla Town Centre

Yes.

Business Precinct provides opportunities to arrest the national trend of continuing decline in the manufacturing sector and the RV current manufacturing businesses can relocate to South Ulladulla.



Figure 14: Example of where the current manufacturing industry at the site will be relocated at South Ulladulla
Source: Google Map (2016)

For more details, please refer to **Section V 'Relevant directions, legislation, acts, regulations and environmental planning instruments' Sub-Section N 'Shoalhaven Development Control Plan 2014 ('SDCP 2014') Item 1 'Chapter S8 (DCP 56) Ulladulla Town Centre'**.

b. Shoalhaven Community Strategic Plan 2023

In this plan, Council has put forward ‘Indicators for Measuring and Reporting Progress’ related to increase in the number and value of housing and business.

KRA	Outcomes	Measure	Source
Place	Shoalhaven housing	Number of new dwellings approved (combined, dual occupancies, Secondary Dwellings and units/flats)	Council records
	Residential development approvals	Value of new residential development approvals	
Prosperity	New commercial construction and business investment	Value of Non-Residential Development Application approvals	

Table 9: Indicators for Measuring and Reporting Progress related to housing
 Source: Shoalhaven City Council (2013)

3. Q5 - Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes, with a particular reference to State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (‘SEPP 65’) and the Draft Medium Housing Density Design Guide.

For details, please refer to the **Section V ‘Relevant directions, legislation, acts, regulations and environmental planning instruments’**.

4. Q6 - Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Yes. For details, please refer to the **Section V ‘Relevant directions, legislation, acts, regulations and environmental planning instruments’**.

C. Environmental, Social and Economic Impacts

1. Q7 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No, there are no reported endangered flora and fauna and their habitats at the site.

2. Q8 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

a. Traffic impact

There will be minimal traffic impact:

Currently the major traffic is the delivery vehicles and trucks for the steel works. The calculation of the extra traffic should be discounted given higher walkability to the local shops, e.g. Woolworths, as a result of apartments brought about by a successful rezoning.

Cars can be parked at the at-grade ground-floor carpark behind the shops, i.e. the street level commercial façade.

Given the logistics of the delivery of bulk steel items and the nature of the consolidated town centre, people will more likely walk.

Preliminary thoughts are neutral impact on traffic, as traffic was forecasted to increase naturally.

Road	Traffic Volume (AADT)		Increase 2003 - 2026
	2003	2026	
The Princes Highway @ Millards Creek	14,110	18,280	4,170
St Vincent Street @ Millards Creek	6,000	9,240	3,240
Green Street (West of St Vincent Street)	4,400	6,910	2,510

Table 10: Previous and estimated traffic volumes for key streets in Ulladulla Town Centre

Source: Shoalhaven City Council (2009)

b. Visual impact

Visual impact will be improved because of increased patronage and higher level of vibrancy with more diverse activities.

Current site outlook	Illustrated future visual impact
	
<p>Figure 15: Our development site (Same as Figure 1) Source: Google Map (2016)</p>	<p>Figure 16: Proposed possible streetscape montage (14 metre high residential flat buildings per SEPP 65) (Same as Figure 10) Source: Your Urban Designer (2016)</p>
	
<p>Figure 17: Existing streetscape (B5 Business Development Zone) on the north of Deering Street corner Deering Street and St Vincent Street (Same as Figure 7) Source: Google Map (2016)</p>	<p>Figure 18: Proposed possible streetscape montage in aerial view (Maximum height of the neighbouring blocks is illustrated as per SLEP 2014) (Same as Figure 11) Source: Your Urban Designer (2016)</p>
	
<p>Figure 19: Existing streetscape (B5 Business Development Zone) on the south of Deering Street corner Deering Street and St Vincent Street (Same as Figure 8) Source: Google Map (2016)</p>	<p>Figure 20: Example of Medium Density Housing – Attached Housing, currently not permissible under current B5 Zone but would be under B4. Source: Department of Planning and Environment (2016b)</p>

Table 11: Visual comparison between current site outlook and illustrated future visual impact

c. Noise impact

With the relocation of the existing heavy industry there, the noise level will be much reduced. Residential and retail uses generally do not create too much undesirable noise impacts.

3. Q9 – Has the Planning Proposal adequately addressed any social and economic impacts?

As discussed in **Section IV ‘Justifications for proposal’**, this proposal adequately addresses these impacts, namely improved social outcome, housing supply, housing choices, affordability and local employment.

D. State and Commonwealth interests

1. Q10 – Is there adequate public infrastructure for the Planning Proposal?

Yes. For details, please refer to **Section VII ‘Government agency referrals’**.

2. Q11 – What are the views of State or Commonwealth public authorities consulted in accordance with the Gateway determination?

It will be subject to the Director-General’s determination. For other public authorities, please refer to **Section VII ‘Government agency referrals’**.

V. Relevant directions, legislation, acts, regulations and environmental planning instruments

The following lists the major relevant instruments covering the site, which are non-exhaustive.

Item	Last Version	Effective Date
Environmental Planning and Assessment Act 1979 No 272 ('EP&A Act')	3/6/2016	
<i>Section 117 (2) Directions</i>		
1. Employment and Resources		
1.1 Business and Industrial Zones		14/4/2016
2. Environment and Heritage		
2.2 Coastal Protections		14/4/2016
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones		14/4/2016
3.4 Integrating Land Use and Transport		14/4/2016
4. Hazard and Risk		
4.1 Acid Sulfate Soils		1/7/2009
4.3 Flood Prone Land		1/7/2009
5. Regional Planning		
5.10 Implementation of Regional Plans		14/4/2016
6. Local Plan Making		
6.1 Approval and Referral Requirements		1/7/2009
6.3 Site Specific Provisions		1/7/2009
State Environmental Planning Policy No 55 – Remediation of Land ('SEPP 55')	4/7/2014	
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development ('SEPP 65')	15/7/2015	
State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes) ('SEPP 70')	31/7/2009	
State Environmental Planning Policy No. 71 - Coastal Protection ('SEPP 71')	22/2/2014	
State Environmental Planning Policy (Affordable Rental Housing) 2009	5/8/2016	



Item	Last Version	Effective Date
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	22/2/2014	
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	30/10/2015	
State Environmental Planning Policy (Infrastructure) 2007	5/8/2016	
State Environmental Planning Policy (Integration and Repeals) 2016	6/8/2016	

Table 12: Summary of relevant directions, legislation, acts, regulations and environmental planning instruments

Source: [Legislation New South Wales](#)

A. Environmental Planning and Assessment Act 1979 No 272 ('EP&A Act')

Any developments subsequent to a successful approval of our proposal will conform to this Act, which is the basis for all developments. The Council also assess any upcoming development applications subsequent from this PP by *s79C Evaluation* which includes the public interest. ([Legislation New South Wales, 2016a](#))



1. Section 117 (2) Directions

Here are the Directions relevant to our Planning Proposal.

a. 1.1 Business and Industrial Zones

Item	Particulars	How our proposal conforms to this Direction
Direction 1	Employment and Resources	
Direction 1.1	Business and Industrial Zones	
Objectives	(a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	
When this direction applies	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).	
What a relevant planning authority must do if this direction applies	A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	There will be no reduction in business zones. Our proposal involves a minor change from one business zone to another within business zone.
Note	In this direction, “identified strategic centre” means a centre that has been identified as a strategic centre in a regional strategy, sub-regional strategy, or another strategy approved by the Director General.	

Table 13: Direction 1 Employment and Resources Direction 1.1 Business and Industrial Zones

Source: Department of Planning (2016a)

b. 2.2 Coastal Protections

Item	Particulars	How our proposal conforms to this Direction
Direction 2	Environment and Heritage	
Direction 2.2	Coastal Protection	
Objectives	The objective of this direction is to implement the principles in the <i>NSW Coastal Policy</i> .	
Where this direction applies	This direction applies to the coastal zone, as defined in the <i>Coastal Protection Act 1979</i> .	
What a relevant planning authority must do if this direction applies	A planning proposal must include provisions that give effect to and are consistent with: (a) the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i> , and (b) the <i>Coastal Design Guidelines 2003</i> , and (c) the manual relating to the management of the coastline for the purposes of section 733 of the <i>Local Government Act 1993 (the NSW Coastline Management Manual 1990)</i> .	From Council’s available online map (Appendix Figure 20: Coastal Zone), the site is covered amid locating away from the actual shoreline. Appropriate architecture can be used and we will carry out further investigations regarding these documents.

Table 14: Direction 2 Environment and Heritage Direction 2.2 Coastal Protection

Source: Department of Planning (2016a)

c. 3.1 Residential Zones

Item	Particulars	How our proposal conforms to this Direction
Direction 3	Housing, Infrastructure and Urban Development	
Direction 3.1	Residential Zones	
Objectives	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	
When this direction applies	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within: (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary), (b) any other zone in which significant residential development is permitted or proposed to be permitted.	
What a relevant planning authority must do if this direction applies	(4) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	Our proposal will enable a broadened choice of residential properties, improved affordability and health, urban consolidation and utilisation the existing services, roads and bus stops. Since most vacant residential land is currently at Ulladulla’s fringe, the location of our proposal is more attractively suitable. Excellence in urban design including Water Sensitive Urban Design will be sought in accordance with State Environmental Planning Policy No 65 - Design.

Table 15: Direction 3 Environment and Heritage Direction 3.1 Residential Zones

Source: Department of Planning (2016a)

d. 3.4 Integrating Land Use and Transport

Item	Particulars	How our proposal conforms to this Direction
Direction 3	Housing, Infrastructure and Urban Development	
Direction 3.4	Integrating Land Use and Transport	
Objectives	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>Our proposal will enable an improved access to housing, jobs and services by walking, cycling and public transport, utilising the existing services, roads and bus stops. New job opportunities created locally will reduce the trips and distances travelled by car. An increase in the number of local residents can also support improved public transport services.</p>
When this direction applies	<p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	
What a relevant planning authority must do if this direction applies	<p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i>, and</p> <p>(b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>.</p>	

Table 16: Direction 3 Environment and Heritage Direction 3.4 Integrating Land Use and Transport
 Source: Department of Planning (2016a)

e. 4.1 Acid Sulfate Soils

Item	Particulars	How our proposal conforms to this Direction
Direction 4	Hazard and Risk	
Direction 4.1	Acid Sulfate Soils	
Objectives	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	
Where this direction applies	This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.	
What a relevant planning authority must do if this direction applies	<p>(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or</p> <p>(b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).</p>	<p>According to <i>Shoalhaven Local Environmental Plan 2014</i>, the site has a Class 5 Acid Sulfate Soils and due diligence will be applied for any subsequent developments.</p>

Table 17: Direction 4 Hazard and Risk Direction 4.1 Acid Sulfate Soils Source: Department of Planning (2016a)

f. 5.10 Implementation of Regional Plans

Item	Particulars	How our proposal conforms to this Direction
Direction 5	Hazard and Risk	
Direction 5.10	Implementation of Regional Plans	
Objectives	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	
Where this direction applies	This direction applies to land to which a Regional Plan has been released by the Minister for Planning.	
What a relevant planning authority must do if this direction applies	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	Our proposal is consistent with all the regional plans. Please refer to Section IV 'Justifications for proposal' Sub-Section B 'Relationship to the Strategic Planning Framework' Part 1 'Q3 – Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?'

Table 18: Direction 5 Hazard and Risk Direction 5.10 Implementation of Regional Plans

Source: Department of Planning (2016a)



g. 6.1 Approval and Referral Requirements

Item	Particulars	How our proposal conforms to this Direction
Direction 6	Local Plan Making	
Direction 6.1	Approval and Referral Requirements	
Objectives	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	
What a relevant planning authority must do if this direction applies	<p>A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>(i) the appropriate Minister or public authority, and</p> <p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</p> <p>prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and</p> <p>(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p>	Our proposal minimises on unnecessary concurrence.

Table 19: Direction 6 Local Plan Making 6.1 Approval and Referral Requirements

Source: Department of Planning (2016a)

h. 6.3 Site Specific Provisions

Item	Particulars	How our proposal conforms to this Direction
Direction 6	Local Plan Making	
Direction 6.3	Site Specific Provisions	
Objectives	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	
When this direction applies	This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.	
What a relevant planning authority must do if this direction applies	<p>(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>	Our proposal simply changes from one business zone to another, both of which are already contained among all the available zonings.

Table 20: Direction 6 Local Plan Making 6.3 Site Specific Provisions

Source: Department of Planning (2016a)



B. State Environmental Planning Policy No 55 – Remediation of Land ('SEPP 55')

This SEPP offers the following objectives:

2 Object of this Policy

(1) The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land.

(2) In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

(a) by specifying when consent is required, and when it is not required, for a remediation work, and

(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and

(c) by requiring that a remediation work meet certain standards and notification requirements.

(Legislation New South Wales, 2014a)

Due to the sites' current use and history related to the operation of steel fabrication and related activities, the Council holds the view that the site is potentially contaminated land. (Clark via Shoalhaven City Council, 2016)

Nevertheless, as will be discussed in **Section IX 'Potentially contaminated land addressed'**, the site is contamination-free based on plausible evidence. In such circumstances, the site's conformance to this environmental planning instrument is not necessary.



C. State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development ('SEPP 65')

This SEPP offers the following objectives:

2 Aims, objectives etc

(1) This Policy aims to improve the design quality of residential apartment development in New South Wales.

(2) This Policy recognises that the design quality of residential apartment development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

(3) Improving the design quality of residential apartment development aims:

(a) to ensure that it contributes to the sustainable development of New South Wales:

(i) by providing sustainable housing in social and environmental terms, and

(ii) by being a long-term asset to its neighbourhood, and

(iii) by achieving the urban planning policies for its regional and local contexts, and

(b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define, and

(c) to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities, and

(d) to maximise amenity, safety and security for the benefit of its occupants and the wider community, and

(e) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions, and

(f) to contribute to the provision of a variety of dwelling types to meet population growth, and

(g) to support housing affordability, and

(h) to facilitate the timely and efficient assessment of applications for development to which this Policy applies.

(4) This Policy aims to provide:

(a) consistency of policy and mechanisms across the State, and

(b) a framework for local and regional planning to achieve identified outcomes for specific places.

(Legislation New South Wales, 2015a)

Upon approval of this PP, this environmental planning instrument will be applied through careful, considerate and user-oriented design via the Triple-Bottom-Line principles.



D. State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes) ('SEPP 70')

This SEPP offers the following aims:

3 Aim of Policy

(1) The aim of this Policy is to insert revised affordable housing provisions into environmental planning instruments for land:

(a) within the Ultimo-Pyrmont Precinct of City West and subject to [Sydney Regional Environmental Plan No 26—City West](#), and

(b) within the City of Willoughby and subject to [Willoughby Local Environmental Plan 1995](#), and

(c) at Green Square and subject to [South Sydney Local Environmental Plan 1998](#), because of the expiry of savings made by the [Environmental Planning and Assessment Amendment \(Affordable Housing\) Act 2000](#).

(2) This Policy:

(a) identifies that there is a need for affordable housing in the local government areas within which that land is situated, and

(b) describes the kinds of households for which affordable housing may be provided, and

(c) makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.

where **Greater Metropolitan Region** means the land declared to be the Greater Metropolitan Region by order published in Government Gazette No 142 of 11 October 1991 at page 8758.

(Legislation New South Wales, 2009a)

This proposal has an aim to enable affordable housing to be established so as to assist lower income earners in Ulladulla.

E. State Environmental Planning Policy No. 71 - Coastal Protection ('SEPP 71')

This SEPP offers the following aims:

2 Aims of Policy

(1) This Policy aims:

- (a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and
- (b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and
- (c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and
- (d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and
- (e) to ensure that the visual amenity of the coast is protected, and
- (f) to protect and preserve beach environments and beach amenity, and
- (g) to protect and preserve native coastal vegetation, and
- (h) to protect and preserve the marine environment of New South Wales, and
- (i) to protect and preserve rock platforms, and
- (j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the *Protection of the Environment Administration Act 1991*), and
- (k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and
- (l) to encourage a strategic approach to coastal management.

(2) This Policy:

- (a) (Repealed)
- (b) requires certain development applications to carry out development in sensitive coastal locations to be referred to the Director-General for comment, and
- (c) identifies master plan requirements for certain development in the coastal zone.

(3) This Policy aims to further the implementation of the Government's coastal policy.

(Legislation New South Wales, 2014b)

The resulting developments upon the successful approval of this proposal will follow the principles of ecologically sustainable development and have appropriate development type, bulk, scale and size.



F. State Environmental Planning Policy (Affordable Rental Housing) 2009 ('SEPP Affordable Rental Housing')

This SEPP offers the following aims:

3 Aims of Policy

The aims of this Policy are as follows:

- (a) to provide a consistent planning regime for the provision of affordable rental housing,
- (b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,
- (c) to facilitate the retention and mitigate the loss of existing affordable rental housing,
- (d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,
- (e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,
- (f) to support local business centres by providing affordable rental housing for workers close to places of work,
- (g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

(Legislation New South Wales, 2016e)

We hold the aim of providing opportunities to enable affordable housing, so as to assist lower income households.

G. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

This SEPP offers the following aims:

3 Aim of Policy

- (1) Regulations under the Act have established a scheme to encourage sustainable residential development (*the BASIX scheme*) under which:
 - (a) an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and
 - (b) the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.
- (2) The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.
- (3) This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

(Legislation New South Wales, 2014c)

Any construction will be abided by this environmental planning instrument upon the approval of this PP.



H. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (*'SEPP Housing for Seniors'*)

This SEPP offers the following aims:

2 Aims of Policy

- (1) This Policy aims to encourage the provision of housing (including residential care facilities) that will:
 - (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
 - (b) make efficient use of existing infrastructure and services, and
 - (c) be of good design.

- (2) These aims will be achieved by:
 - (a) setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and
 - (b) setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and
 - (c) ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.

(Legislation New South Wales, 2015b)

The resulting developments upon the successful approval of this proposal will follow the above principles.



I. State Environmental Planning Policy (Infrastructure) 2007

This SEPP offers the following aims:

2 Aim of Policy

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and
- (b) providing greater flexibility in the location of infrastructure and service facilities, and
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and
- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

(Legislation New South Wales, 2016c)

Notably, this SEPP repealed the *State Environmental Planning Policy No. 11 – Traffic Generating Development*.

Further investigations will be carried out into new infrastructure, upon an approved proposal.



J. State Environmental Planning Policy (Integration and Repeals) 2016

3 Repeal of planning instruments

The following planning instruments are repealed:

- (b) [Illawarra Regional Environmental Plan No 1](#),
- (c) [Illawarra Regional Environmental Plan No 2—Jamberoo Valley](#),
- (d) [Jervis Bay Regional Environmental Plan 1996](#),
- (e) [Lower South Coast Regional Environmental Plan \(No 2\)](#),
- (k) [State Environmental Planning Policy No 32—Urban Consolidation \(Redevelopment of Urban Land\)](#),

(Legislation New South Wales, 2016d)

This proposal is mindful of the above legislation changes.

K. Draft Medium Density Design Guide

This proposal is consistent with the aims and the objectives of this draft guide.

NSW requires more housing to meet the needs of our diverse and growing population. Our state is projected to grow by more than 100,000 people every year until 2036, and we will need to provide homes for an additional 2.1 million residents.

By 2036, the number of people in NSW aged over 60 years will have increased by 56 per cent, to more than 2.6 million people. In the same timeframe, the number of people aged between 0-19 will have increased 24 per cent to more than 2.4 million. While single and couple-only households will increase to represent almost half of all households in the state.

(Department of Planning and Environment, 2016b)





Figure 2 26 Shared street



Figure 2 27 Internal pedestrian network

Figure 21: Examples of Medium Density Housing – Multi-Dwelling and/or Attached Housing
Source: Department of Planning and Environmental (2016b)



L. Shoalhaven Local Environmental Plan 1985 ('SLEP 1985')

This Local Environmental Plan has the following aims and objectives.

2 Aims, objectives etc

(1) The aims of this plan are:

- (a) to provide guidelines in accordance with the objects of the Act for orderly and timely development and management of land use in the City,
- (b) to enhance individual and community well-being and welfare by following a path of economic development that does not impair the welfare of future generations, and
- (c) to work towards an ecologically sustainable future through the proper management, development, protection, restoration, enhancement and conservation of the environment of the City.

(2) The objectives of this plan are:

- (a) to provide for a variety of residential life styles,
- (b) to ensure space is provided for community services and facilities as well as recreational activities,
- (c) to enable a variety of commercial uses while consolidating existing commercial centres,
- (d) to enable accommodation of industrial uses,
- (e) to ensure that the council gives due regard to the effect of natural hazards upon development,
- (f) to ensure that development and expansion of coastal villages are sympathetic to the coastal environment,
- (g) to maintain the agricultural use of prime crop and pasture land by minimising development which has an adverse and irreversible impact on the land's agricultural potential,
- (h) to protect heritage items,
- (i) to provide a safe and efficient transport network connecting land use activities inside and outside the City,
- (j) to encourage the provision of adequate community facilities and services,
- (k) to ensure the social amenity and well-being of the City,
- (l) to provide the most appropriate public utility services in the most effective manner,
- (m) to encourage appropriate forms of tourism which are sensitive to and compatible with the natural and cultural environments of the City,
- (n) to maintain the rural character of non-urban areas,
- (o) to ensure the protection of important natural and cultural environments,
- (p) to protect and enhance scenic and landscape qualities,
- (q) to ensure that the potential for winning extractive and mineral resources, where appropriate, is not compromised by other forms of development,
- (r) to ensure that development achieves the water quality or river flow objectives of ground water, rivers, estuaries, wetlands and other water bodies,
- (s) to avoid, mitigate or remedy the adverse effects of development on the environment,

- (t) to minimise energy consumption and promote energy efficient design and appliance use,
- (u) to minimise potable water consumption and promote wastewater reuse as well as water saving designs and fittings,
- (v) to minimise waste generation and promote recycling and reuse of materials, and
- (w) to minimise the clearing of native vegetation especially those local species which are poorly represented in conservation reserves.

The site was in the 3(b) Business (Transitional) Zone whereas 2(a1), 2(b1) and 2(d) Residential, 3(a) Business (Retail) and 3(g) Business (Development Area) in the surrounding areas. Generally, the intentions for the site and around have always been higher density residential uses. (Legislation New South Wales, 2016f)

An earlier investigation into the existing use rights of the site is important to note as the heavy industry would not have been permissible under this *SLEP 1985*. (Le Bas P. via Turnbull Group Pty Limited, 2005)



Objectives of the zone	Without development consent	Only with development consent	Prohibited
Zone No 3 (b) (Business "B" (Transitional) Zone) (The site)			
To provide for forms of business activities normally located on the fringe of the central business district which require large sites, including retailing of bulky goods.	Nil	Any purpose other than a purpose for which development is prohibited.	Bed and breakfast accommodation; boarding-houses; bulk stores; cluster housing; dual occupancy development; dwelling-houses or dwellings (other than those attached to shops or commercial premises); gas holders; generating works; industries referred to in Schedule 5; intensive animal husbandry; junk yards; liquid fuel depots; roadside stalls; sexual services premises; timber yards; transport terminals (other than bus depots and bus stations); turf farming; warehouses.
Zone No 2 (a1) (Residential "A1" Zone)			
To provide an environment primarily for detached housing and to ensure that the range of other development permitted in a residential area is compatible with the residential environment.	Nil	Bed and breakfast accommodation; child care centres; child welfare centres; community facilities; drainage; dual occupancy development; dwelling-houses; educational establishments; general stores; home activities; hospitals; open space; places of public worship; professional consulting rooms; roads; utility installations (other than gas holders or generating works).	Any purpose other than a purpose for which development may be carried out without development consent or a purpose for which development may be carried out only with development consent.
Zone No 2 (b1) (Residential "B1" Zone)			
To provide for a variety of life styles by the provision of areas for residential flat buildings and to minimise the	Nil	Any purpose other than a purpose for which development is prohibited.	Advertising structures; amusement parks; animal boarding establishments; bulk stores; bulky goods



Objectives of the zone	Without development consent	Only with development consent	Prohibited
conflict with detached housing.			premises; car repair stations; commercial premises (other than clubs); dwelling-houses; hotels; industries; intensive animal husbandry; junk yards; liquid fuel depots; motels; motor showrooms; refreshment rooms; retail plant nurseries; roadside stalls; sawmills; shops; service stations; sexual services premises; transport terminals; turf farming; tourist facilities; warehouses.
Zone No 2 (d) (Residential "D" Zone)			
To identify land for tourist infrastructure and to encourage tourist accommodation facilities and other compatible residential uses and recreation.	Nil	Amusement parks; bed and breakfast accommodation; boarding-houses; caravan parks; drainage; dwelling-houses; home activities; motels; recreation facilities; roads; tourist facilities; units for aged or disabled persons; unlicensed clubs not exceeding 150 square metres gross floor area; utility installations (other than gas holders or generating works).	Any purpose other than a purpose for which development may be carried out only with development consent.
Zone No 3 (a) (Business "A" (Retail) Zone)			
To allow for retail, commercial and business activities.	Nil	Any purpose other than a purpose for which development is prohibited.	Amusement parks; bed and breakfast accommodation; bulk stores; bulky goods premises; car repair stations; cluster housing; dual occupancy development; dwellings (other than those attached to shops and commercial premises); industries referred to in



Objectives of the zone	Without development consent	Only with development consent	Prohibited
			Schedule 5; intensive animal husbandry; junk yards; liquid fuel depots; motels (except where all accommodation is provided above ground floor retail or commercial development); motor showrooms; roadside stalls; sawmills; sexual services premises; timber yards; transport terminals (other than bus stations); turf farming; warehouses.
Zone No 3 (g) (Business “G” (Development Area) Zone)			
To provide a strategic development area providing both for a variety of uses and for varying combinations of such uses including higher density residential, commercial and tourist combinations but not including ordinary retail uses that would compete with the local retail centre. The development is subject to a development control plan which will give guidelines for the type and scale of development.	Nil	Any purpose other than a purpose for which development is prohibited.	Abattoirs; bed and breakfast accommodation; bulky goods premises; cluster housing; dual occupancy development; dwelling-houses (except in accordance with, or as ancillary to uses referred to in, the objectives of the zone); intensive animal husbandry; junk yards; liquid fuel depots; mines; sexual services premises; turf farming.

Table 21: The objectives, permissible uses without any development consent, with development consent and prohibited uses for the site and surrounding zones in SLEP 1985

Source: Legislation New South Wales (2016f)



M. Shoalhaven Local Environmental Plan 2014 ('SLEP 2014')

This is one of the most prominent legislations we rely on in preparing for this proposal, with the following aims:

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Shoalhaven in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to encourage the proper management, development and conservation of natural and man-made resources,
 - (b) to facilitate the social and economic wellbeing of the community,
 - (c) to ensure that suitable land for beneficial and appropriate uses is made available as required,
 - (d) to manage appropriate and essential public services, infrastructure and amenities for Shoalhaven,
 - (e) to minimise the risk of harm to the community through the appropriate management of development and land use.

(Legislation New South Wales, 2016b)

Address (Street Number)	116	118	120	122	124	126	37	39	41
Address (Street)	St Vincent St						Deering Street		
DP Number	DP 21597						SP 42583	DP 21597	
Lot	1	2	3	4	5	6	7	CP	9
Current Zoning (LZN)	B5 (Business Development)								
Nearby Zoning	<ul style="list-style-type: none"> • B2 (Local Centre) • B3 (Commercial Core) • B4 (Mixed Use) • R2 (Low Density Residential) • R3 (Medium Density Residential) and • IN2 (Light Industrial) 								
Minimum Lot Size (LSZ)	No								
Minimum Lot Size nearby	500 m ²								
Maximum Building Height (HOB)	H (7.5 metres)								



Address (Street Number)	116	118	120	122	124	126	37	39	41
Maximum Building Height nearby	I2 (8.5 metres), L (11 metres) and N2 (14 metres)								
Maximum Floor Space (FSR)	1.5:1								
Maximum Floor Space nearby	N (1:1) and T (2:1)								
Heritage (HER)	No								
Urban Release Area (URA)	No								
Land Reservation Acquisition (LRA)	No								
Biodiversity (BIO)	No								
Riparian Lands and Watercourses (WCL)	No								
Scenic Protection (SCP)	No								
Flood Planning Area (FLD)	No overlay, Clause 7.3 applies								
Coastal Risk Planning (CRP)	No								
Lands (NRL)	No								
Acid Sulphate Soils (ASS)	Soil Class 5								
Buffers (BFR)	No								
Clauses (CLS)	No								
Shoalhaven DCP 2014 Area Specific Chapter and Value	S8 Ulladulla Town Centre (Previously 'DCP 56')								
SLEP 1985 Zoning	3(b) Business (Transitional) Zone								
SLEP 1985 Zoning nearby	3(g) Business (Development Area), 2(a1), 2(b1) and 2(d) Residential and 3(a) Business (Retail)								
Site current use	Steel fabrication and supplies business known as Babington Geo Engineering		Coats hire		Motor mechanic			Fish shop	Accountant

Table 22: Existing SLEP 2014 controls (Same as **Table 1**)

Source: Shoalhaven City Council (2016b)

All the applicable SLEP 2014 maps for the site and the surrounds can be found in the **Section XII 'Appendix' Sub-Section A 'Shoalhaven Local Environmental Plan 2014 Maps'**.

N. Shoalhaven Development Control Plan 2014 ('SDCP 2014')

1. Chapter S8 (DCP 56) Ulladulla Town Centre

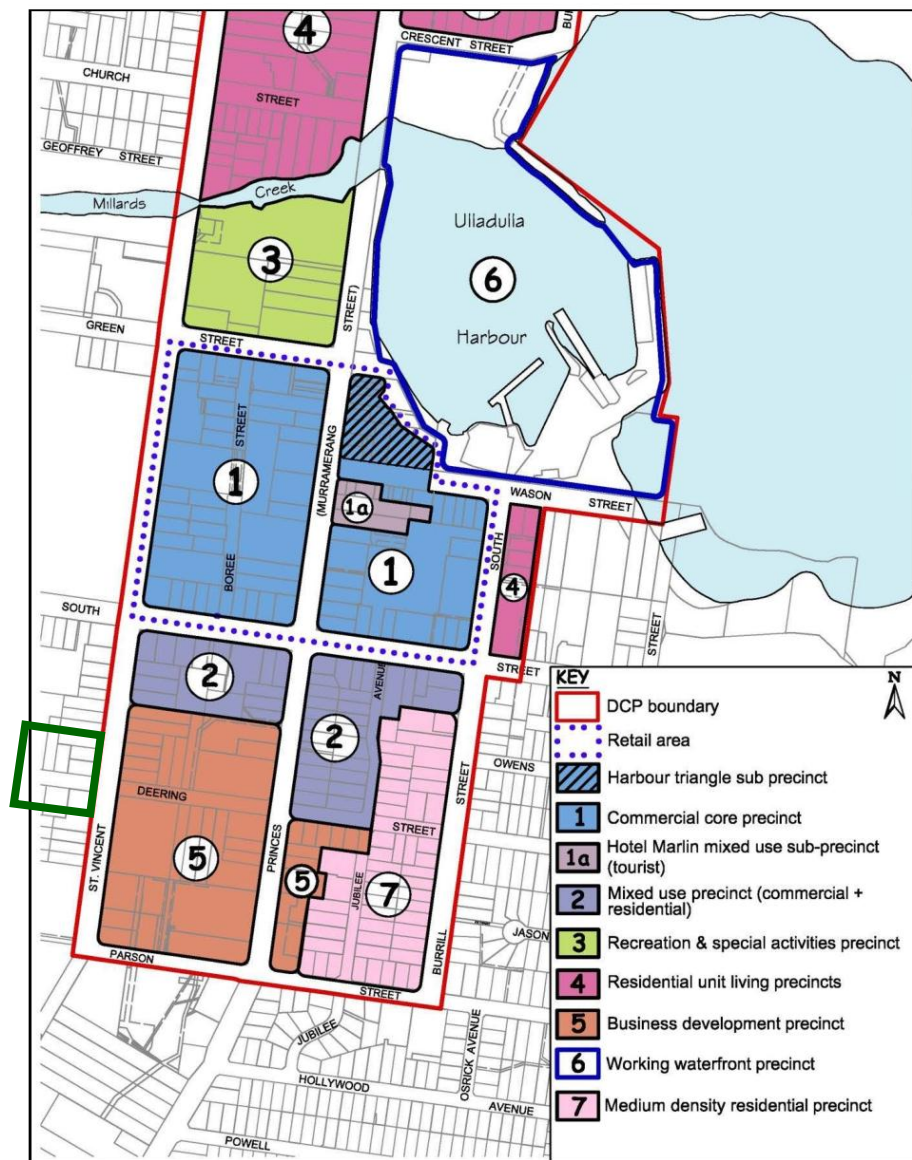
DCP S8 reveals Council's desire for how the Ulladulla Town Centre may transform and provides the majority of detailed design aspects. Below shows the original concepts of the site, which is surrounded by the bold dark green rectangle except **Figure 24** (in which dots are used to show the original DCP lines).

Section IX 'Mapping' contains diagrams displaying the proposed directions.

Shoalhaven Development Control Plan 2014
 Chapter S8: Ulladulla Town Centre

3 Context

This chapter identifies seven land use precincts as shown on Map 1 below. Development within these precincts will need to comply with the following requirements.



Map 1: Land Use Precincts

Figure 22: Land Use Precincts of the proposed site in Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre (Same as **Figure 13**)

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)



Shoalhaven Development Control Plan 2014

Chapter S8: Ulladulla Town Centre

5.1.1 Important views and vistas (see Map 2)

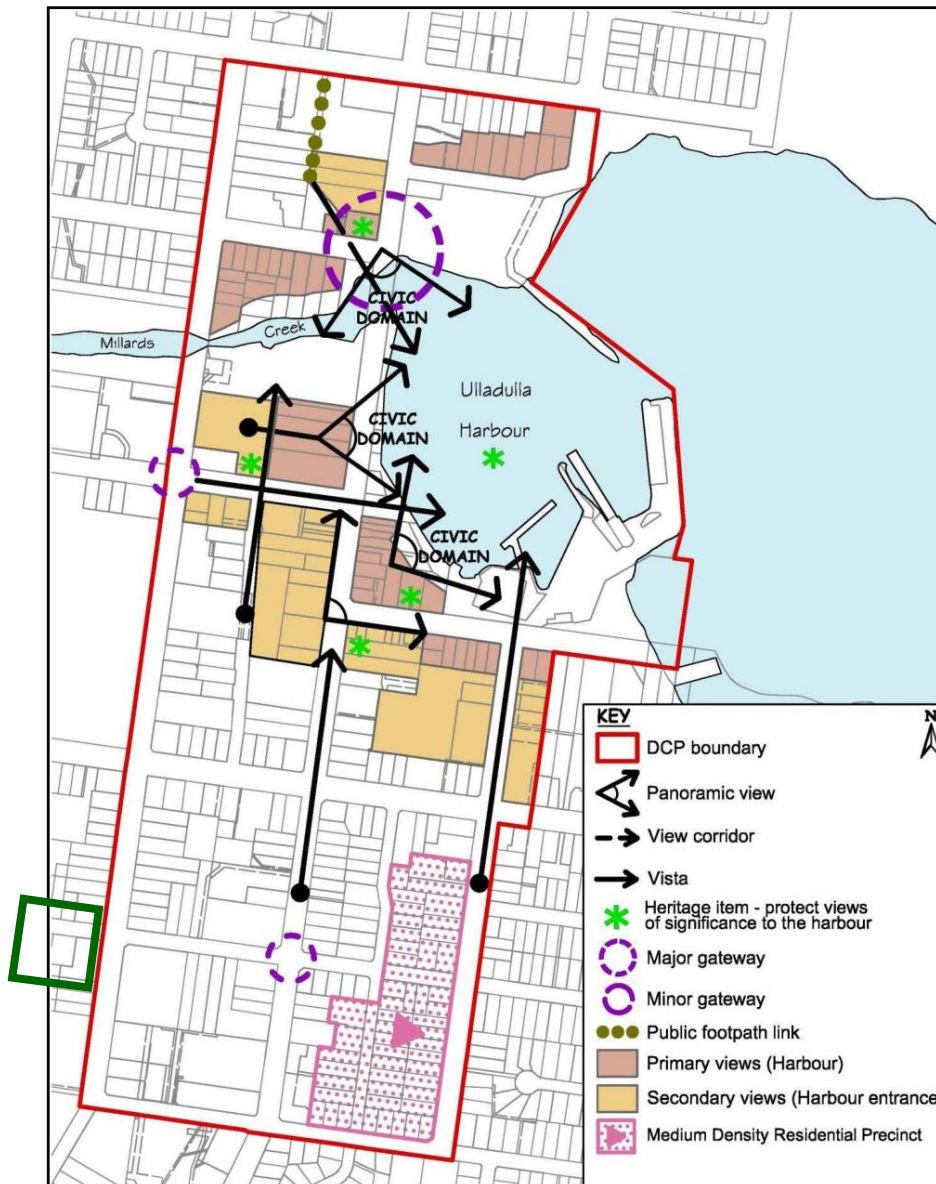


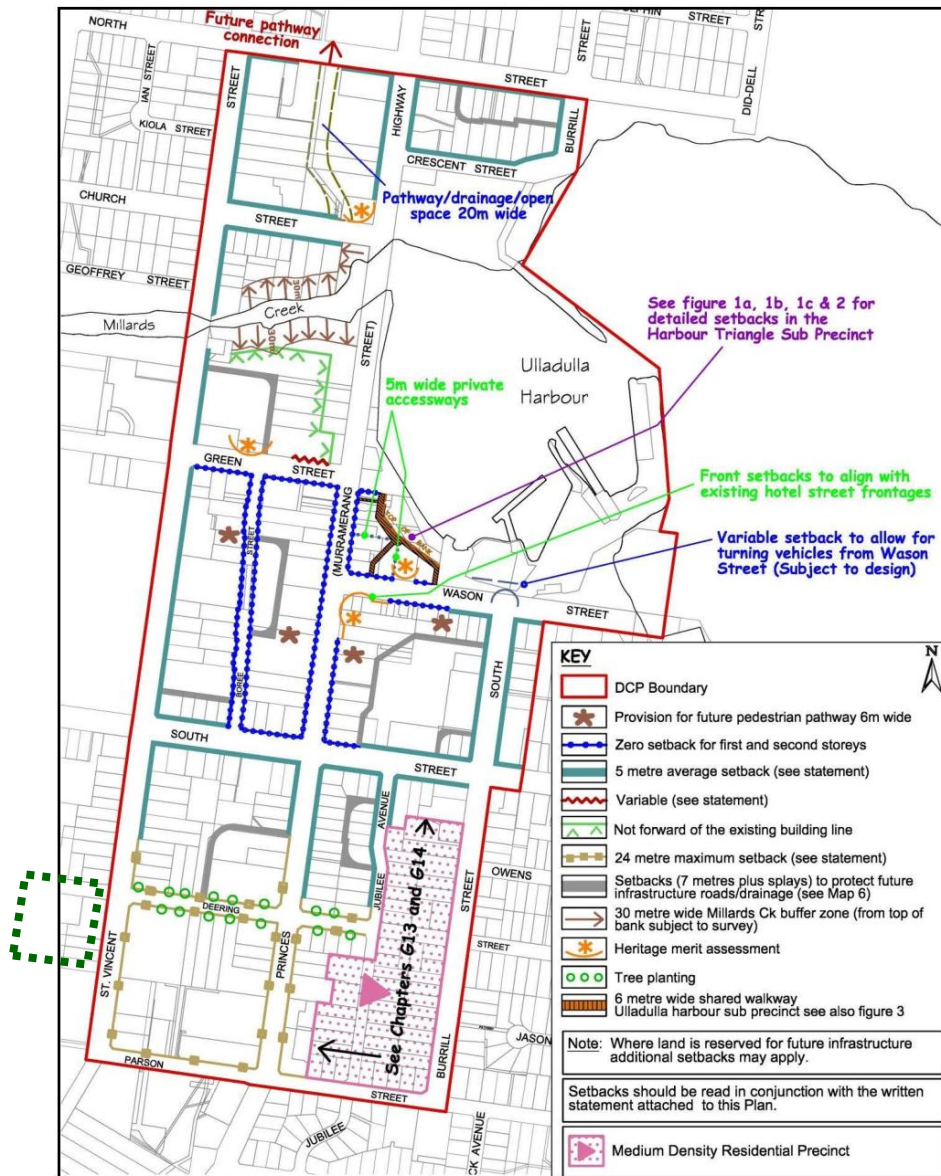
Figure 23: View Analysis of the Ulladulla town centre Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre. Our site is not in the way of any view corridors or vistas.

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)

Shoalhaven Development Control Plan 2014
 Chapter S8: Ulladulla Town Centre

5.1.2 Building setbacks (see Map 3)



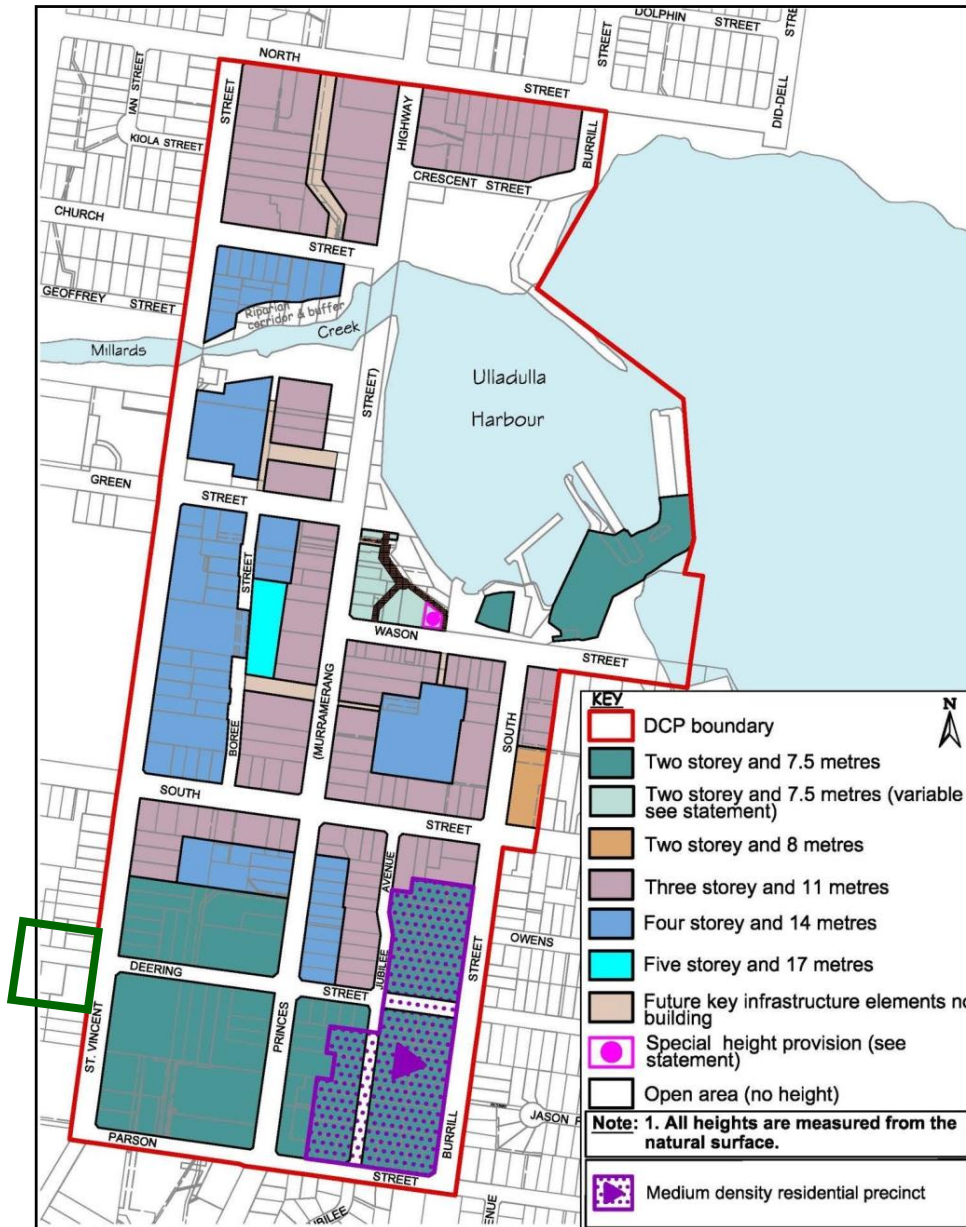
Map 3: Setbacks

Figure 24: Setbacks of the Ulladulla town centre Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre. Our site has a policy of 5 metre average setback (2 lots), 24 metre maximum setback (7 lots) and some requirement for tree planting.

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)

Shoalhaven Development Control Plan 2014
 Chapter S8: Ulladulla Town Centre



Map 4: Building Height Limits

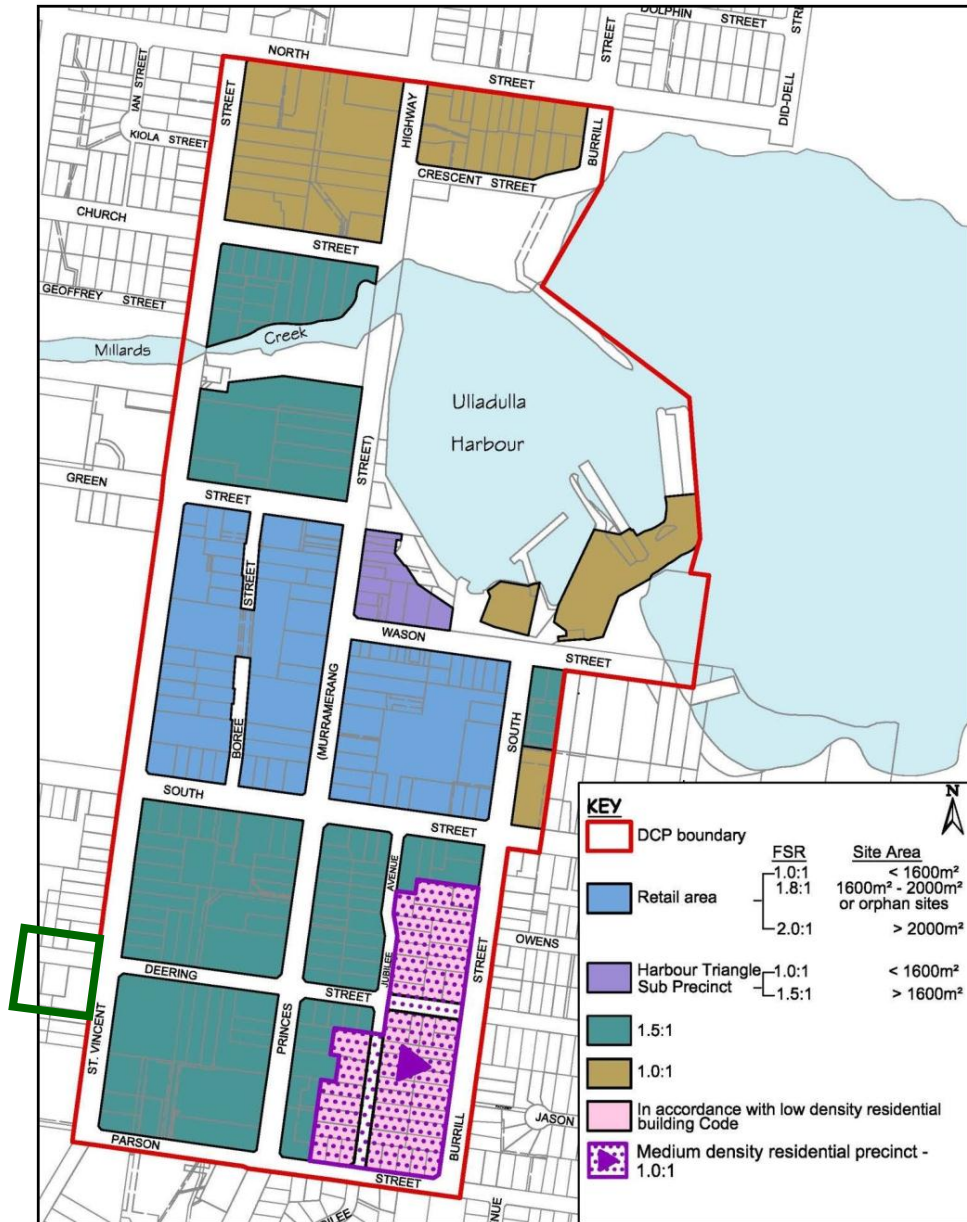
Figure 25: Building Height Limits of the Ulladulla town centre Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre. Our site has a policy of two (2) storey and 7.5 metres, which is the same as in the SLEP 2014.

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)



Shoalhaven Development Control Plan 2014
 Chapter S8: Ulladulla Town Centre



Map 5: Floor Space Ratio

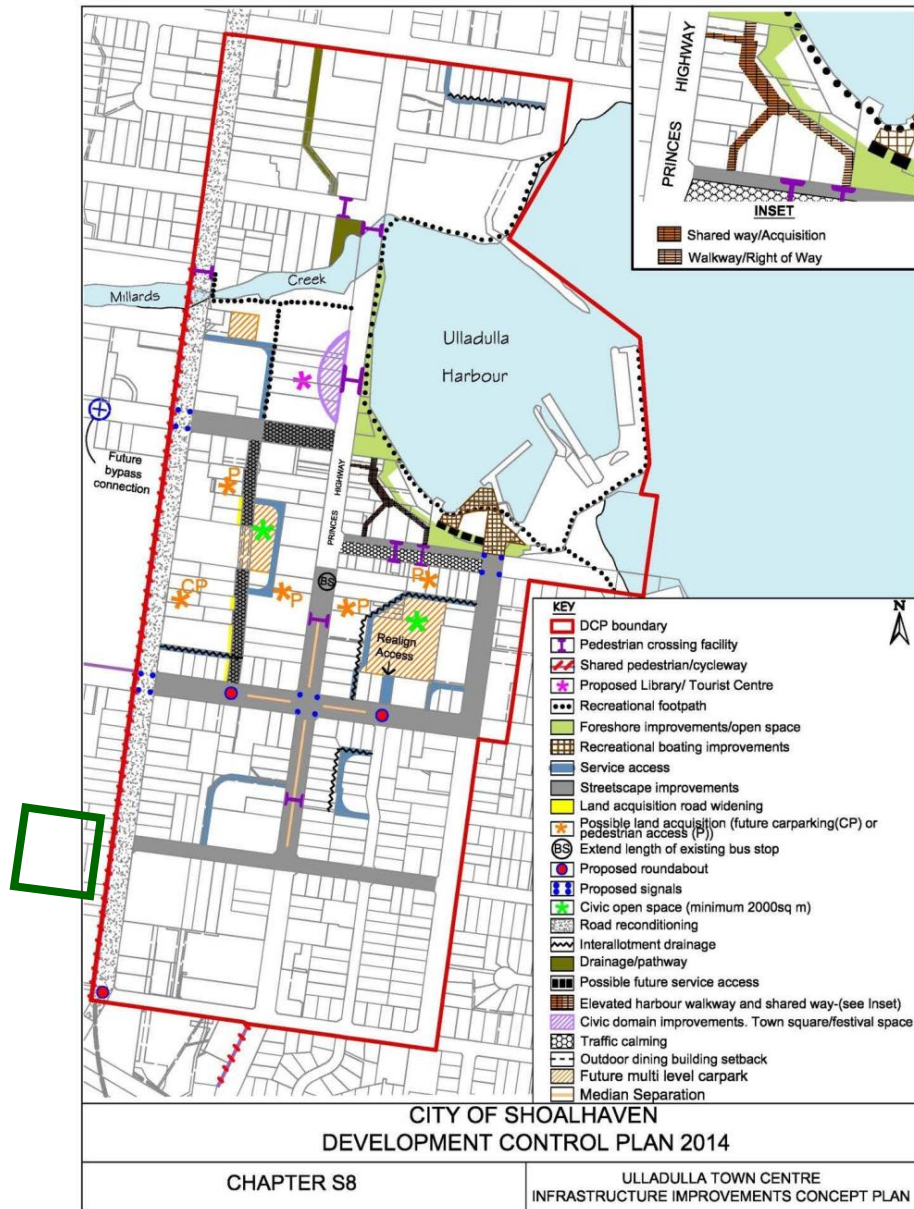
Figure 26: Floor Space Ratio (FSR) of the Ulladulla town centre Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre. Our site has a policy of 1.5:1 (1.5 to 1), which is the same as in the SLEP 2014.

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)

Shoalhaven Development Control Plan 2014

Chapter S8: Ulladulla Town Centre



Map 6: Infrastructure Improvements Concept Plan

Figure 27: Infrastructure Improvements Concept Plan of the Ulladulla town centre Shoalhaven City Council Development Control Plan 2014 Chapter S8 Ulladulla Town Centre. Our site's east would have service access; the south with streetscape improvements; and the west with road reconditioning.

Legend: The thick dark green rectangle near the Southwestern corner of the DCP boundary represents the proposed site for rezoning.

Source: Shoalhaven City Council (2014a)

2. Chapter G14 – Other Residential Accommodation [Previously ‘Development Control Plan No. 71 - Medium Density Housing’ (‘DCP 71’)]

Any resulting residential flat building and/or shop-top housing development upon the approval of this proposal will refer to this document for applicable controls for Security, site facilities and services; and useable open space.

(Shoalhaven City Council, 2015)

0. Other policies

Below policies have been considered in relation to the proposal. (Department of Planning and Environment, 2015)

- NSW Coastal Policy (NSW Government 1997);
- NSW Government Water Quality and River Flow Objectives (1999);
- South East Catchment Action Plan (2014);
- Southern Rivers Catchment Action Plan 2013-2023;
- Local stormwater management controls;
- Floodplain risk management plans, prepared in accordance with the Floodplain Development Manual (NSW Government 2005);
- Coastal zone management plans under the Coastal Protection Act 1979 No. 13;
- Coastal Zone and Estuary Management Plans prepared in accordance with NSW Government policy;
- Soil landscape mapping;
- Planning for Bushfire Protection 2006 (Rural Fire Service in coordination with the NSW Department of Planning and Environment);
- Planning Guidelines for Acid Sulphate Soils (NSW Government 1998);



VI. Potentially contaminated land addressed

A statement has been obtained from Mr. Ron Knight who is a well-respected local identity. Mr. Knight was employed by George Babington working on site from 1963 to 1971. Following in 1973, Mr. Knight poured the concrete slab at the property and this slab has been in place ever since. There have been no pits to cause any leaking. Heavy work has been performed in the yard but not at the actual slab. No underground hydrocarbon tanks have been present at the site and thus no soil testing has been carried out because of this floor slab without any sumps and reason to suspect soil contamination under or at the edges of the slab.

Heavy industry e.g. boat building was undertaken in the grounds which has been the subject of testing, as evidenced by photographs attached in the report.

VII. Government agency referrals

The following agency will be consulted further after a successful Gateway Determination.

1. Shoalwater

We need to determine whether existing water supply and sewerage capacity are adequate in supporting any new developments.

As informed by the Council's Unit Manager – Project/Development in Shoalhaven Water, the block is bounded by multiple water mains ranging in size from DN100 to DN150. No connection is permissible to the 250mm uPVC trunk main along Deering Street (west of the interconnection to the 100mm AC main). Static pressure varies from 38.45m in the southwest of the area described to 50.45m in the northeast of the area described. There are two gravity sewer mains which run from the south to the north. The sewer mains are 150mm diameter. **Figure 26** below shows the current water and sewerage connections.

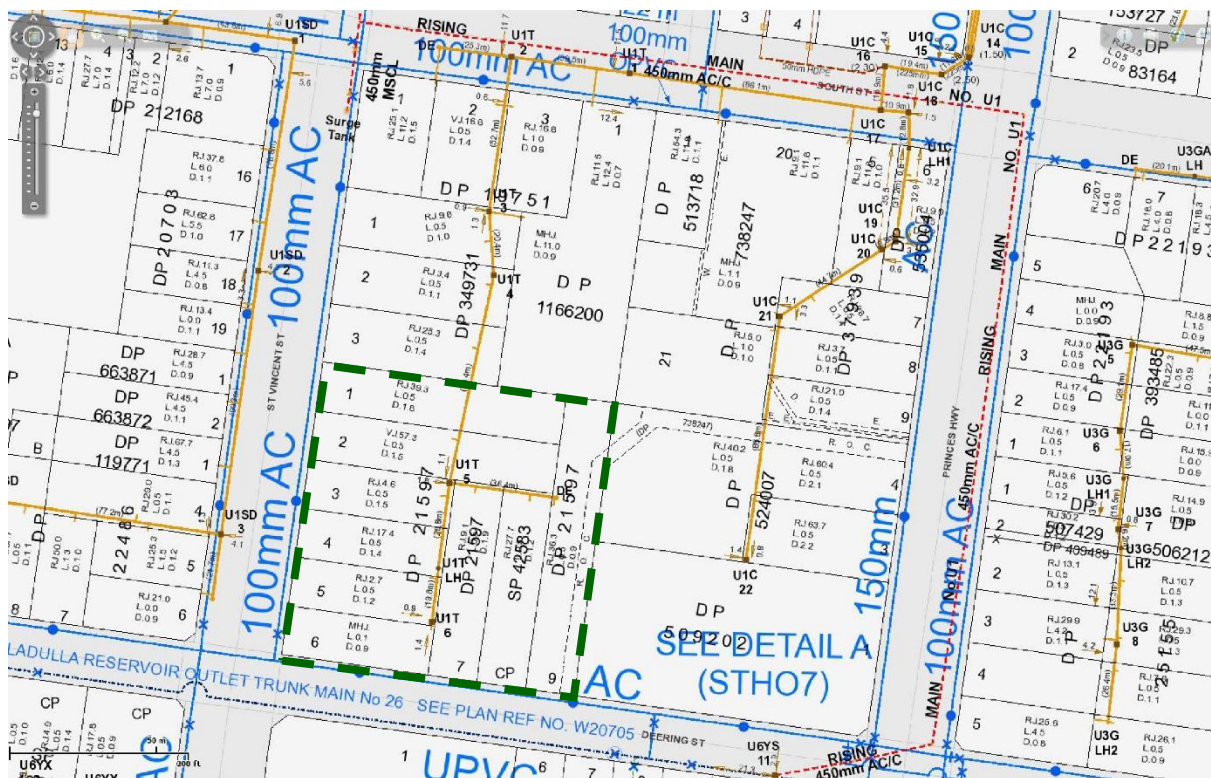


Figure 28: Water and sewerage connections around the site, in the dotted-line thick green rectangle.

Source: Lazarevski via Shoalhaven City Council (2016)

VIII. Community consultation

We anticipate three (3) stages in consultation, from more localised parties to higher level organisations.

Stage 1 – Advising adjoining owners forming the subject site

Stage 2 – Advising adjoining residents / occupants / tenants to the subject site

Stage 3 – Consultation with various organisations (e.g. Lands Council, principal consultative body, etc.)



IX. Mapping

A. Proposed Land Zoning (LZN) after rezoning

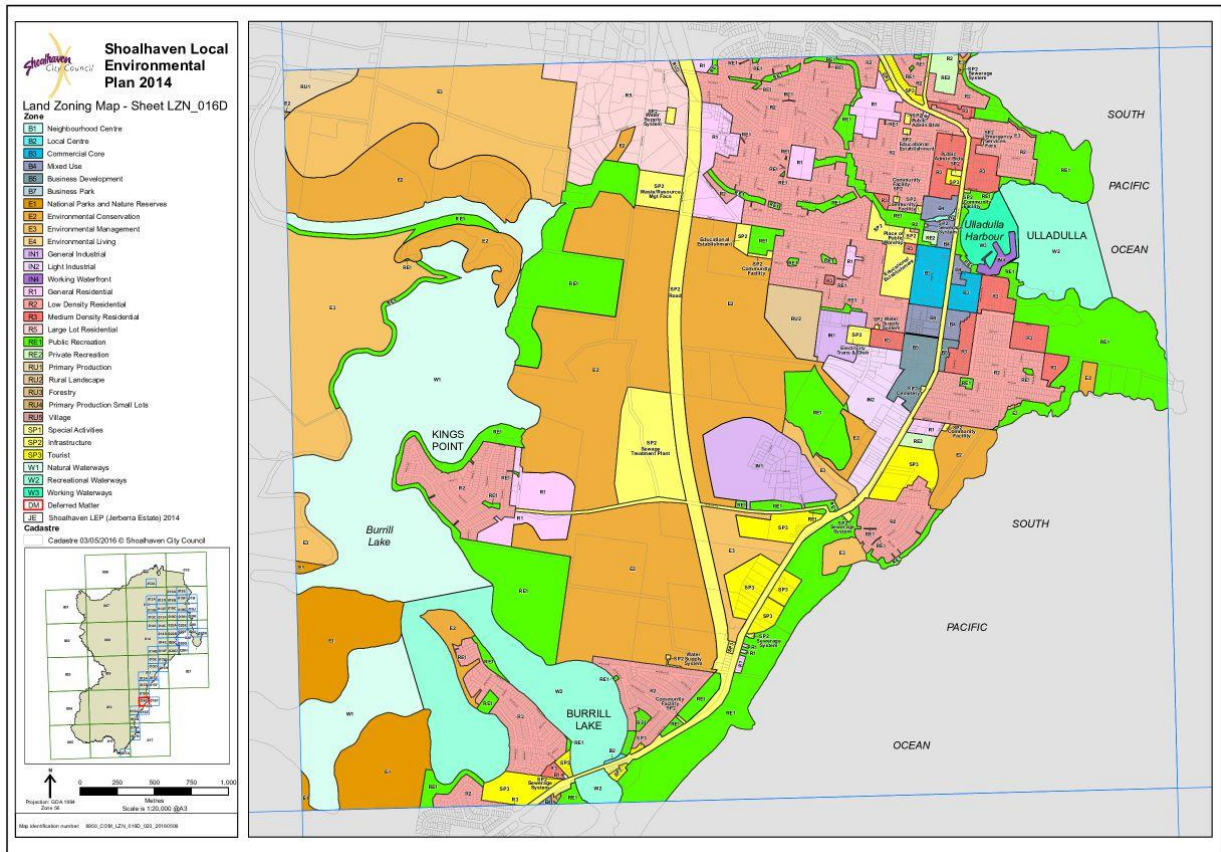


Figure 29: Proposed revised zoning of the site (Overall map)

Source: Shoalhaven City Council (2014) and Your Urban Designer (2016)

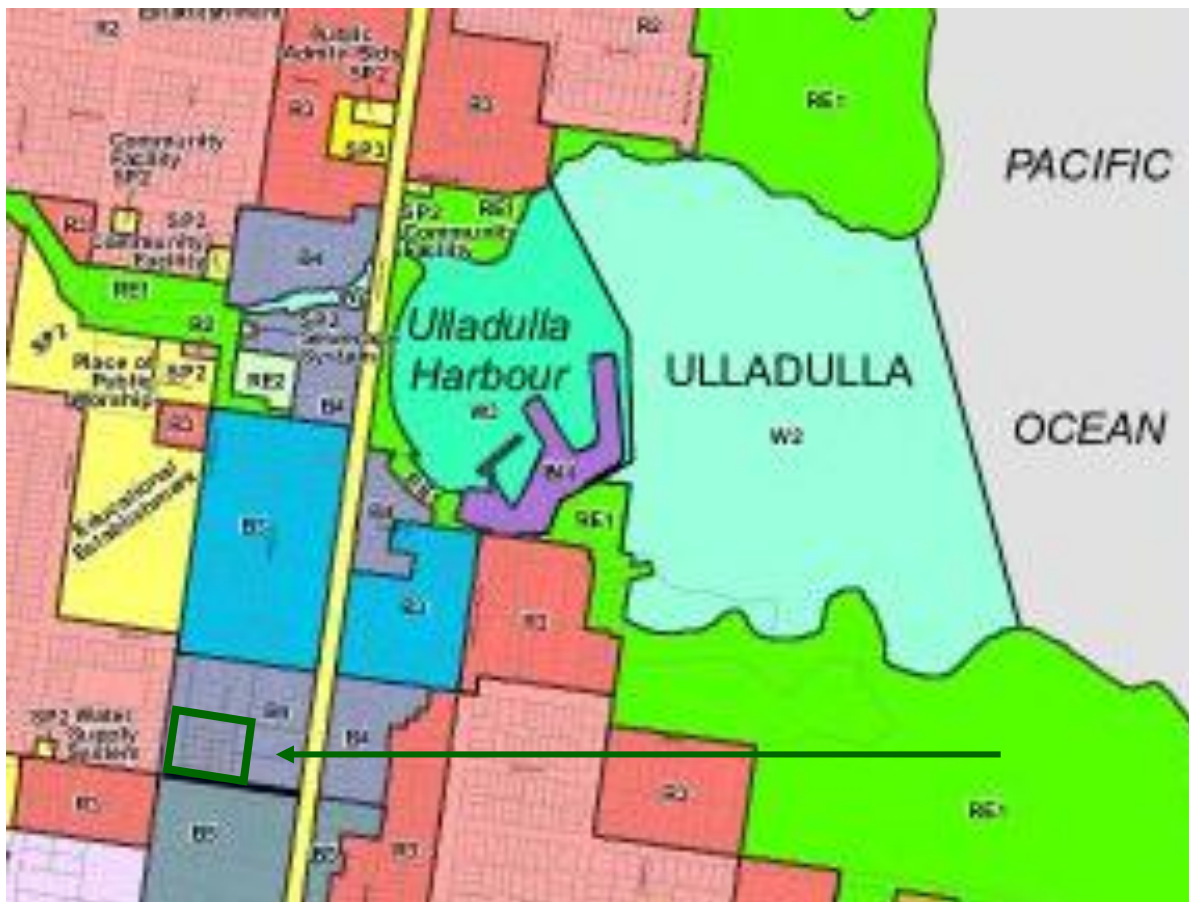
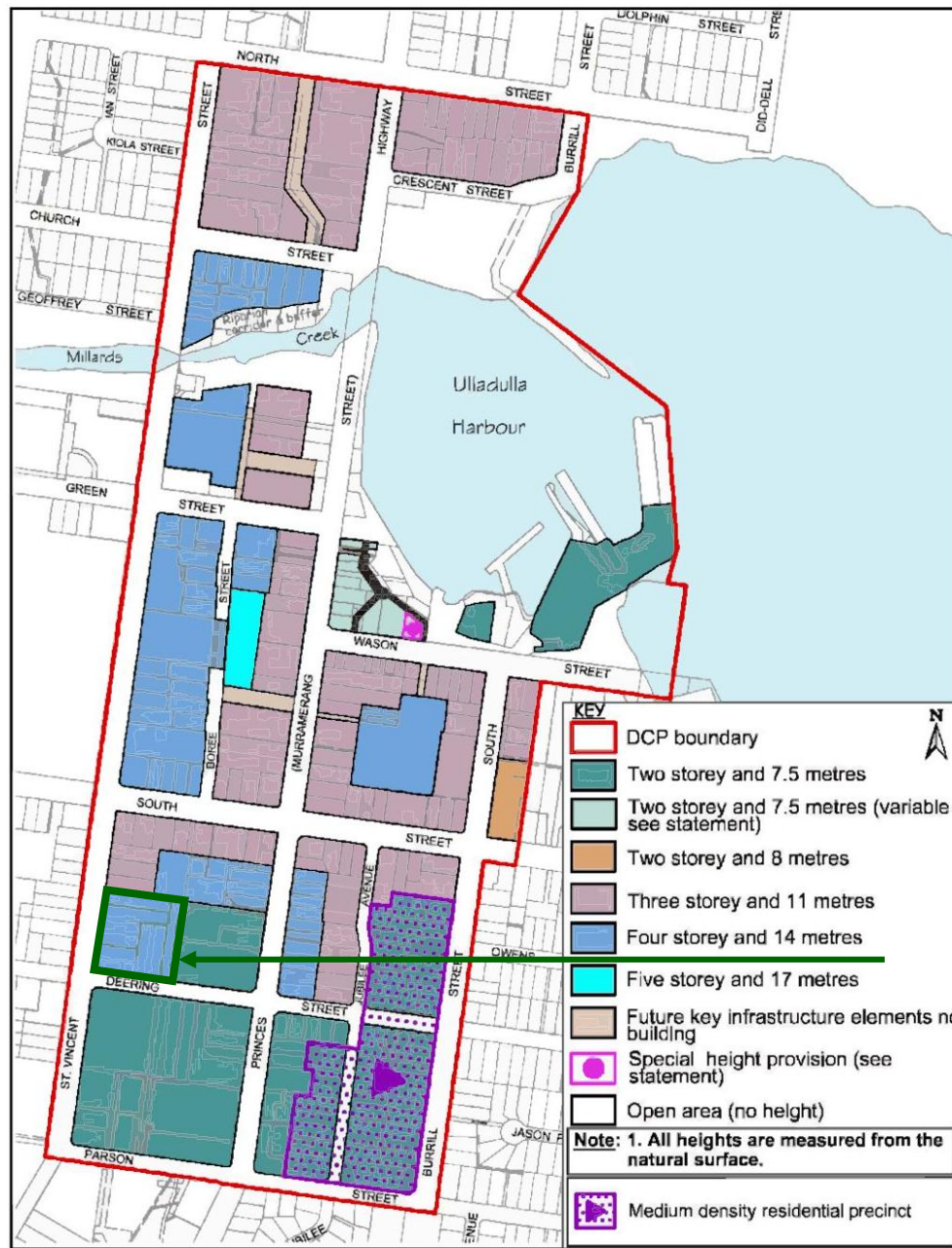


Figure 30: Proposed revised zoning of the site (Enlarged portion of Figure 29)
Source: Shoalhaven City Council (2014) and Your Urban Designer (2016)



B. Proposed building height after rezoning

Shoalhaven Development Control Plan 2014
 Chapter S8: Ulladulla Town Centre



Map 4: Building Height Limits

Figure 31: Proposed revised height of buildings of the site
 Source: Shoalhaven City Council (2014) and Your Urban Designer (2016)

X. Project timeline

Below table summarises our planning proposal’s timeline. In case of significant delays to any of these tasks, Council will be advised accordingly.

Task	Anticipated Timeframe
Obtaining the signed consent of the adjoining owners to rezone the subject properties and include them in the intended PP. (Clark via Shoalhaven City Council, 2016)	March 2017
Commencement date (i.e. Date of Gateway determination)	April 2017
Completion of Gateway Requirements (Studies, Government agency consultation)	June 2017
Public exhibition (Likely 28 days)	June 2017
Post exhibition consideration of PP	July 2017
Report to Council	July 2017
Approval of Planning Proposal	October 2017
Finalisation and Notification	November 2017

Table 23: Intended project timeline for this PP
 Source: Your Urban Designer (2017)

XI. Summary and conclusion

The site represents a valuable brownfield location at the heart of Ulladulla to change from historical industry to support higher density affordable housing residential development which is otherwise difficult under the current zoning control, while easing pressure for further rural land encroachment for residential development.

It is recommended Council approve this rezoning proposal in order for subsequent development applications for mixed use shop-top residential development to proceed.

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XII. Appendix

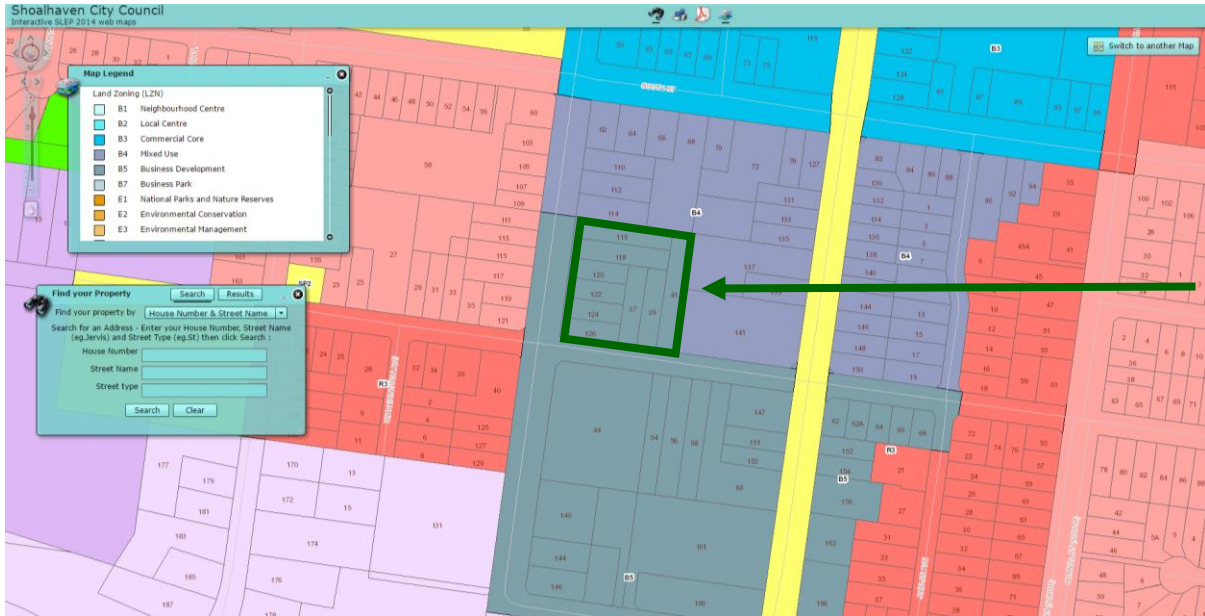
Below sections contain the original Shoalhaven Local Environmental Plan 2014 information, as well as the graphs with specific information related to the 2006 and 2011 Census information concerning Ulladulla.

- Please turn overleaf -



A. Shoalhaven Local Environmental Plan 2014 Maps

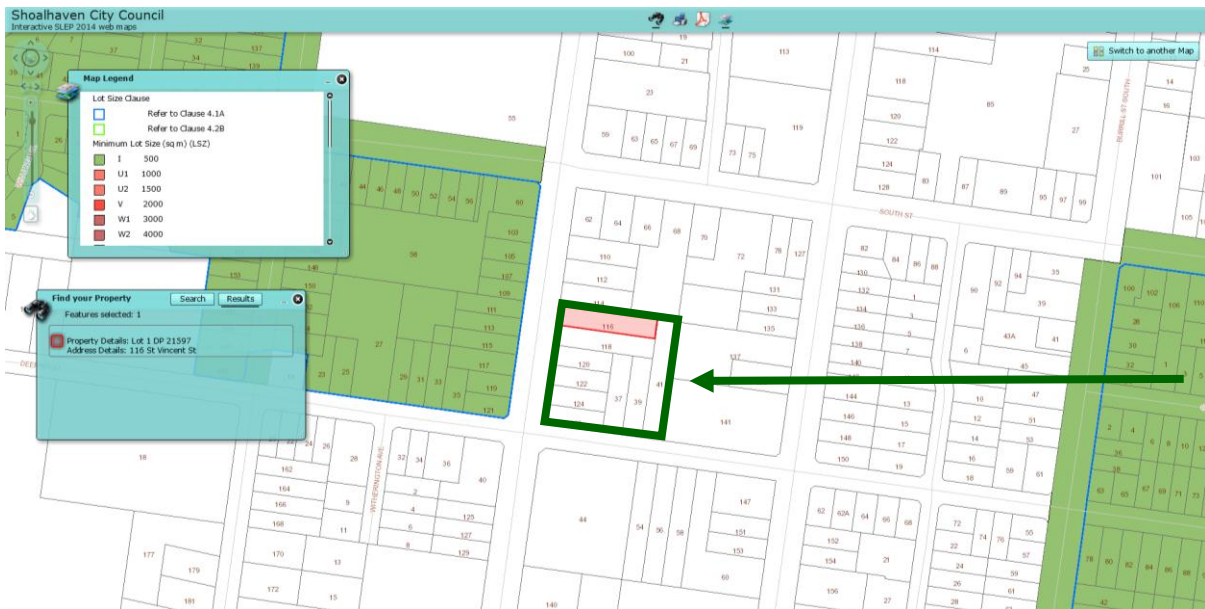
1. Land Use Zoning (LZN)



Appendix Figure 1: SLEP 2014 Land Use Zoning (LZN)

Source: Shoalhaven City Council (2014)

2. Minimum Lot Size (LSZ)



Appendix Figure 2: SLEP 2014 Minimum Lot Size in m² (LSZ) where I = 500 and blue boundary denotes 'refer to Clause 4.1A'

Source: Shoalhaven City Council (2014)



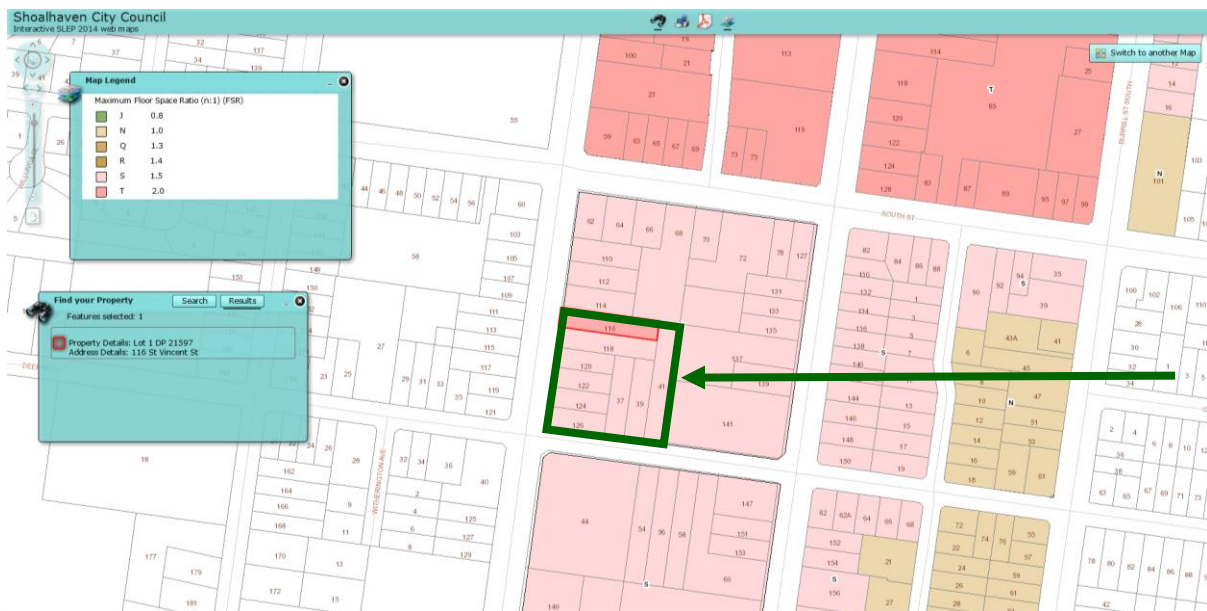
3. Maximum Height of Buildings (HOB)



Appendix Figure 3: SLEP 2014 Maximum Height of Buildings (HOB)

Source: Shoalhaven City Council (2014)

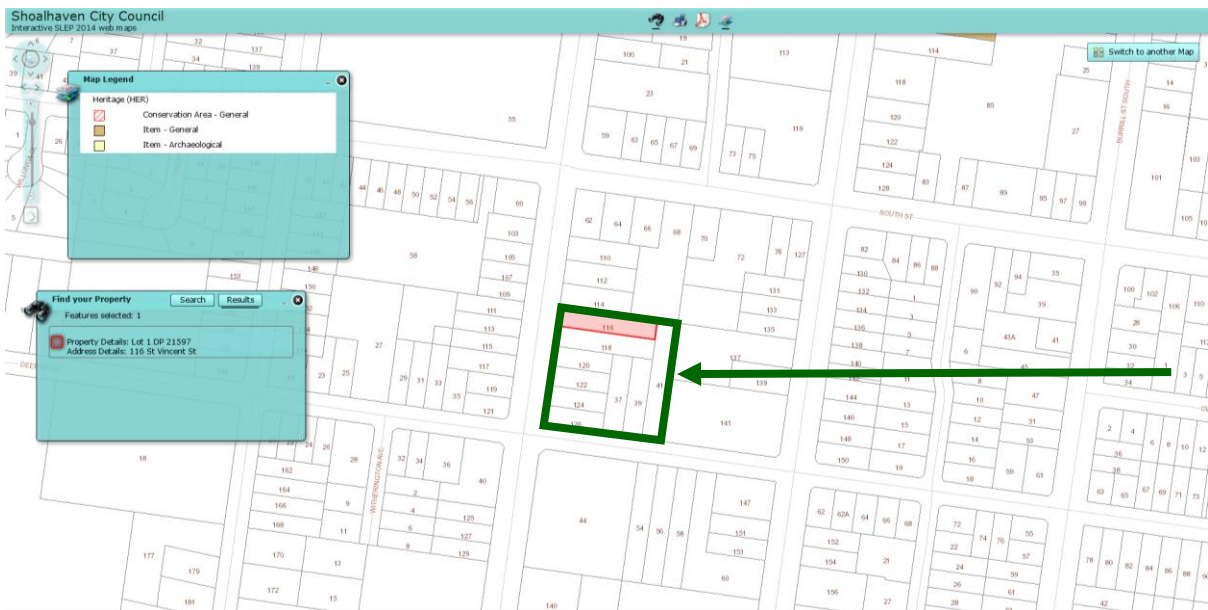
4. Maximum Floor Space Ratio (n:1) (FSR)



Appendix Figure 4: SLEP 2014 Maximum Floor Space Ratio (n:1) (FSR) where S = 1.5

Source: Shoalhaven City Council (2014)

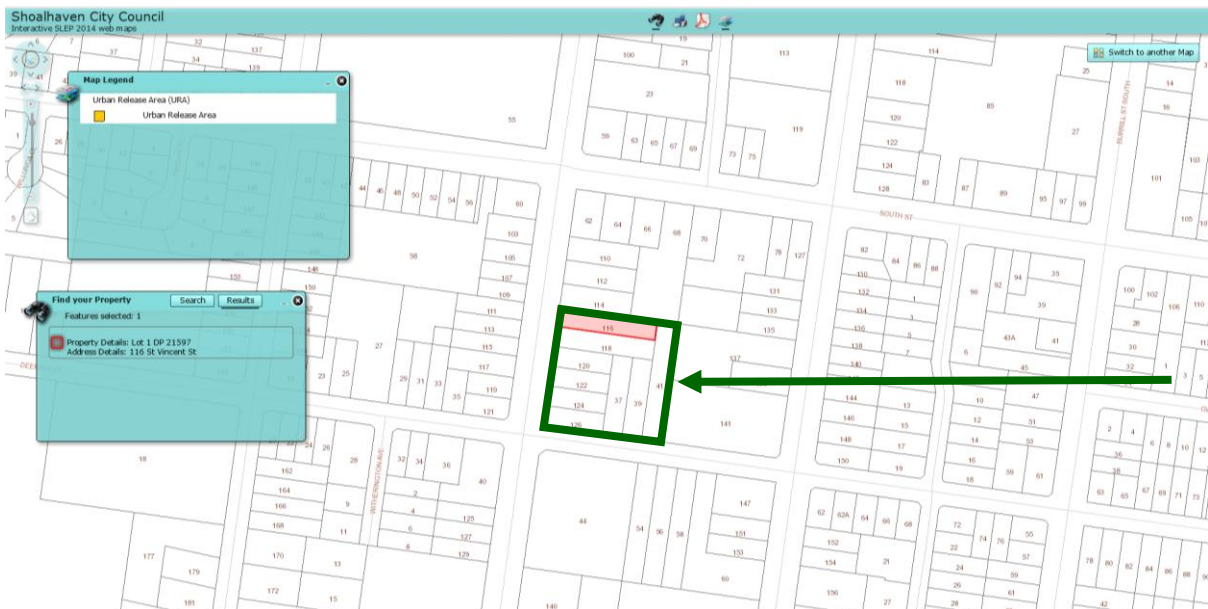
5. Heritage (HER)



Appendix Figure 5: SLEP 2014 Heritage (HER)

Source: Shoalhaven City Council (2014)

6. Urban Release Area (URA)

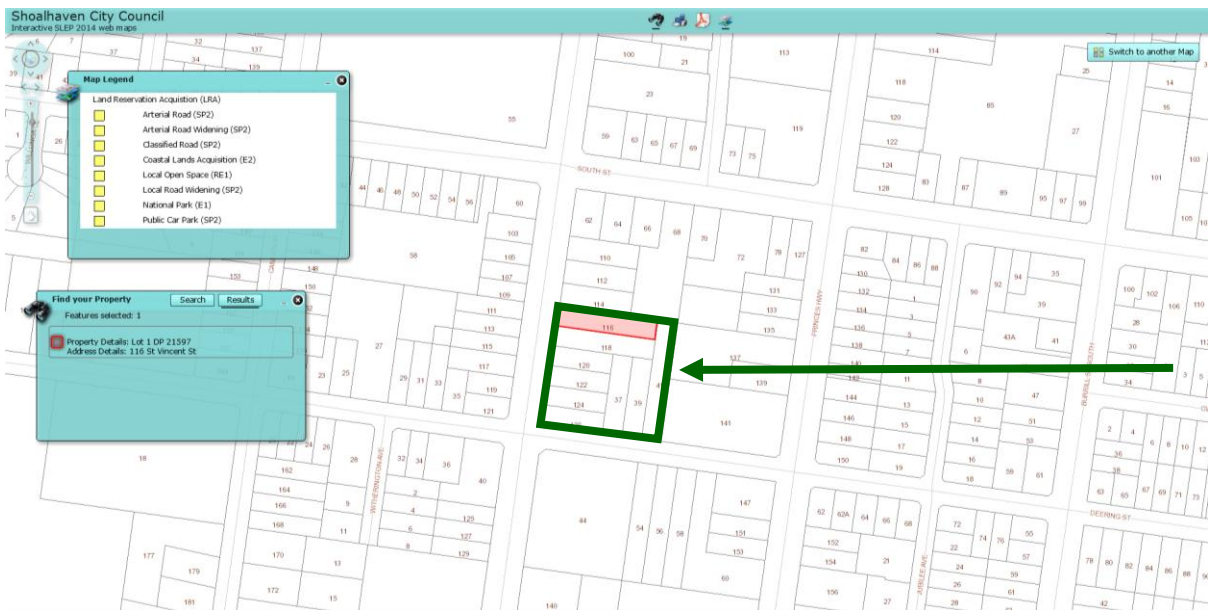


Appendix Figure 6: SLEP 2014 Urban Release Area (URA)

Source: Shoalhaven City Council (2014)



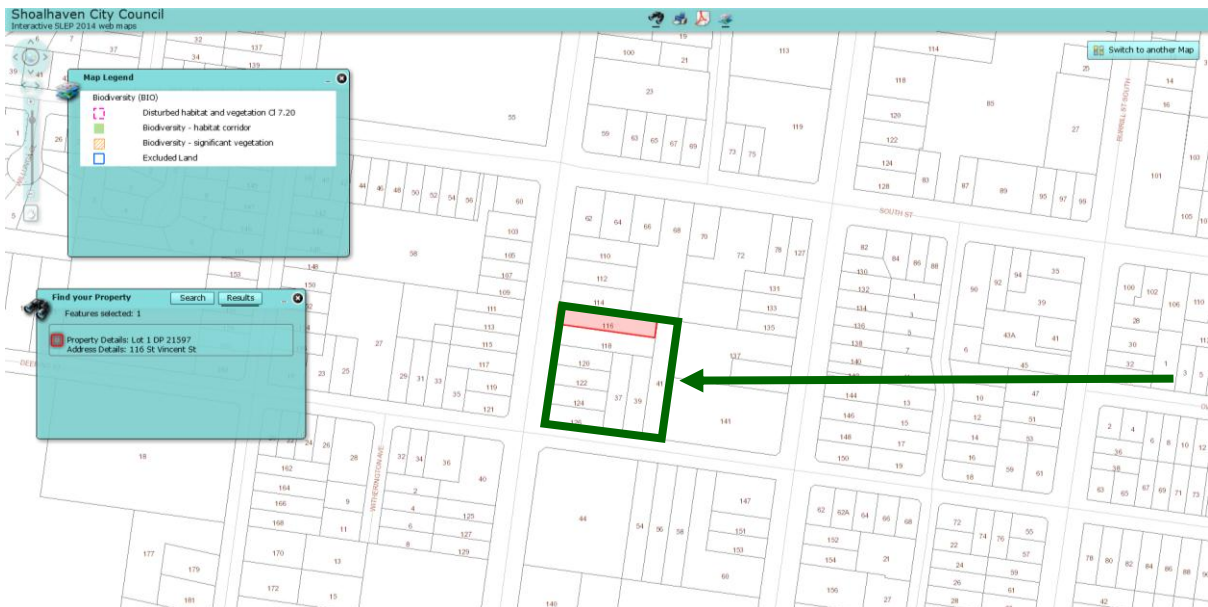
7. Land Reservation Acquisition (LRA)



Appendix Figure 7: SLEP 2014 Land Reservation Acquisition (LRA)

Source: Shoalhaven City Council (2014)

8. Biodiversity (BIO)

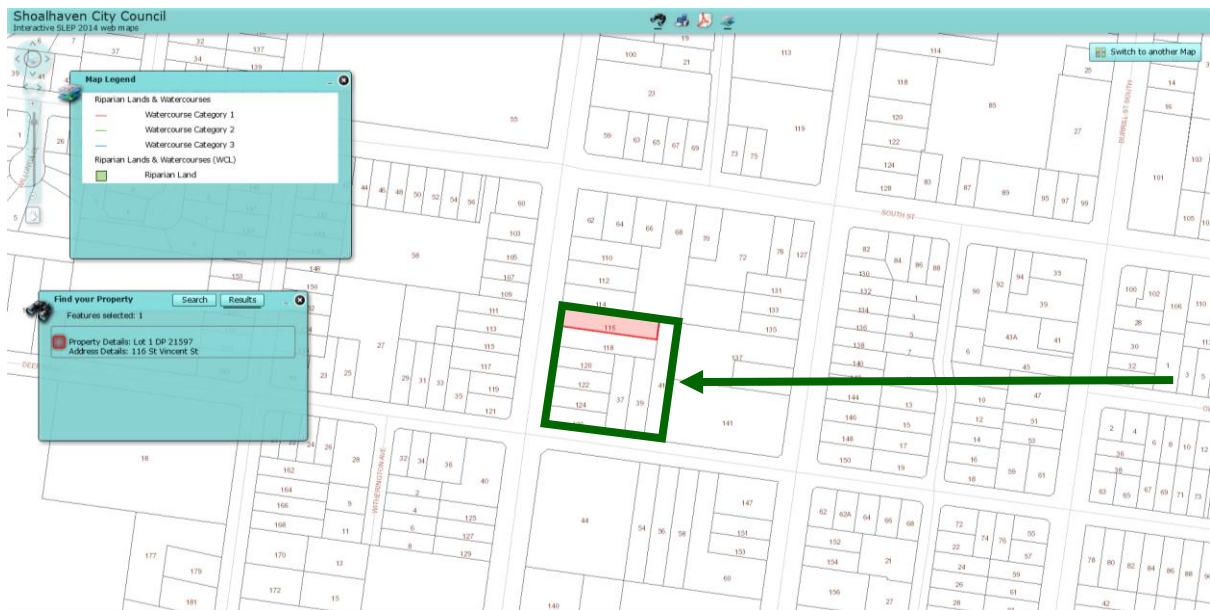


Appendix Figure 8: SLEP 2014 Biodiversity (BIO)

Source: Shoalhaven City Council (2014)



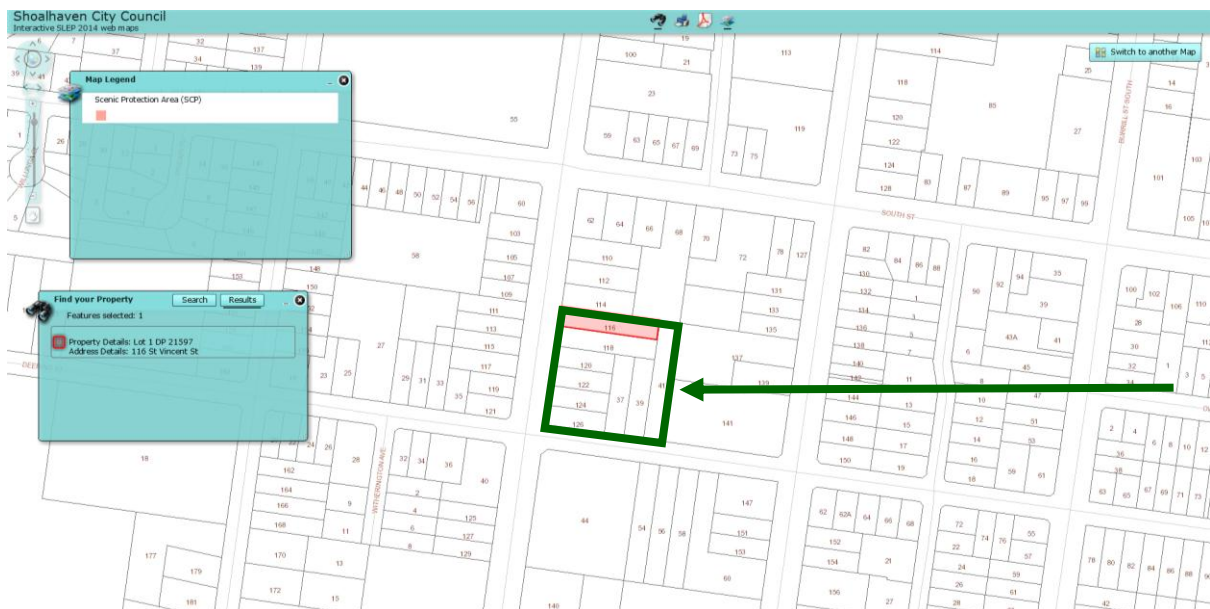
9. Riparian Lands & Watercourses (WCL)



Appendix Figure 9: SLEP 2014 Riparian Lands & Watercourses (WCL)

Source: Shoalhaven City Council (2014)

10. Scenic Protection Area (SCP)

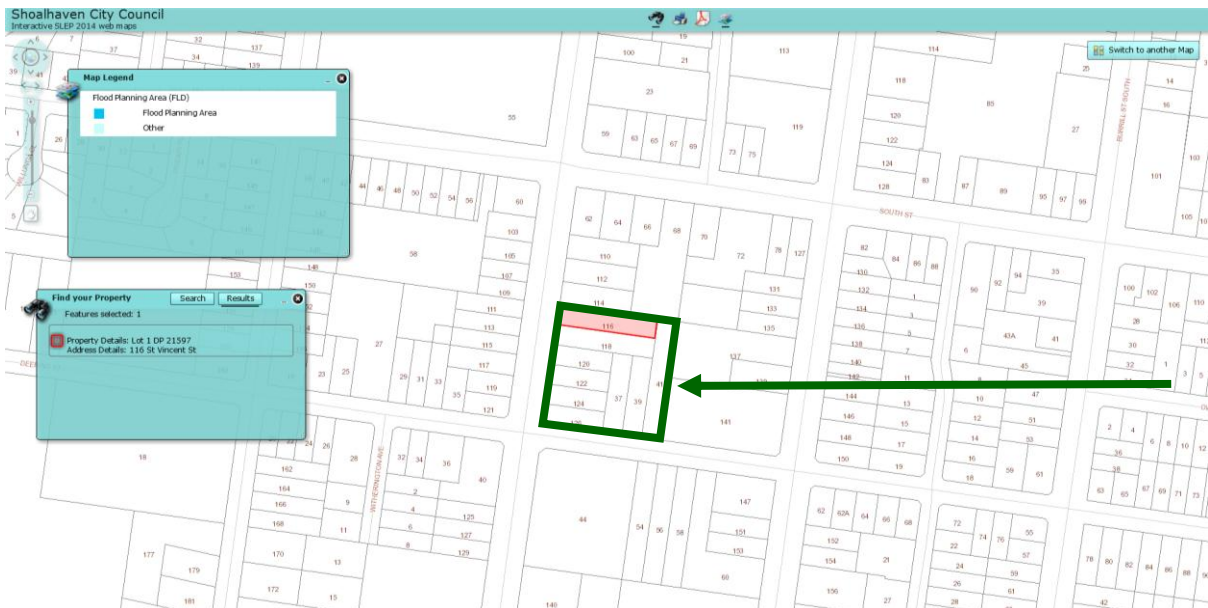


Appendix Figure 10: SLEP 2014 Scenic Protection Area (SCP)

Source: Shoalhaven City Council (2014)



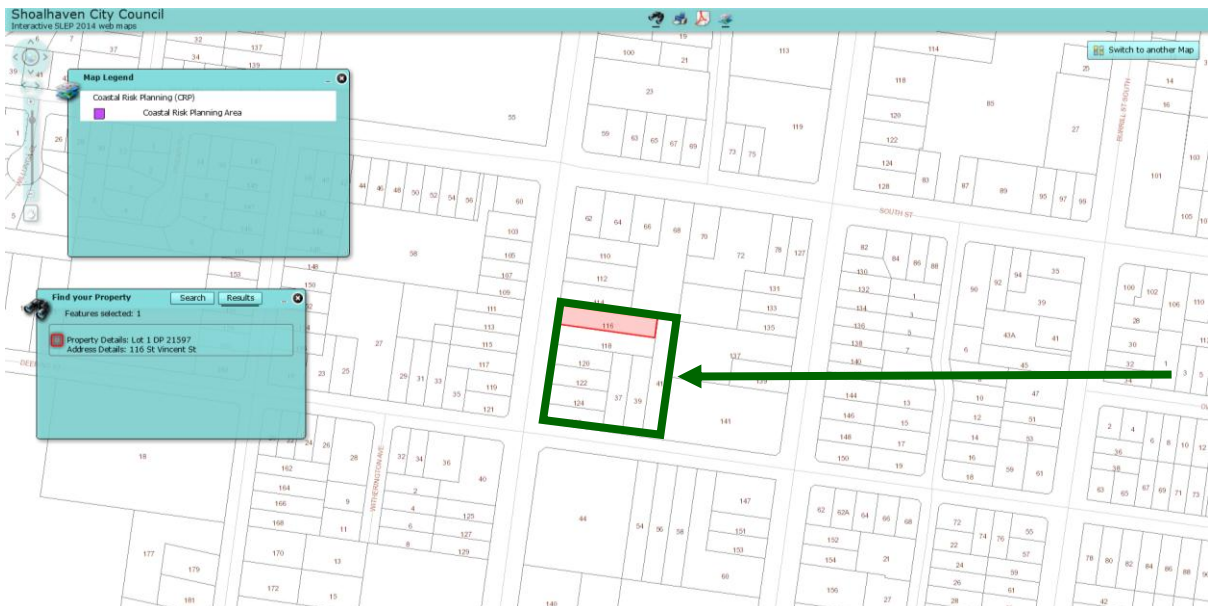
11. Flood Planning Area (FLD)



Appendix Figure 11: SLEP 2014 Flood Planning Area (FLD)

Source: Shoalhaven City Council (2014)

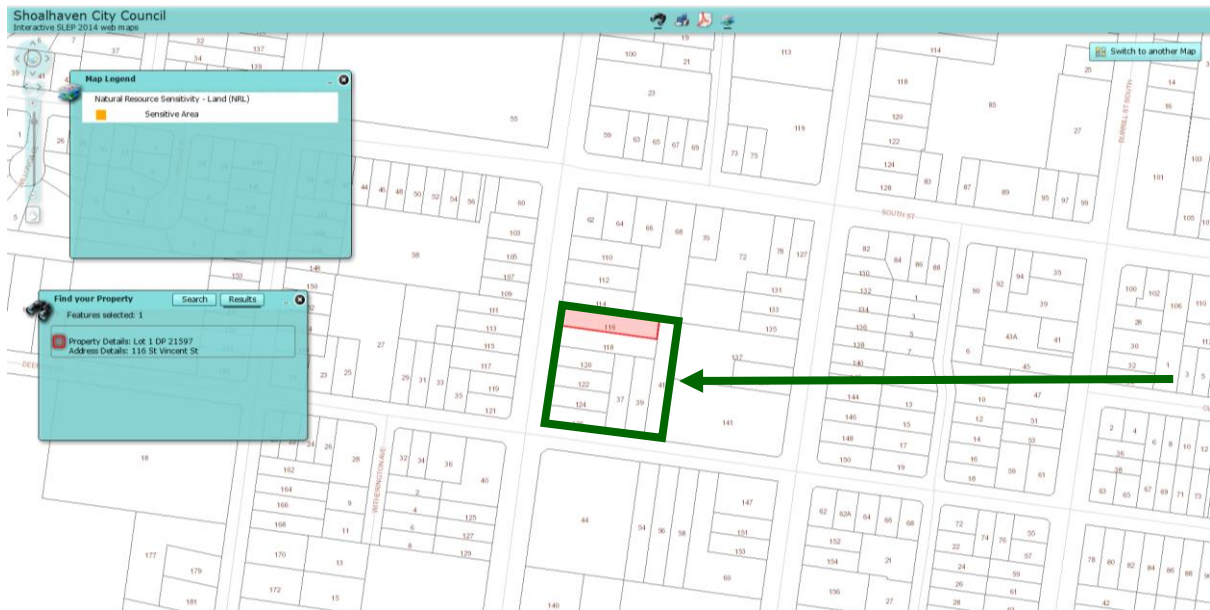
12. Coastal Risk Planning (CRP)



Appendix Figure 12: SLEP 2014 Coastal Risk Planning (CRP)

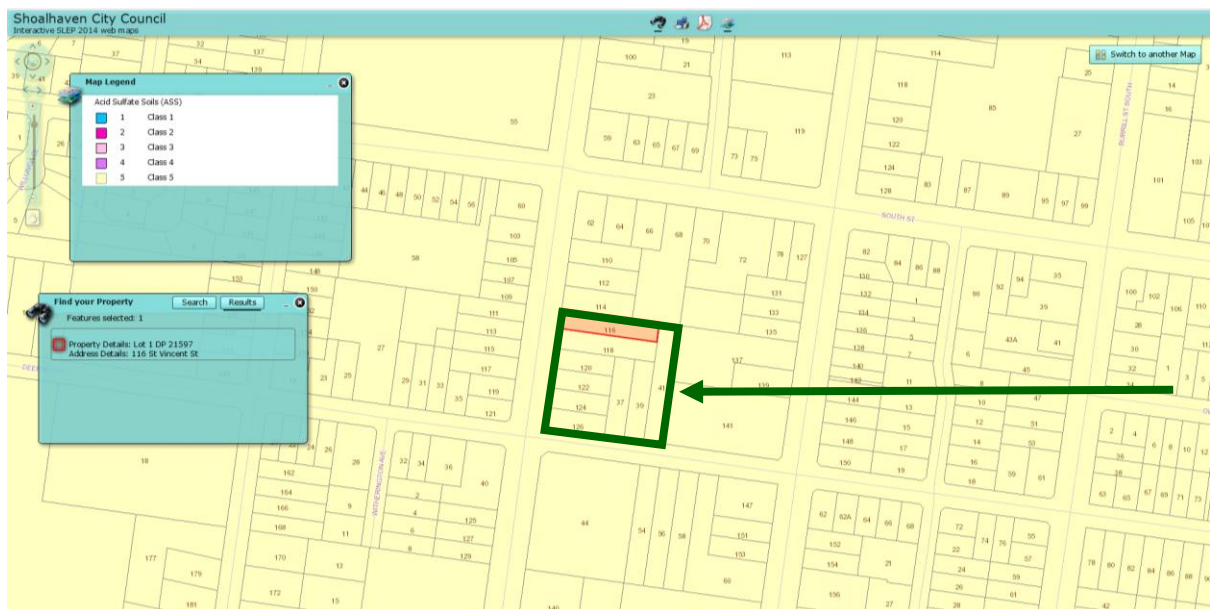
Source: Shoalhaven City Council (2014)

13. Natural Resource Sensitivity – Land (NRL)



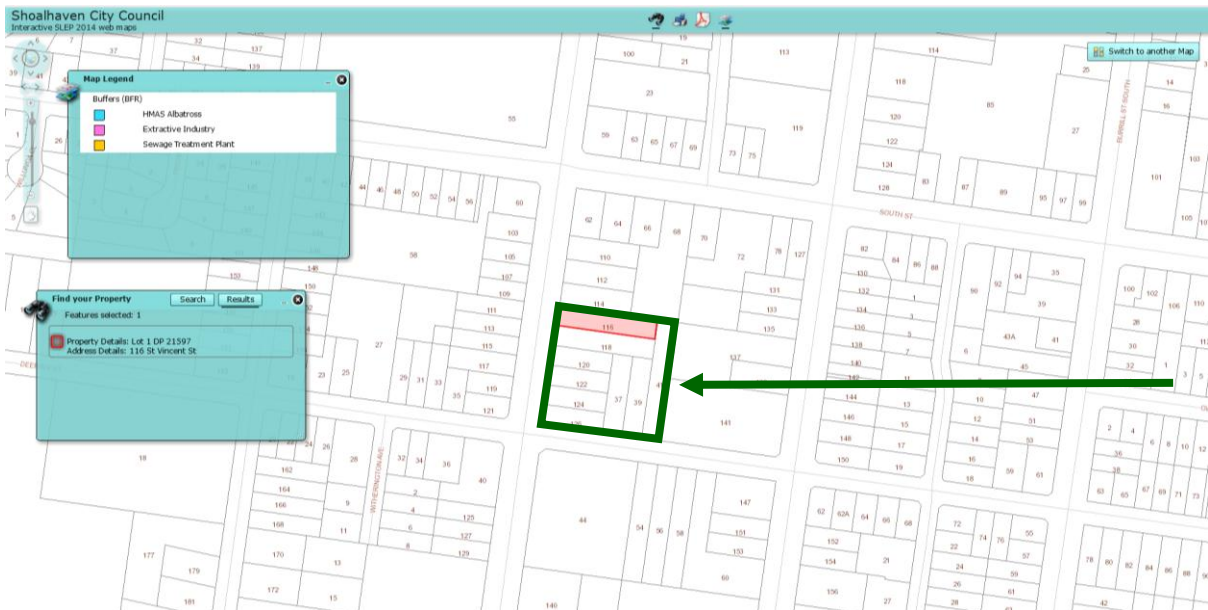
Appendix Figure 13: SLEP 2014 Natural Resource Sensitivity – Land (NRL)
Source: Shoalhaven City Council (2014)

14. Acid Sulphate Soils (ASS)



Appendix Figure 14: SLEP 2014 Acid Sulphate Soils (ASS) in which our site belongs to Class 5
Source: Shoalhaven City Council (2014)

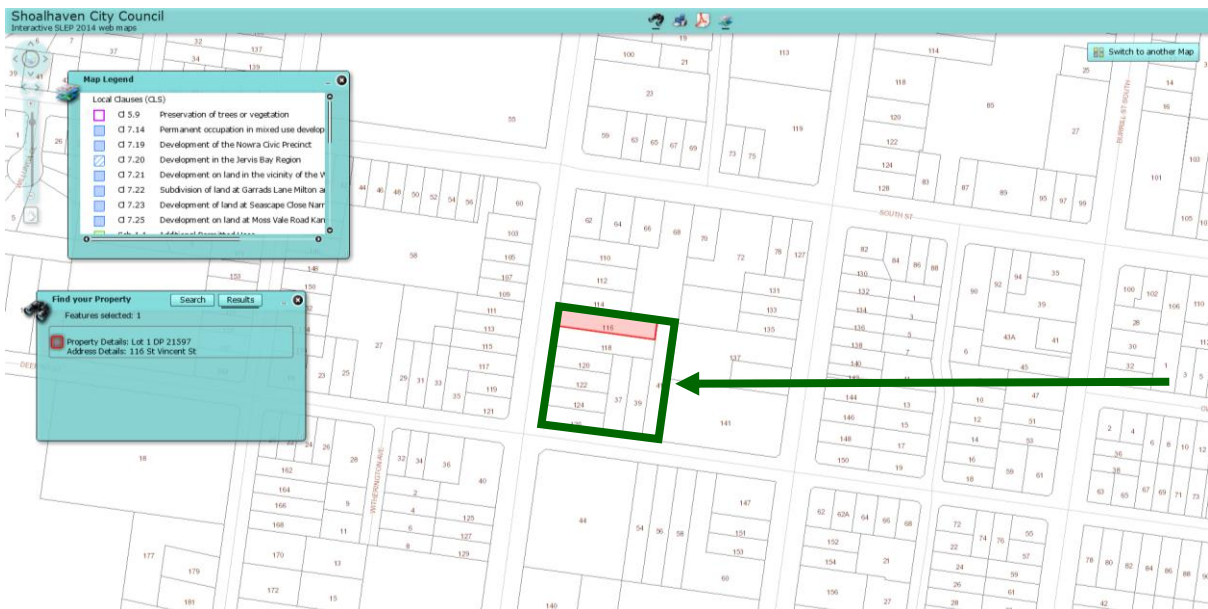
15. Buffers (BFR)



Appendix Figure 15: SLEP 2014 Buffers (BFR)

Source: Shoalhaven City Council (2014)

16. Local Clauses (CLS)

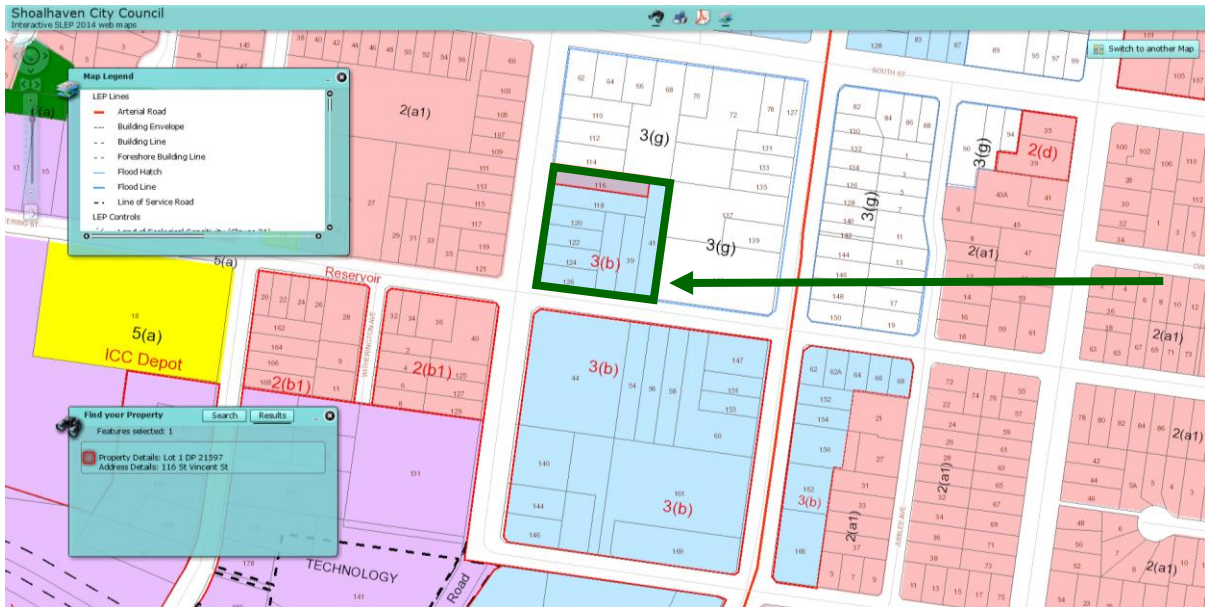


Appendix Figure 16: SLEP 2014 Local Clauses (CLS)

Source: Shoalhaven City Council (2014)

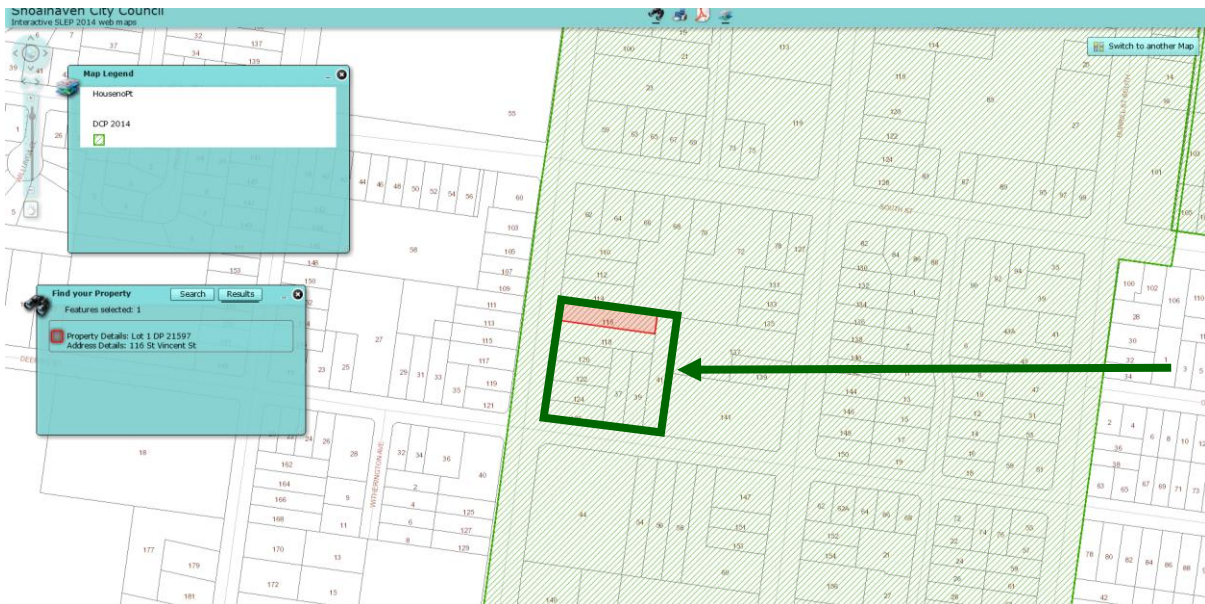


17. SLEP 1985 Land Use Zoning



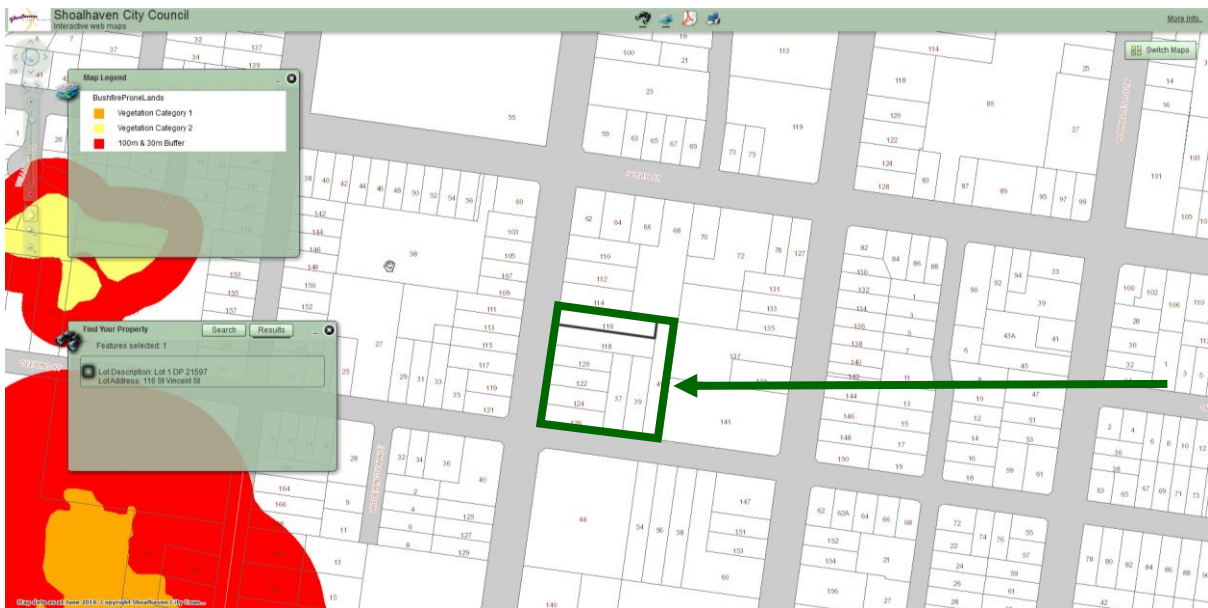
Appendix Figure 17: SLEP 1985 Land Use Zoning
Source: Shoalhaven City Council (2014)

18. DCP 2014 Area-Specific Chapter(s)



Appendix Figure 18: SLEP 2014 DCP 2014 Area-Specific Chapter(s)
Source: Shoalhaven City Council (2014)

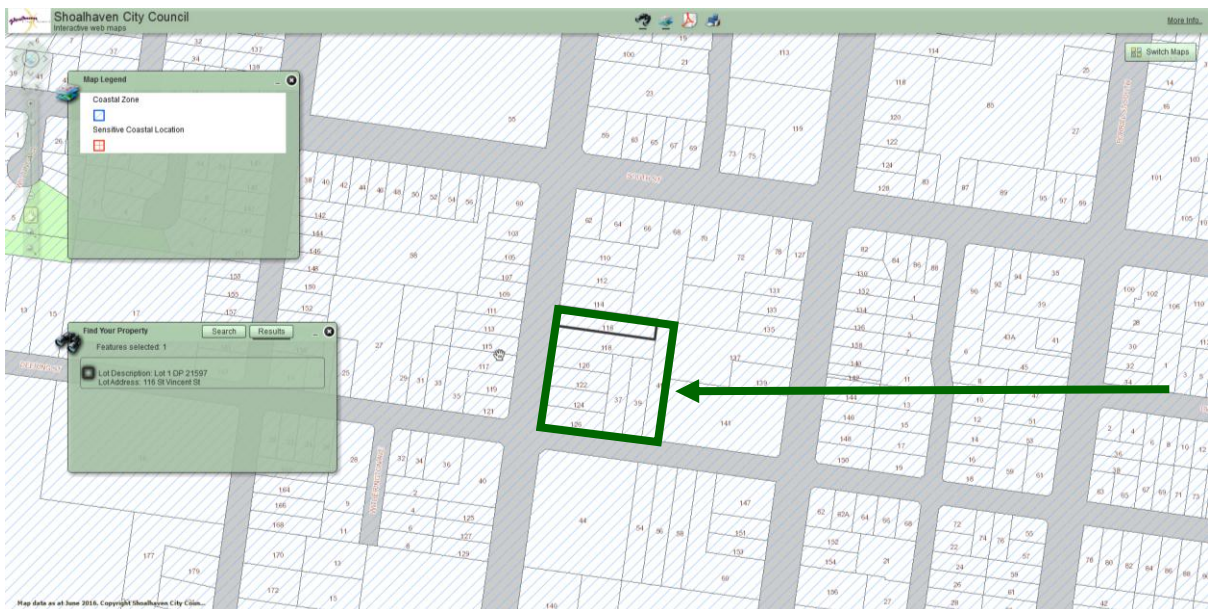
19. Bushfire Prone Lands



Appendix Figure 19: Bushfire Prone Lands where orange denotes 'Vegetation Category 1'; yellow denotes 'Vegetation Category 2' and red denotes '100m & 30m Buffer'

Source: Shoalhaven City Council (2014)

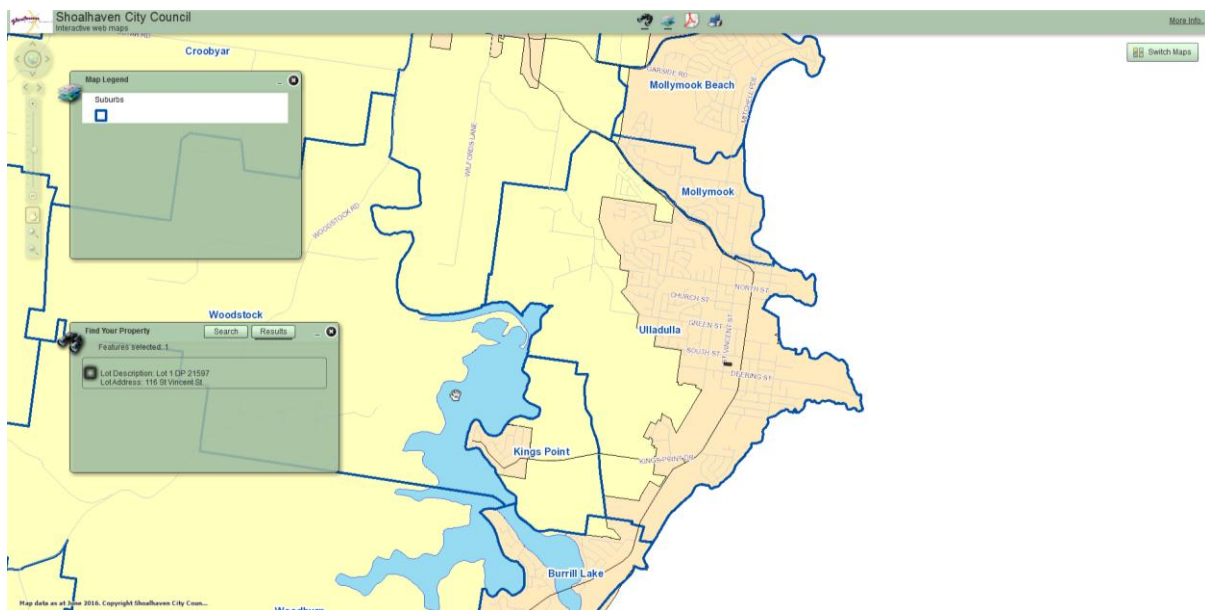
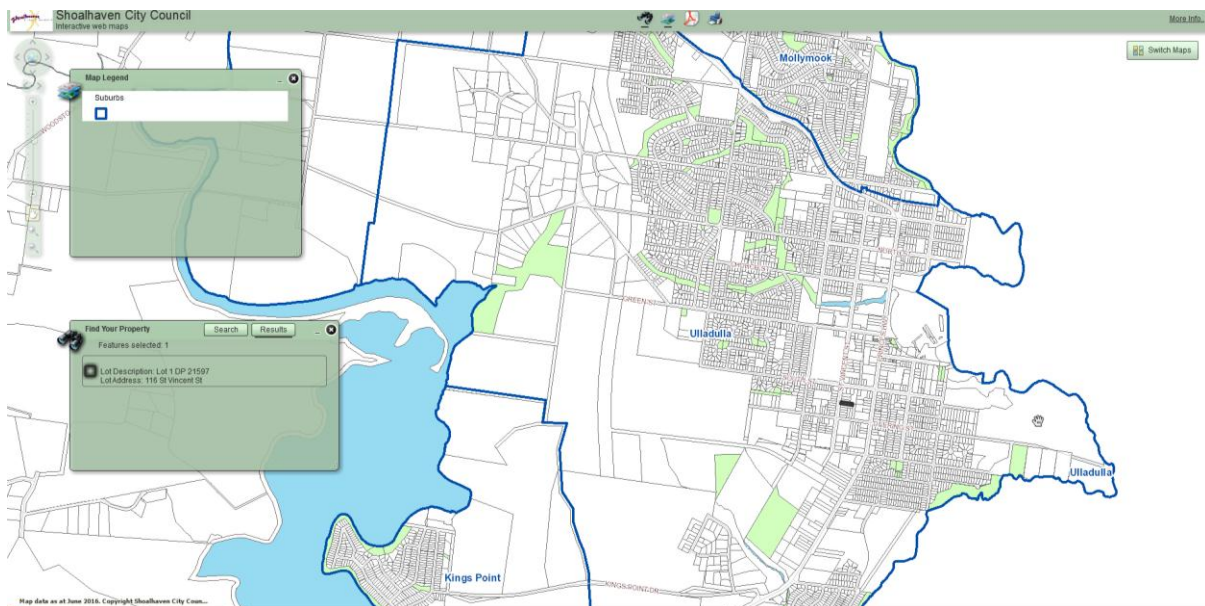
20. Coastal Zone



Appendix Figure 20: Coastal Zone

Source: Shoalhaven City Council (2014)

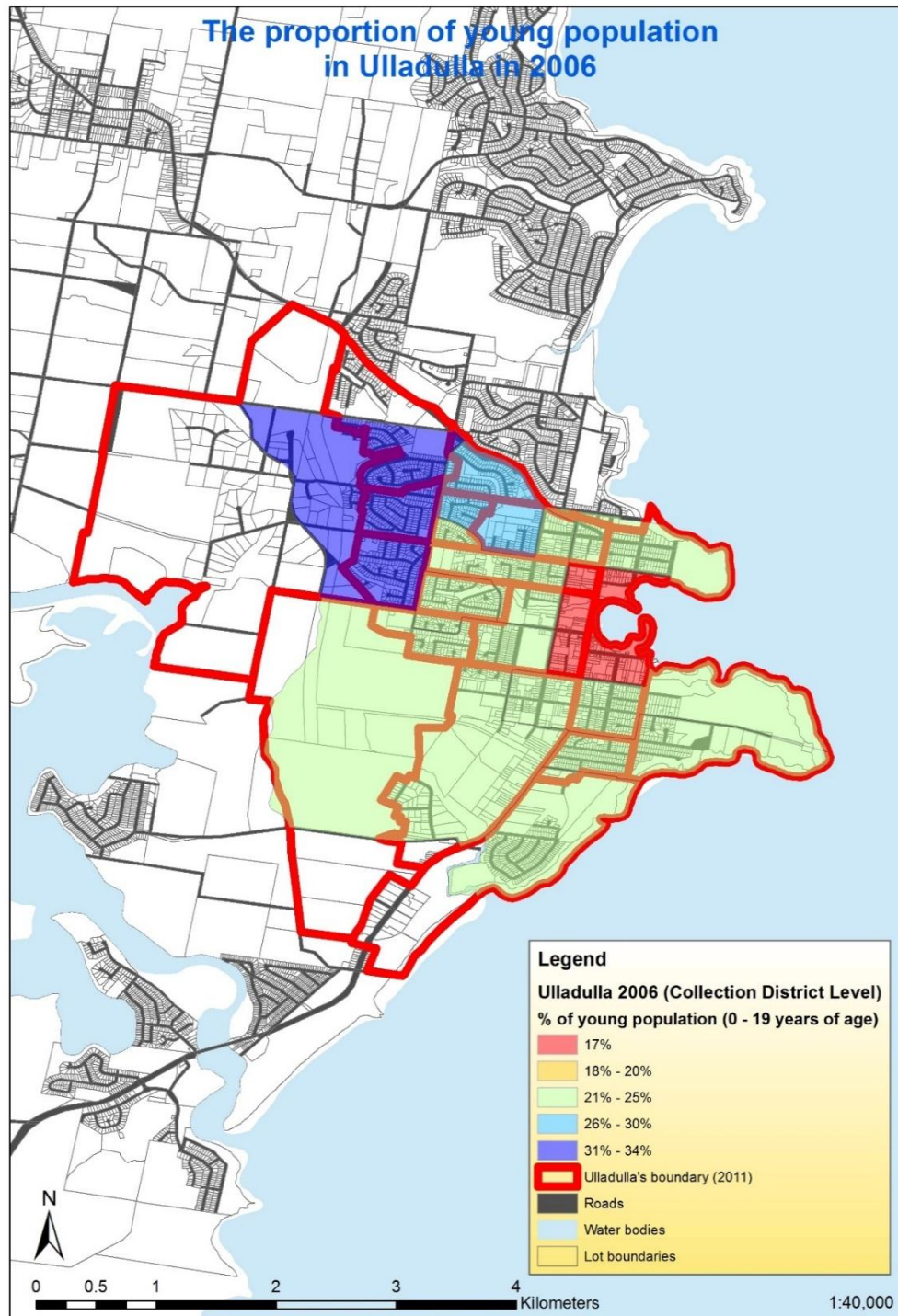
21. Suburbs



Appendix Figures 21 and 22: Suburbs
Source: Shoalhaven City Council (2014)

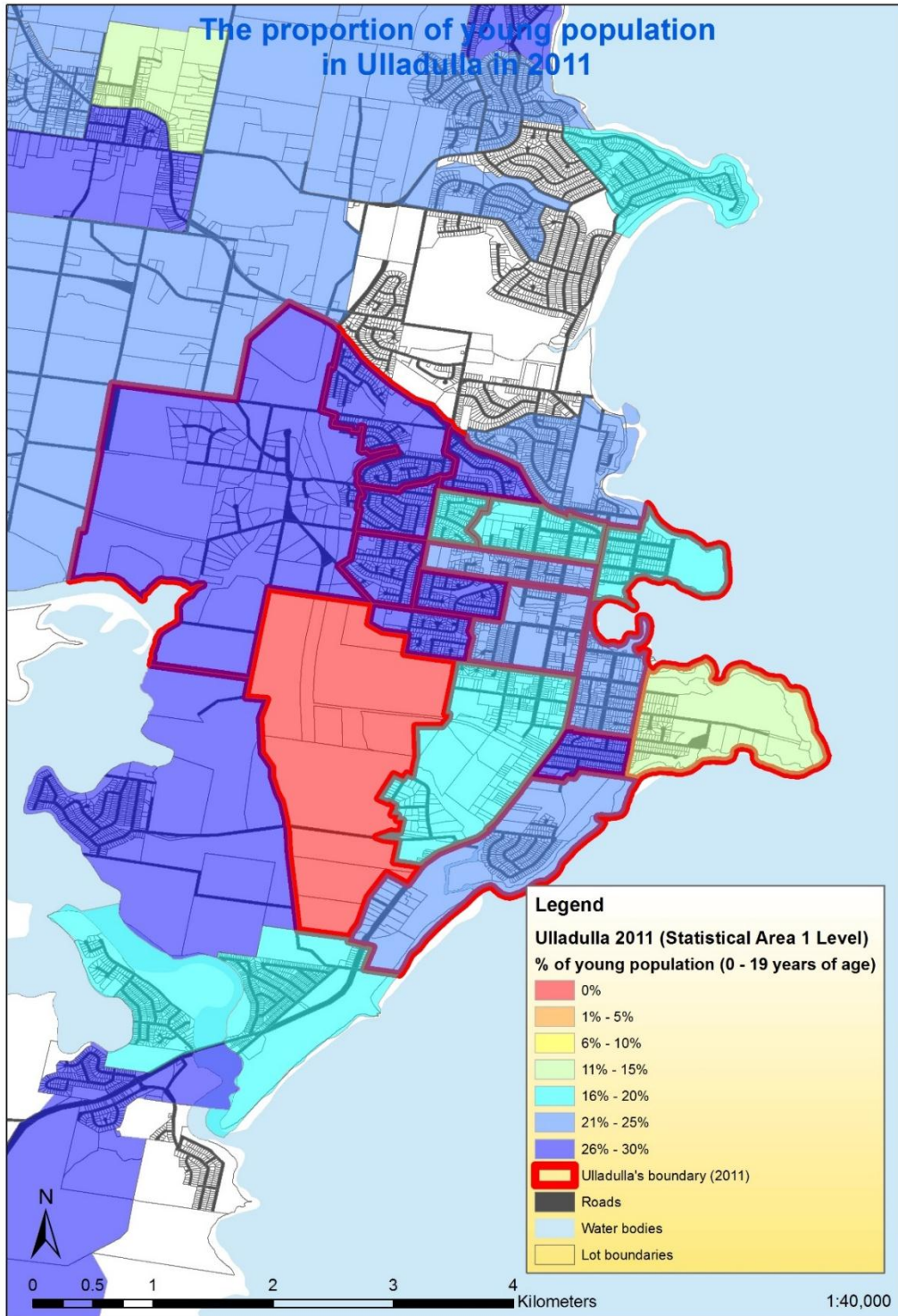
B. 2006 and 2011 Census graphs

1. Proportion of young population



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

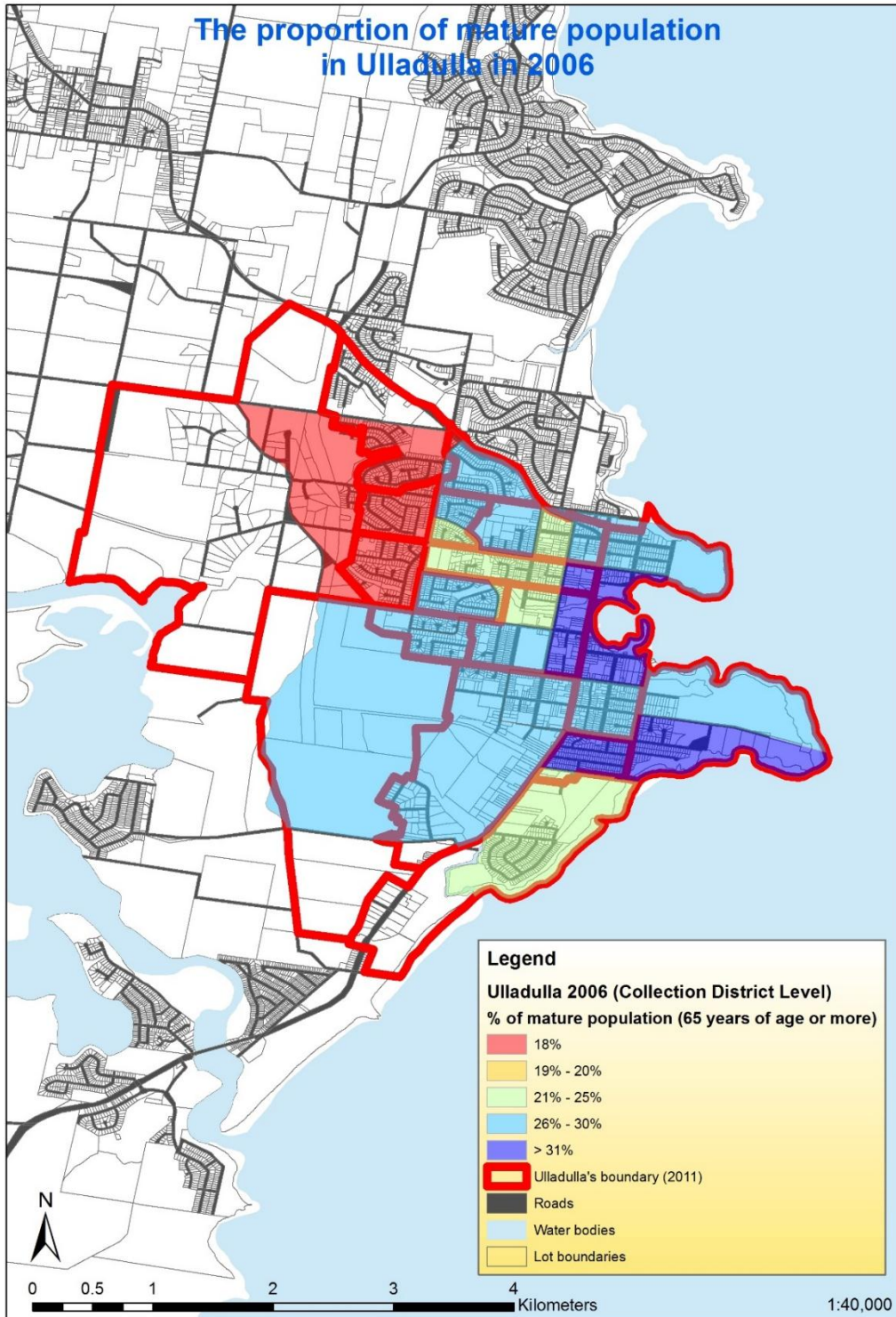




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

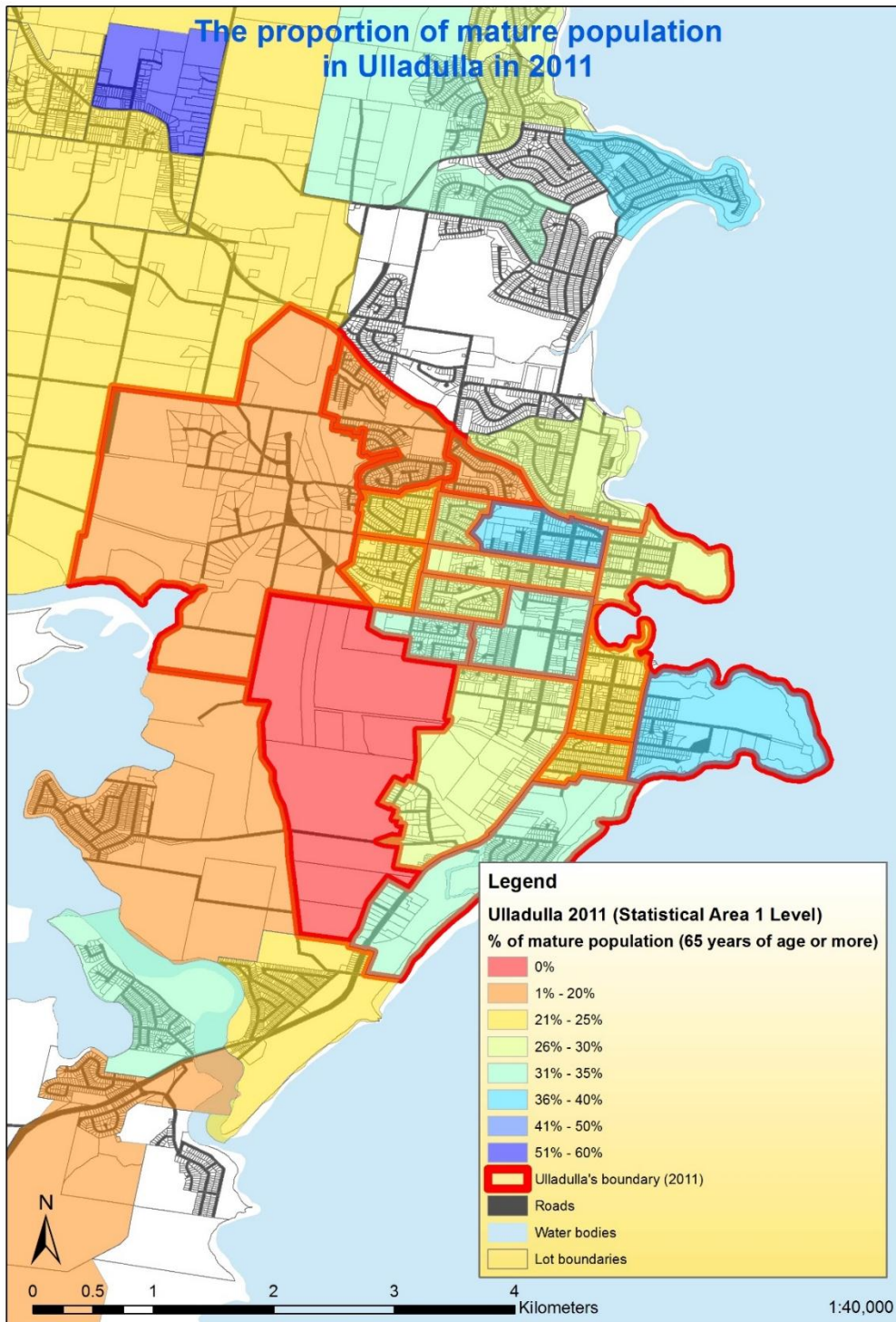


2. Proportion of mature population



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

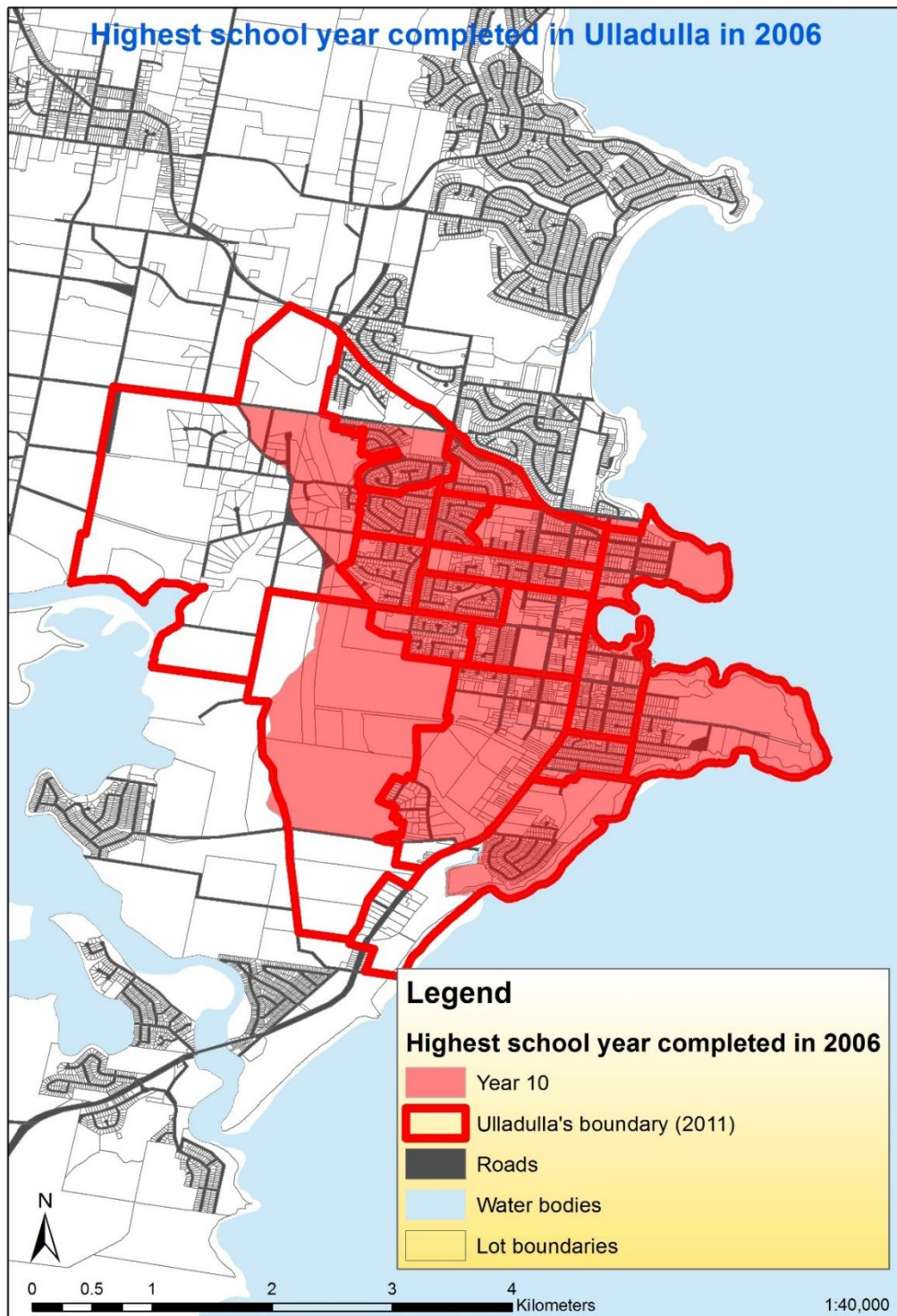




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

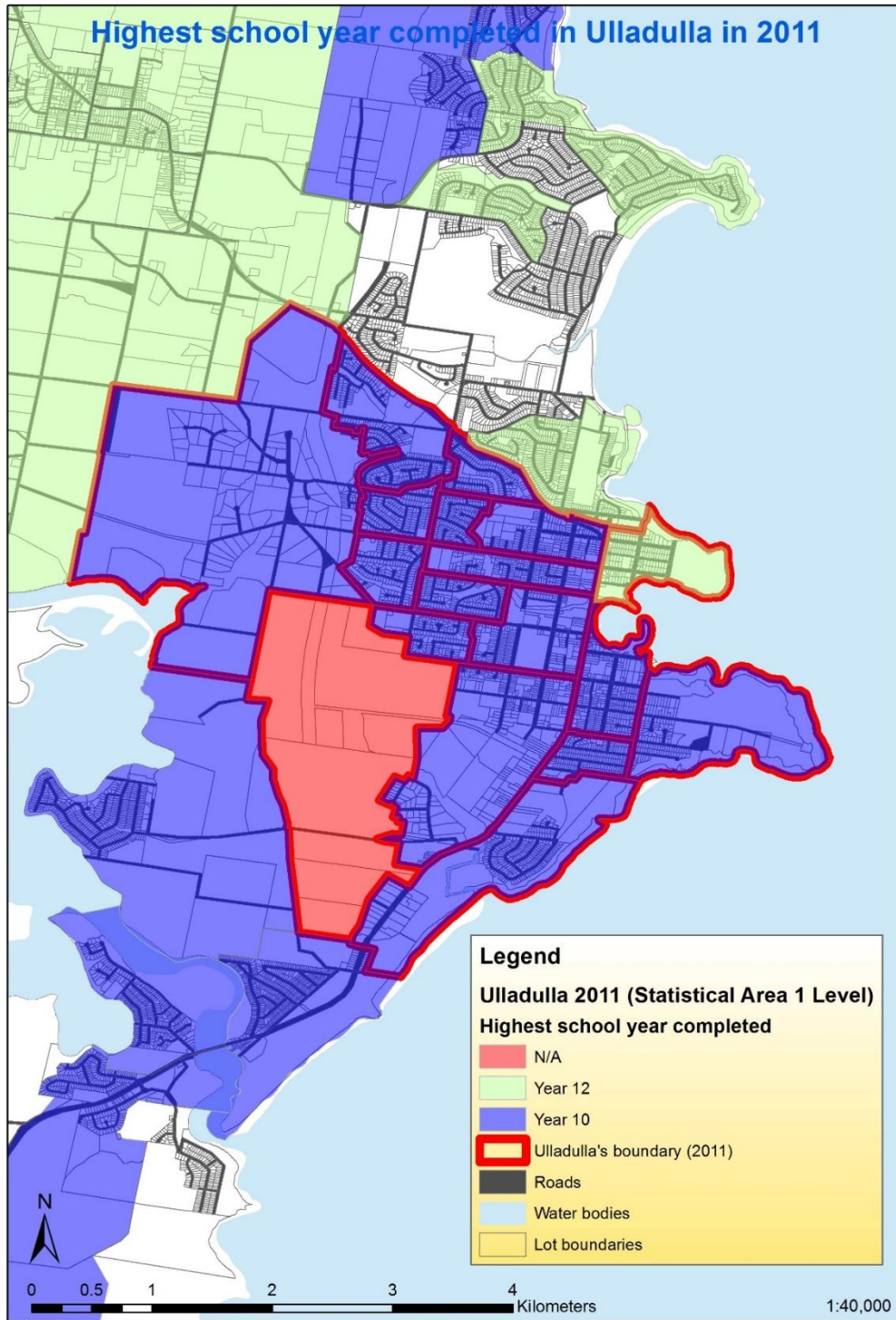


3. Highest Year of School Completed by Age by Sex



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

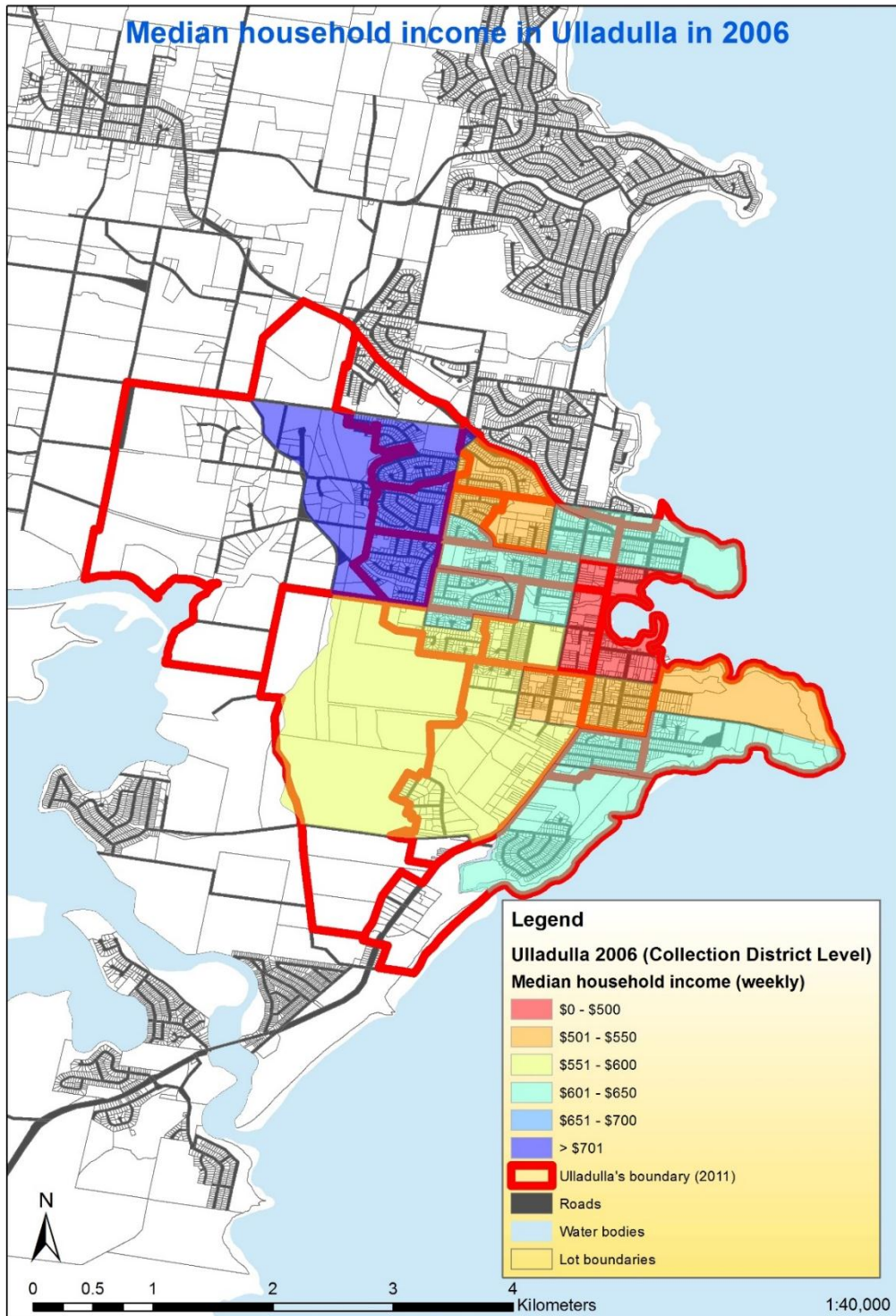




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

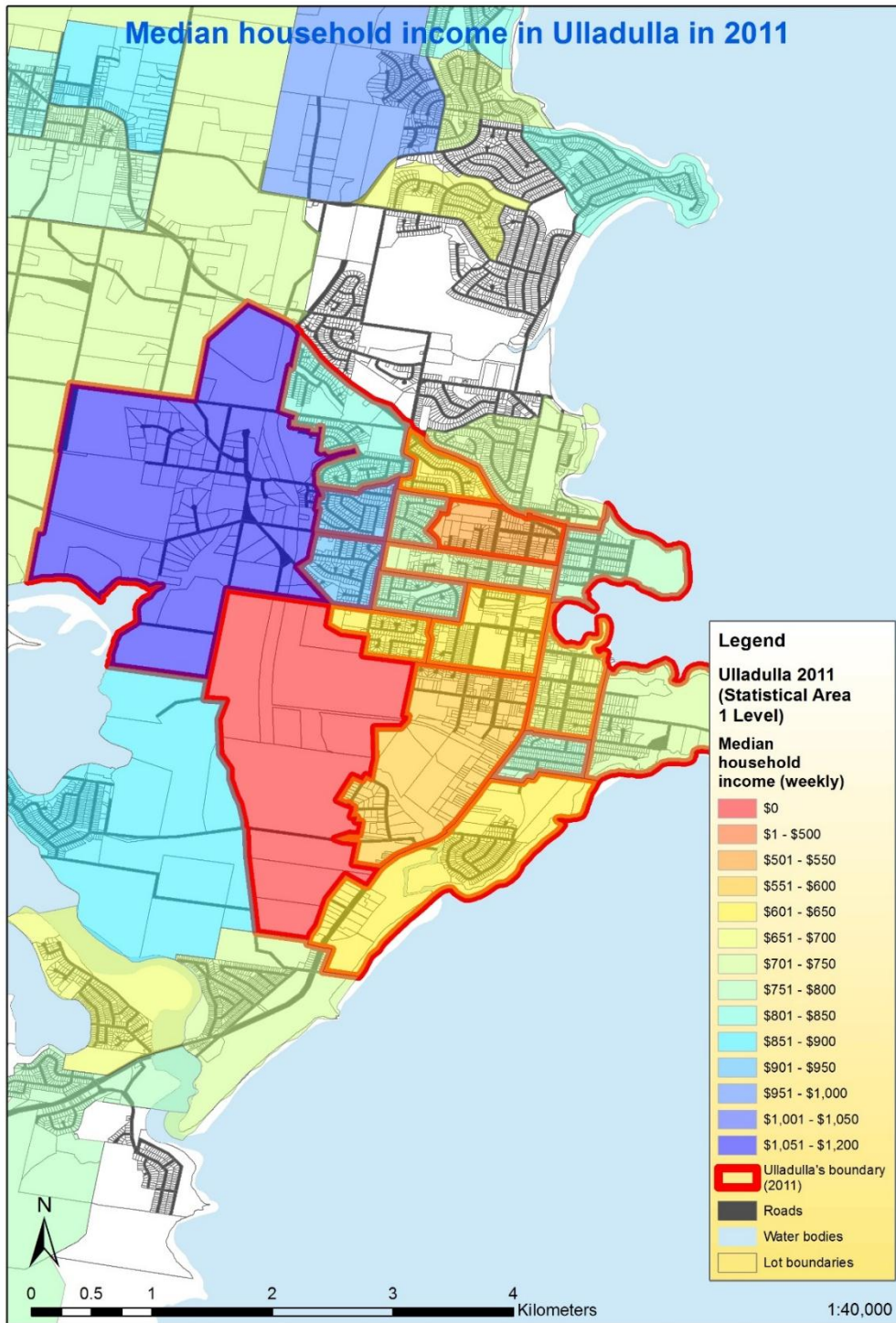


4. Gross Household Income (Weekly) by Household Composition



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

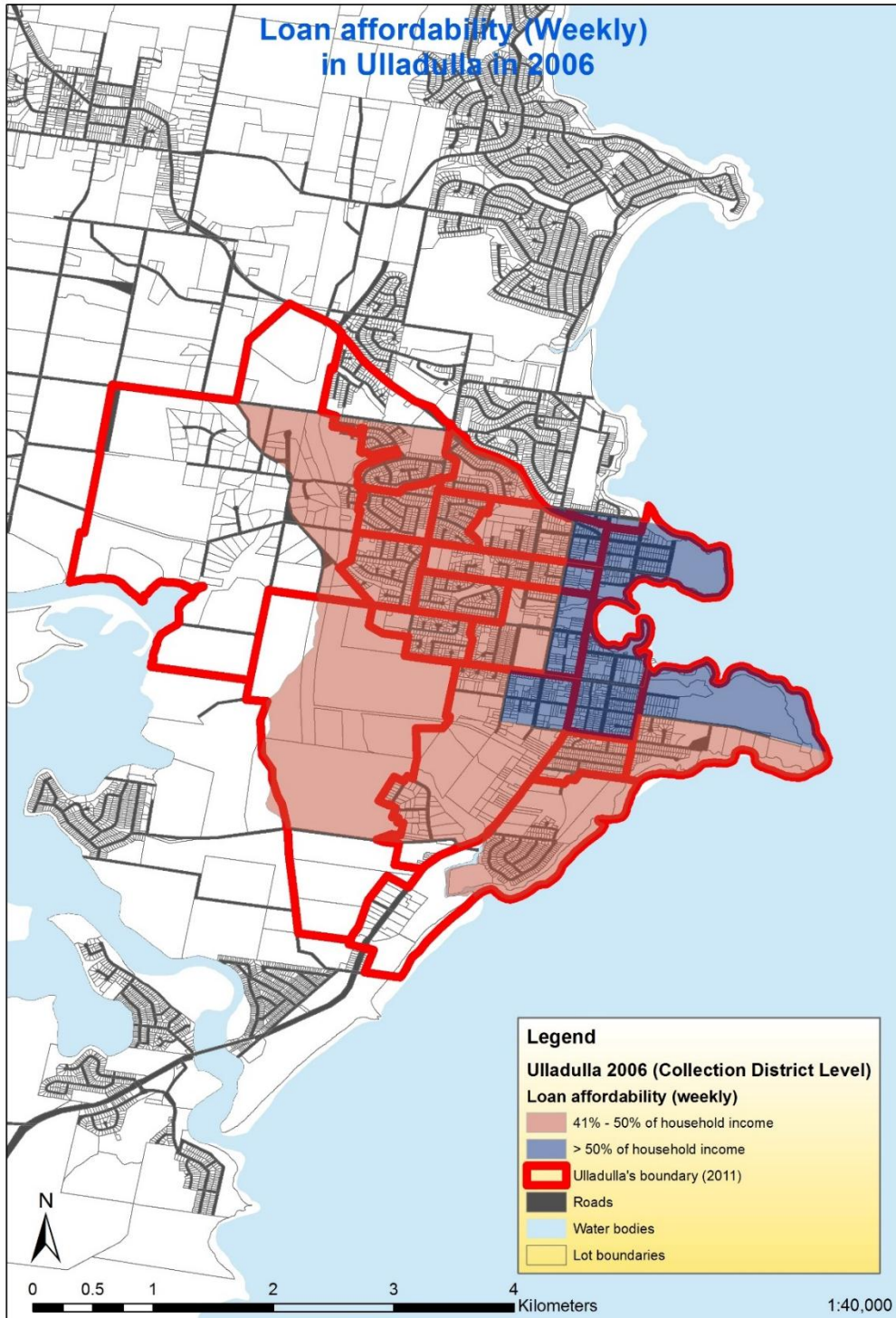




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

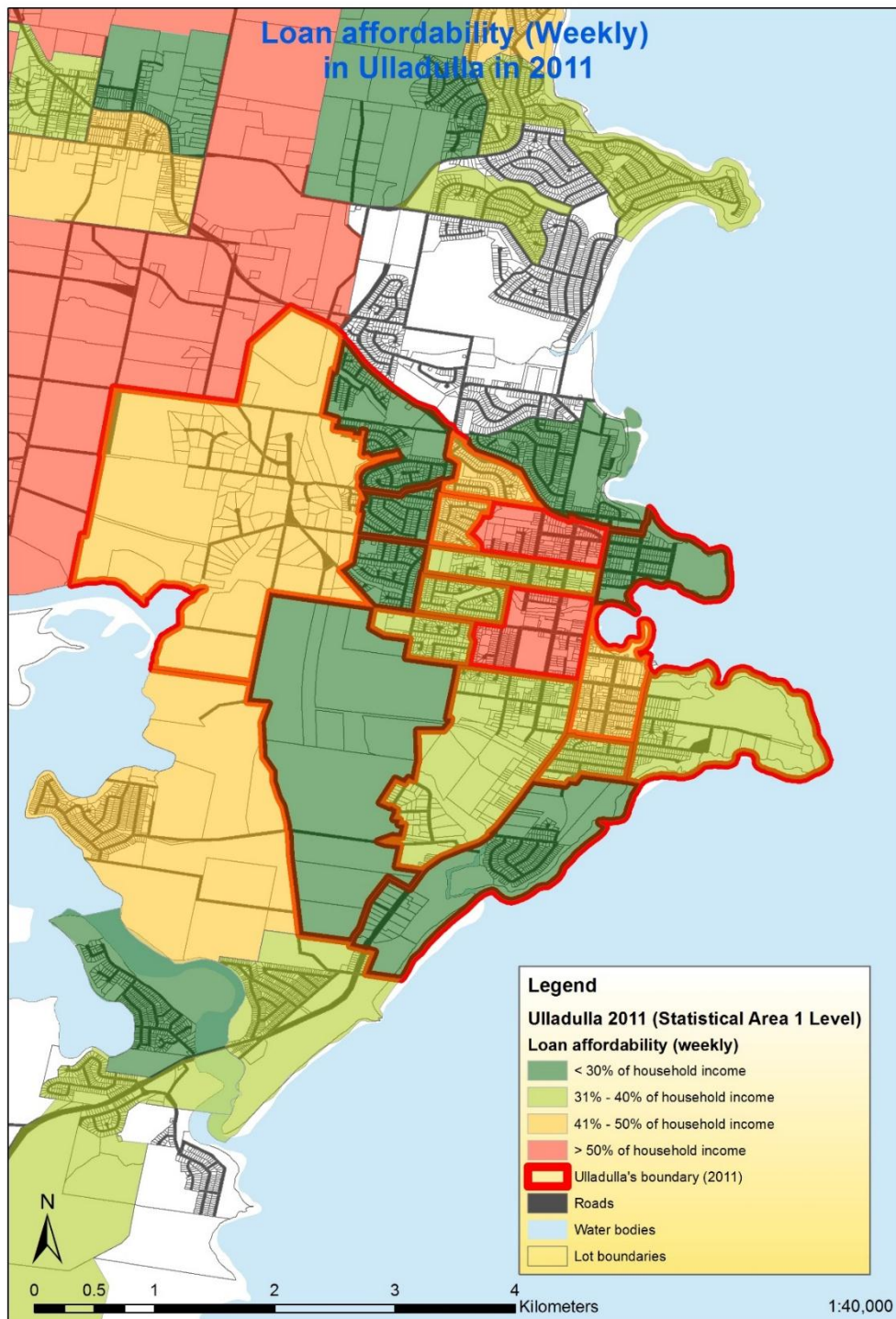


5. Loan affordability



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

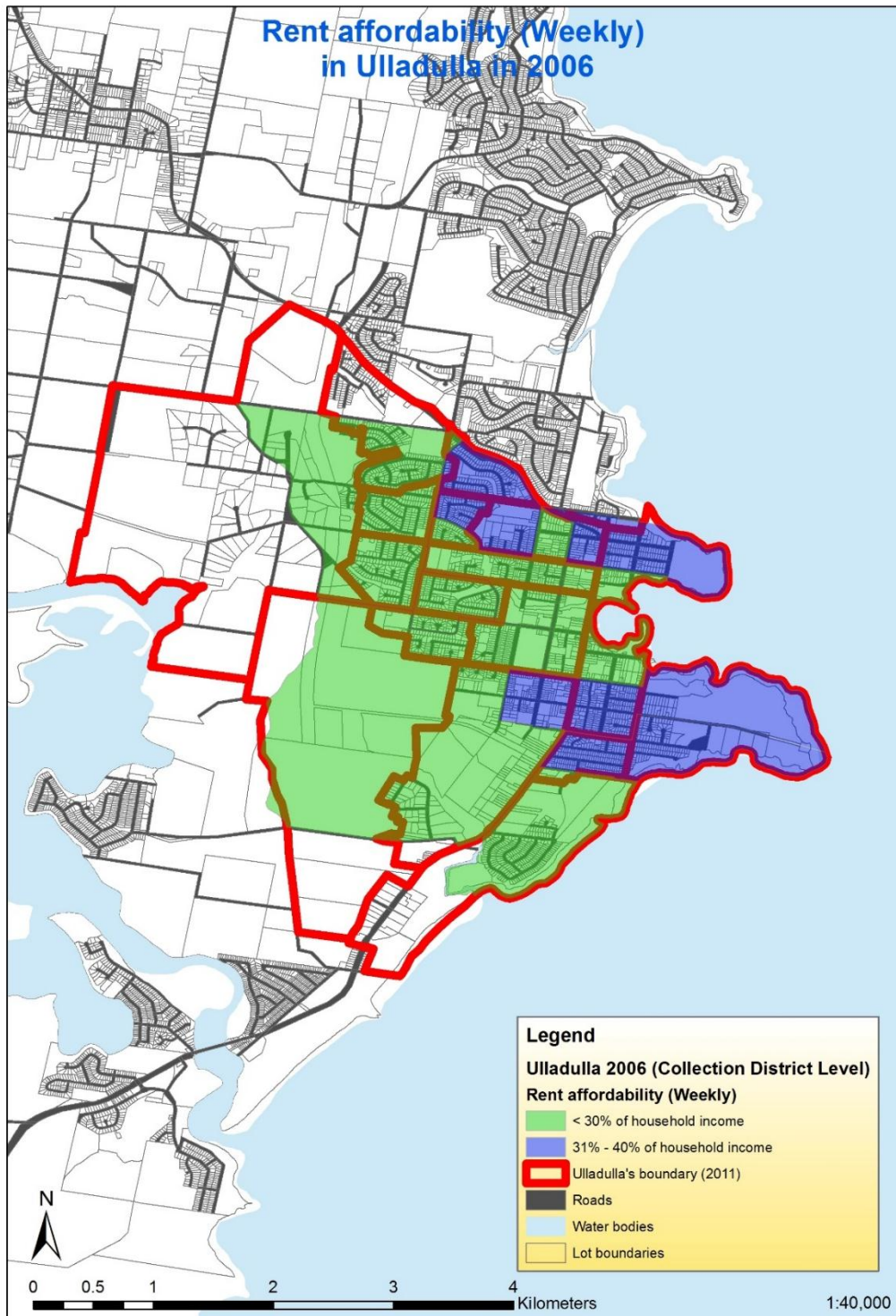




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

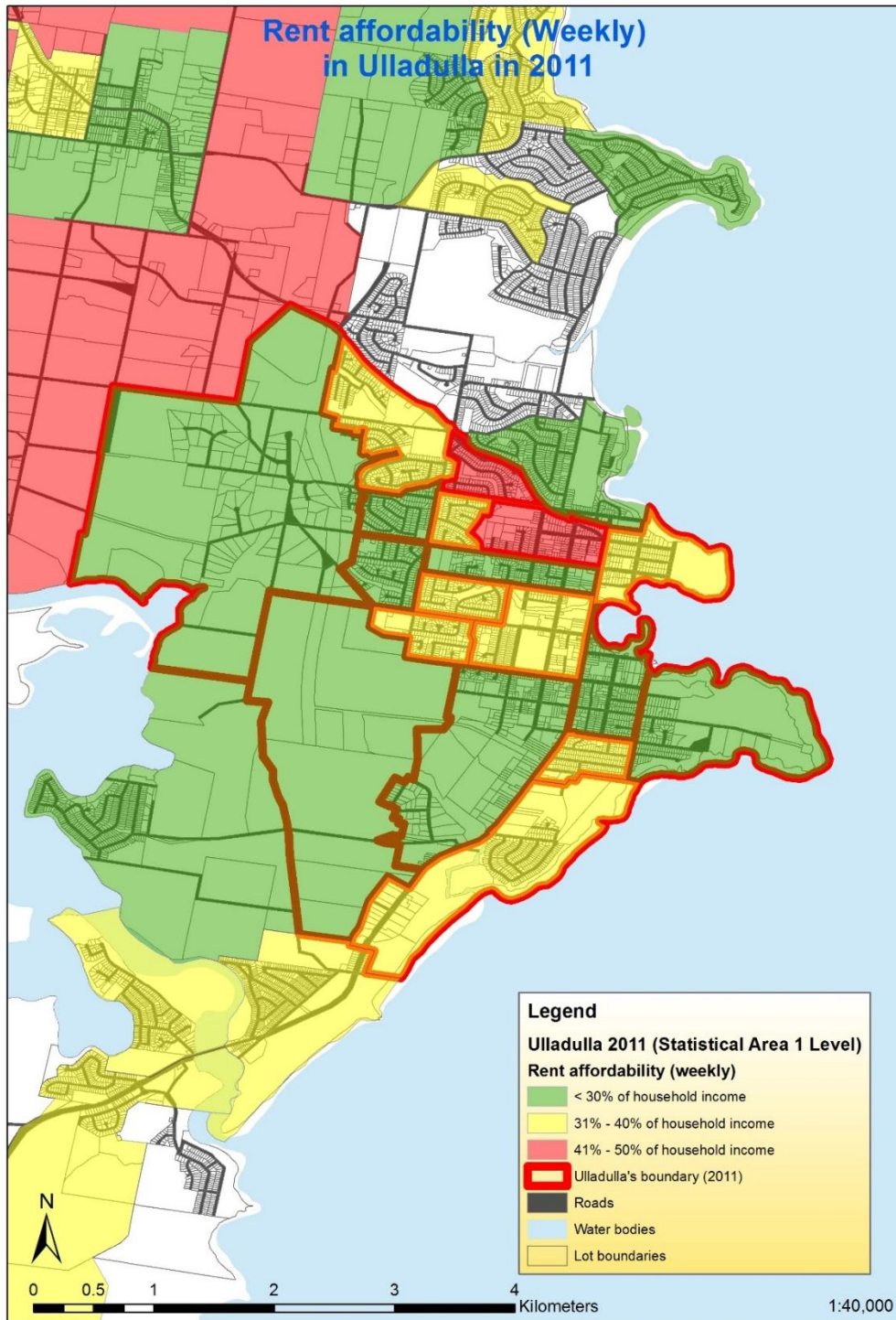


6. Rent affordability



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

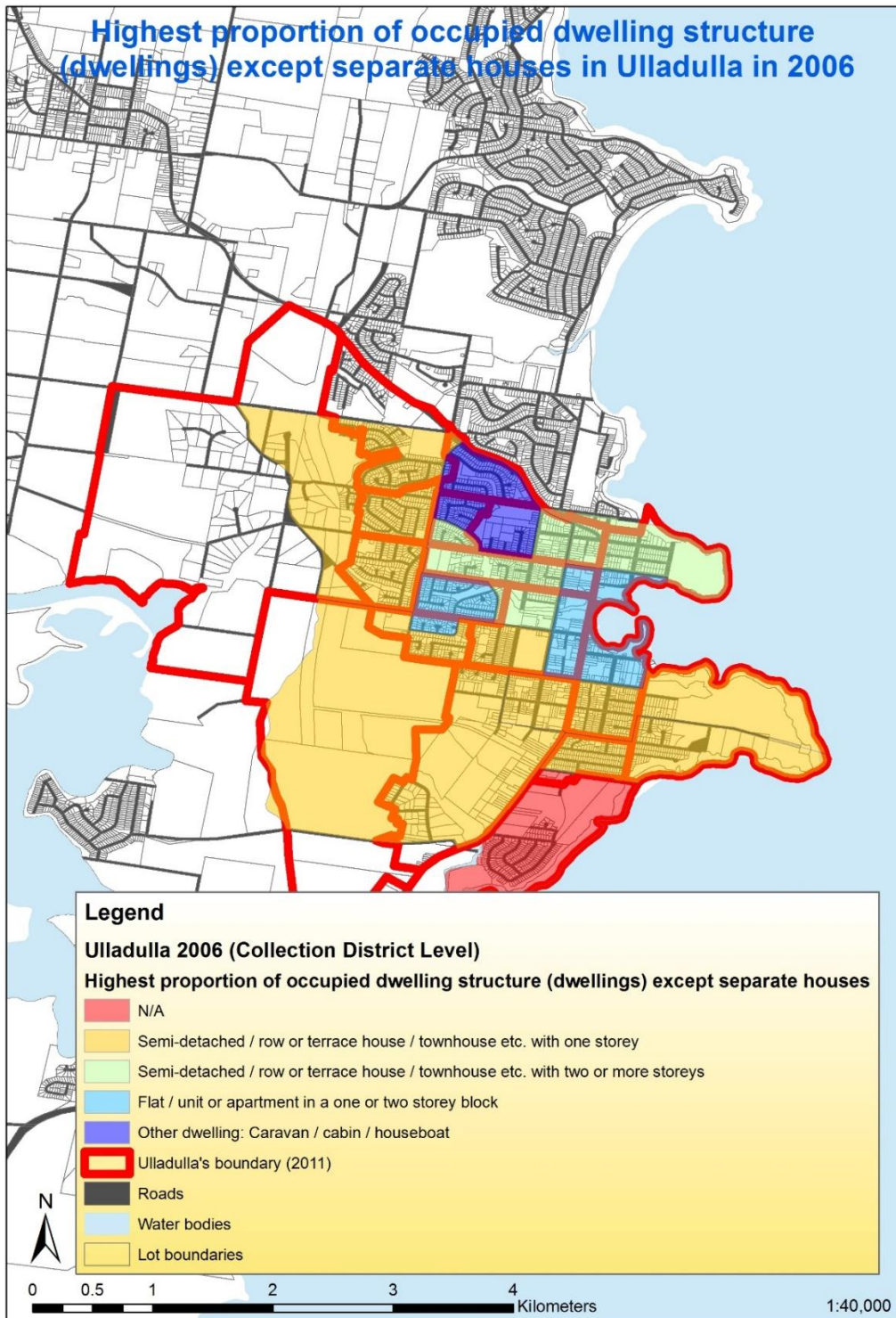




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

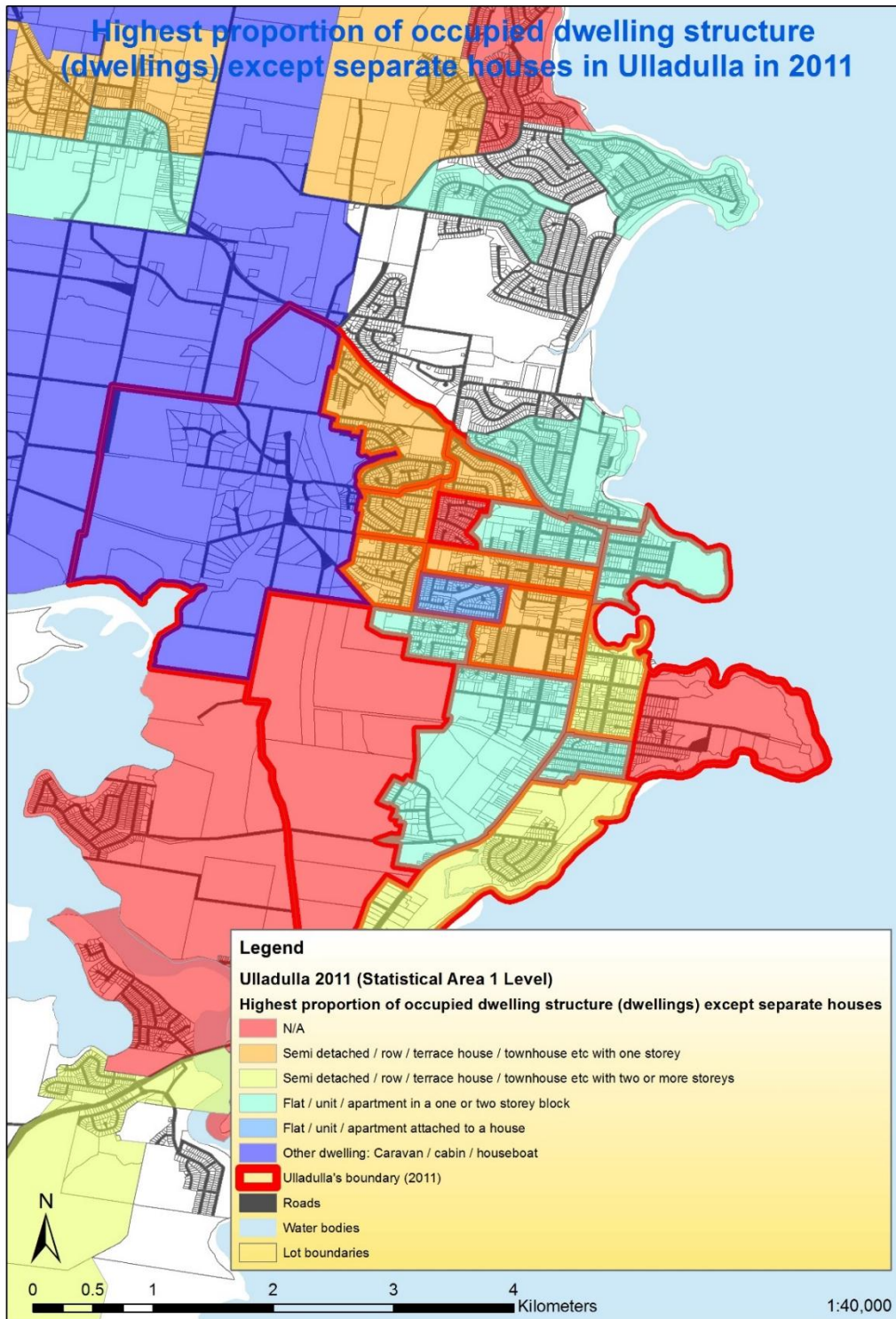


7. Dwelling structure



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

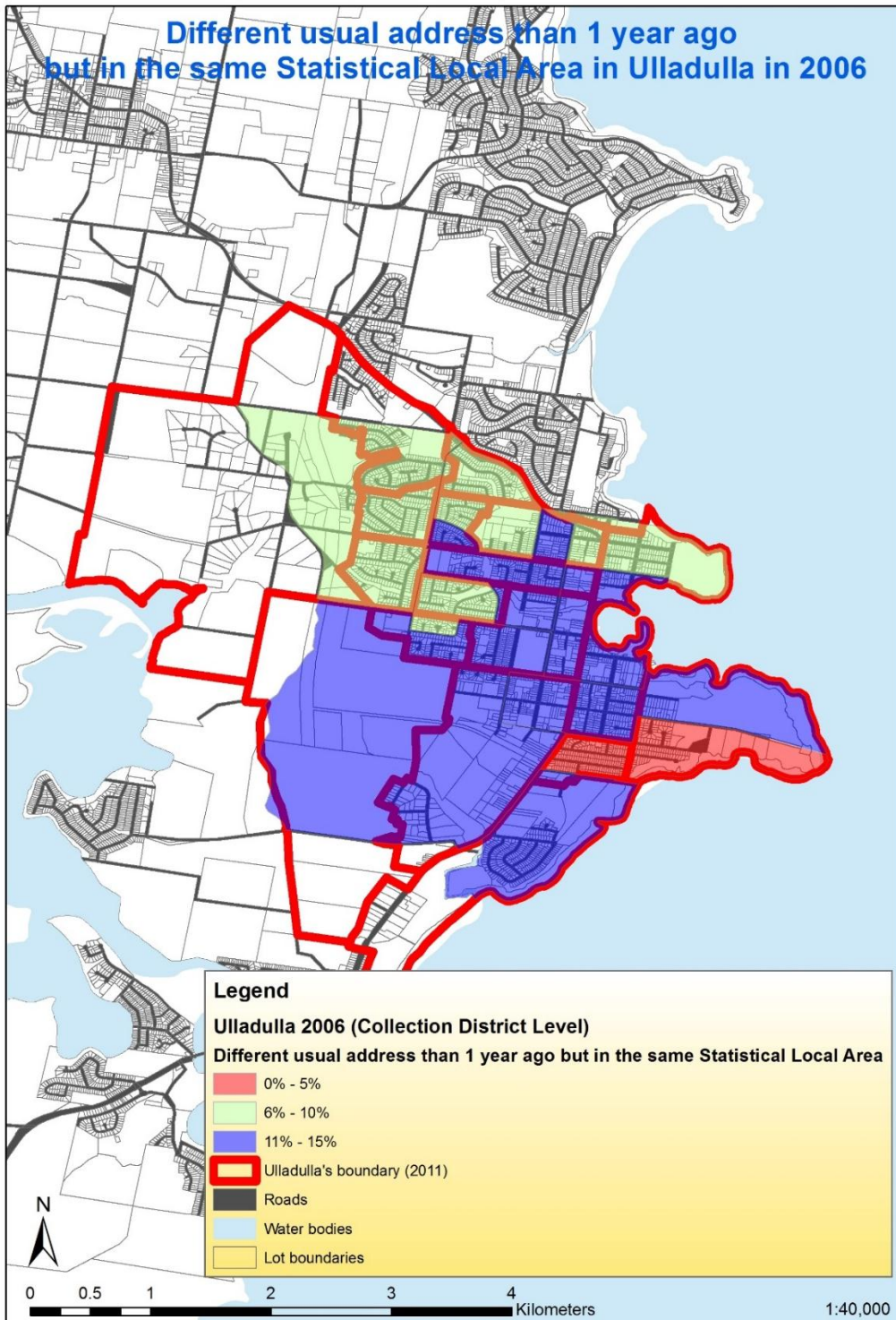




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

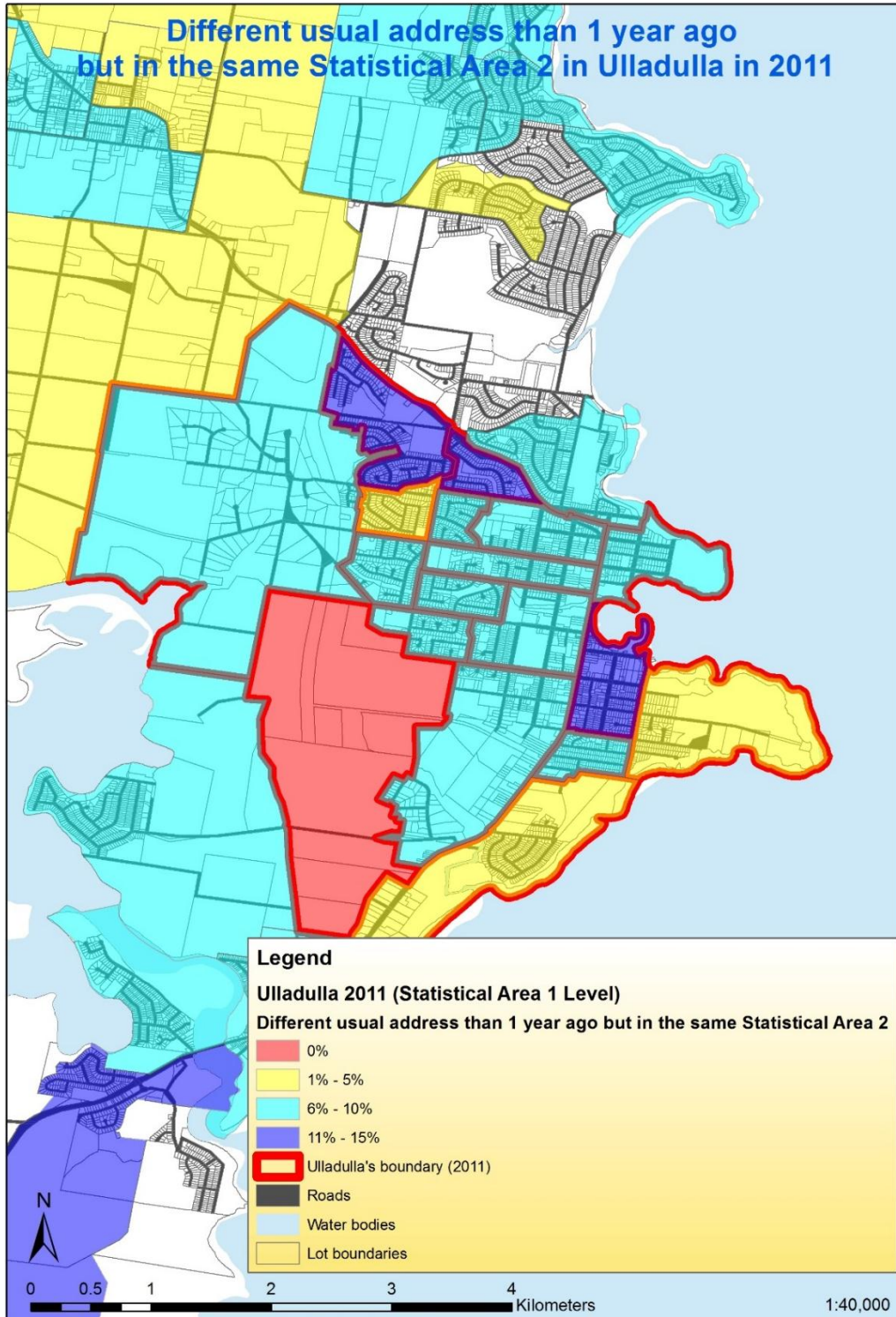


8. Place of Usual Residence 1 Year Ago by Sex



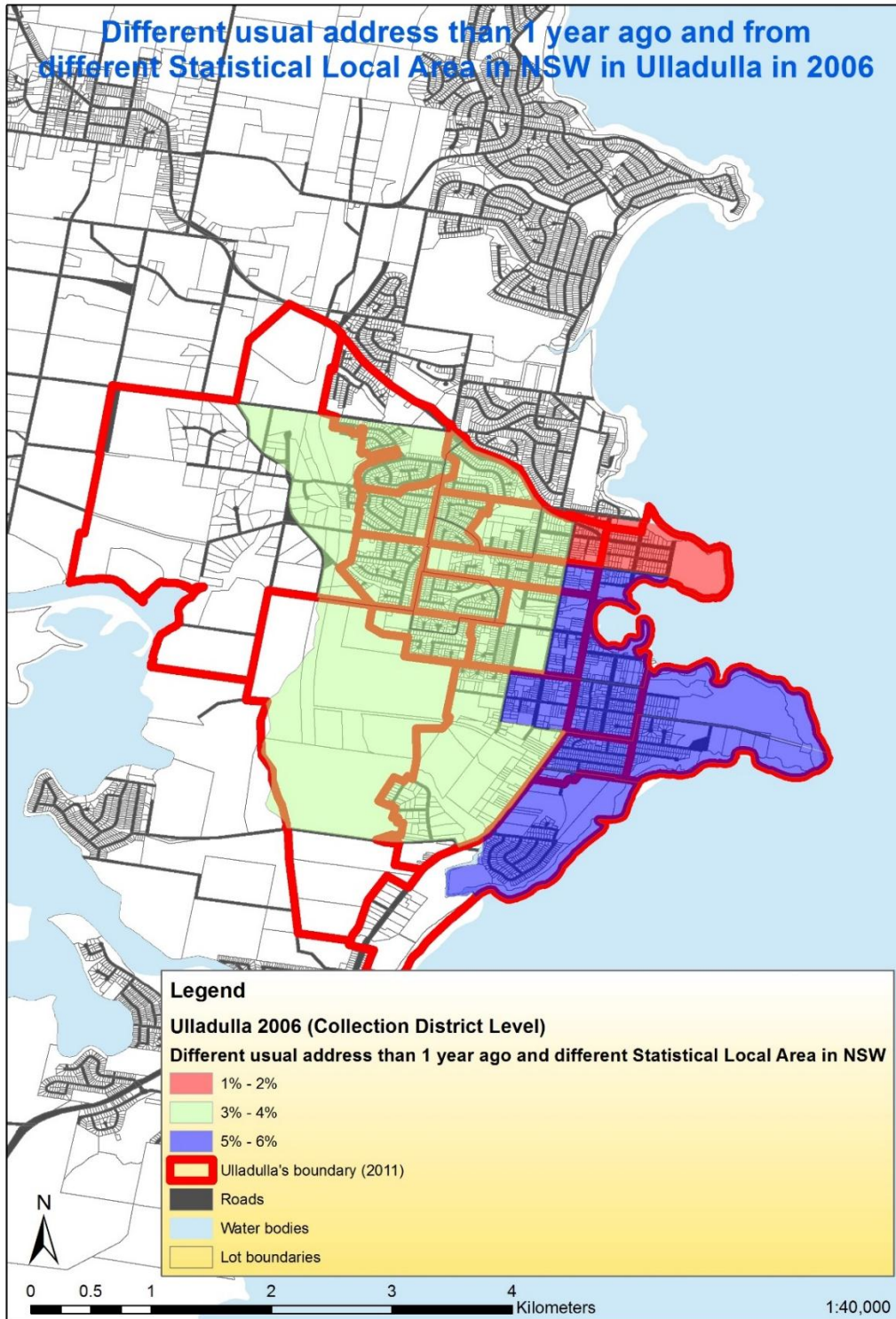
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1





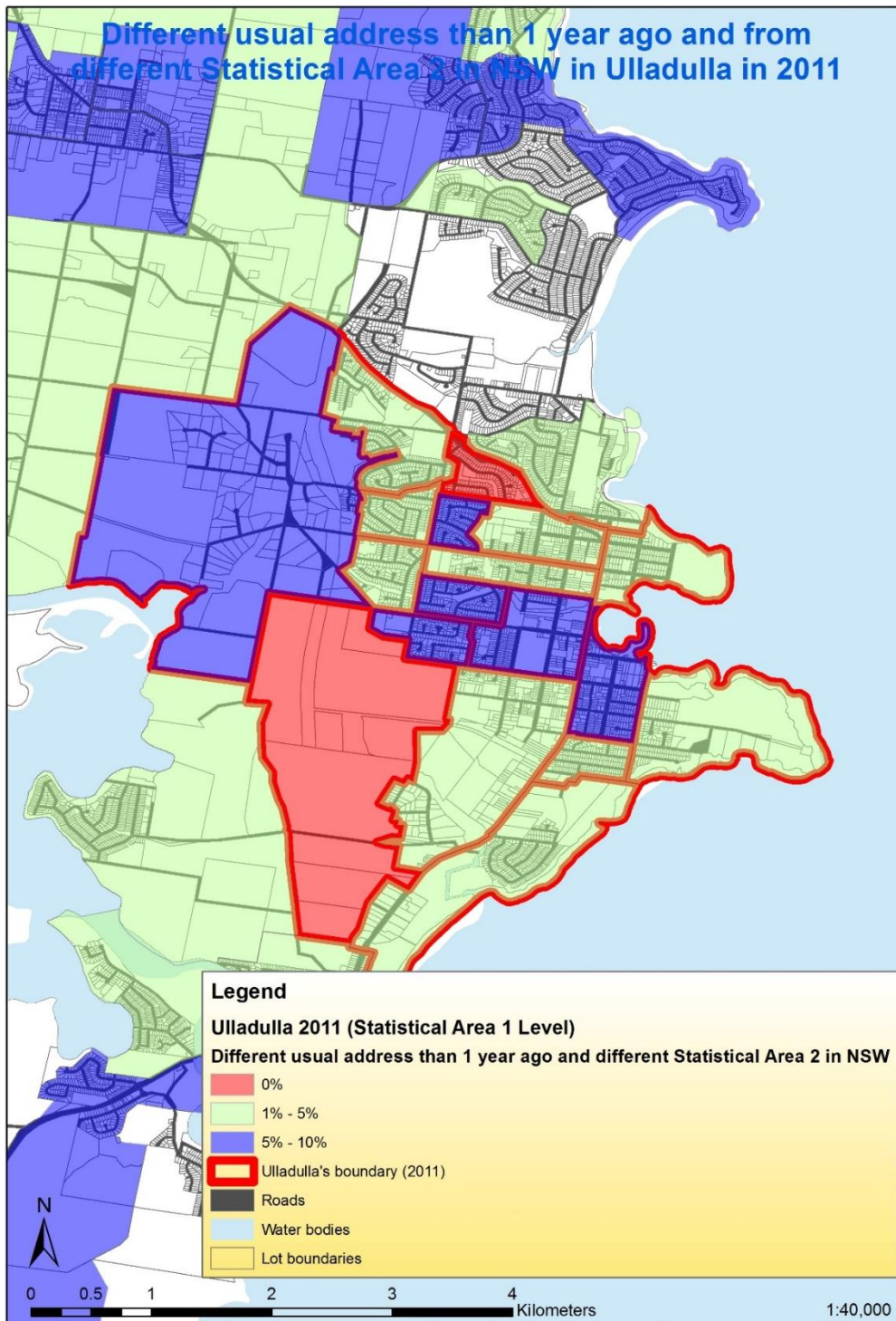
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1





Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

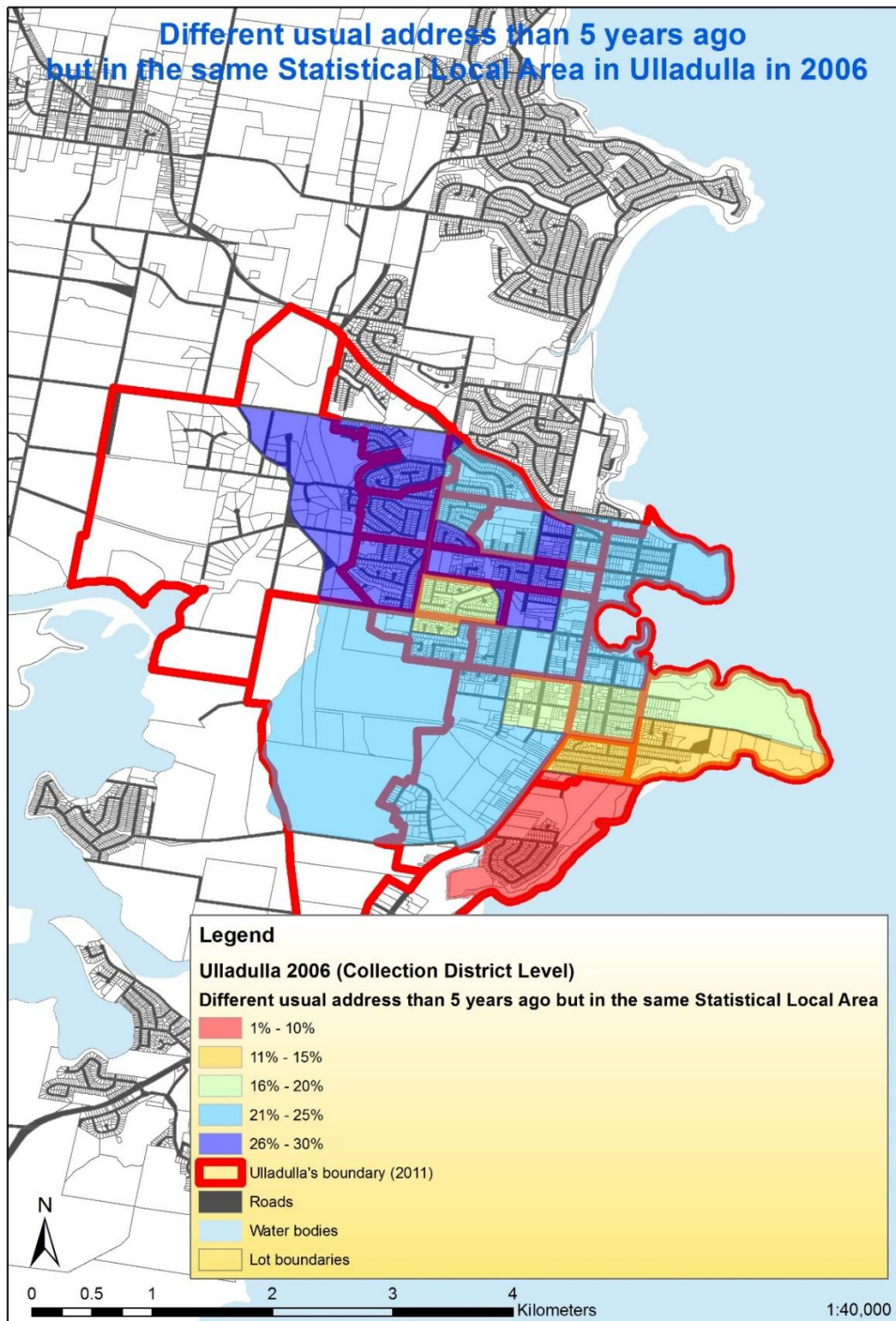




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

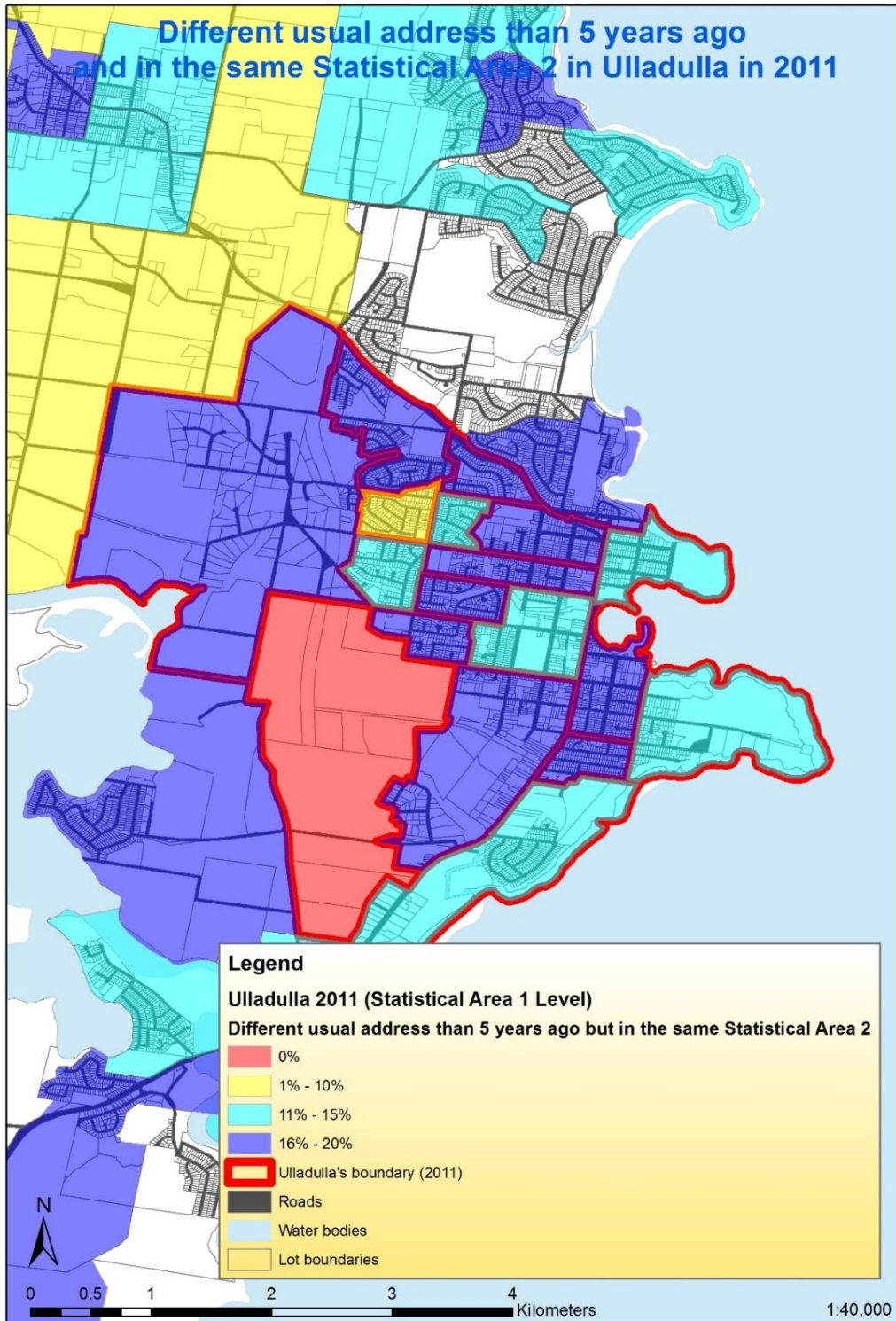


9. Place of Usual Residence 5 Years Ago by Sex

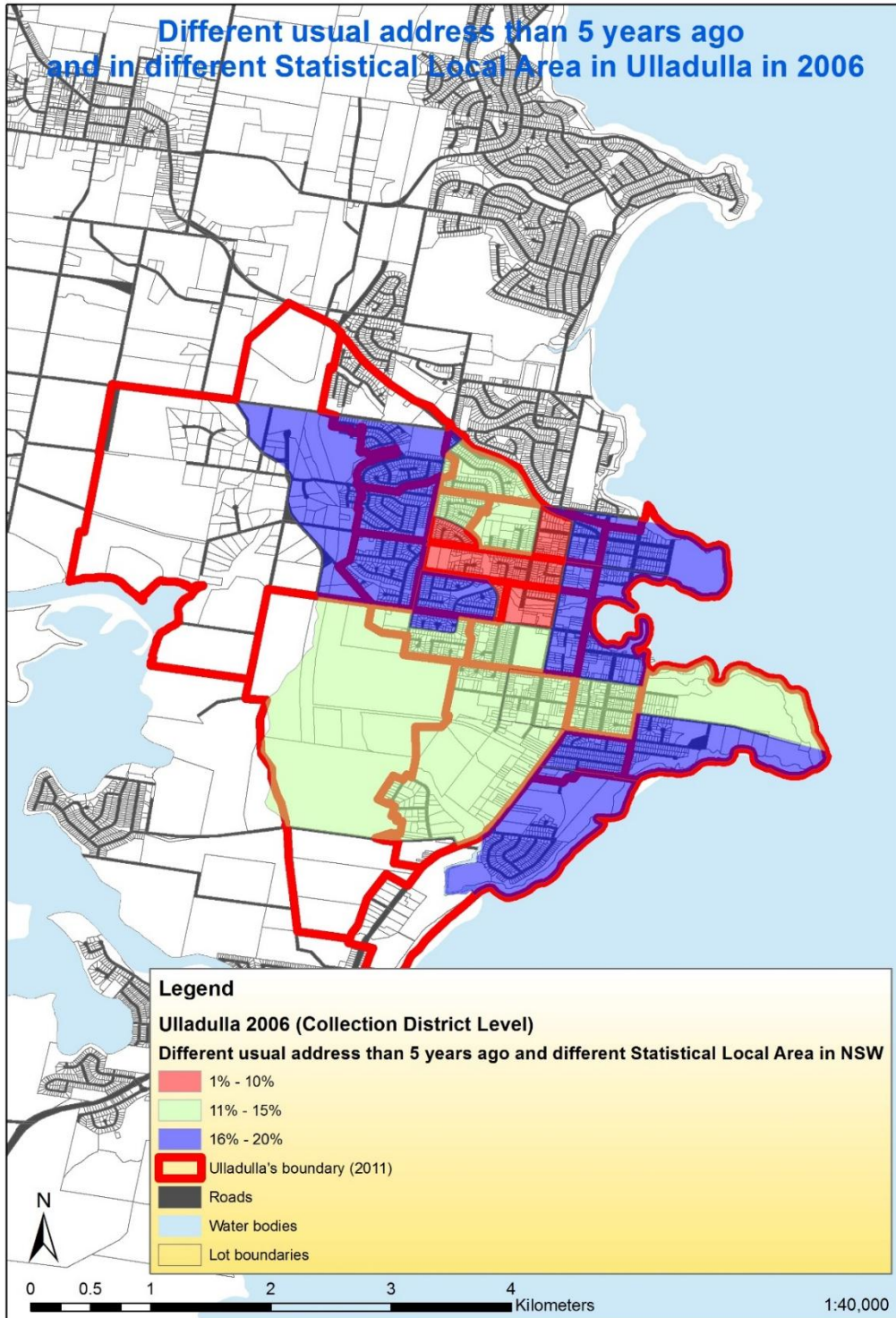


Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1



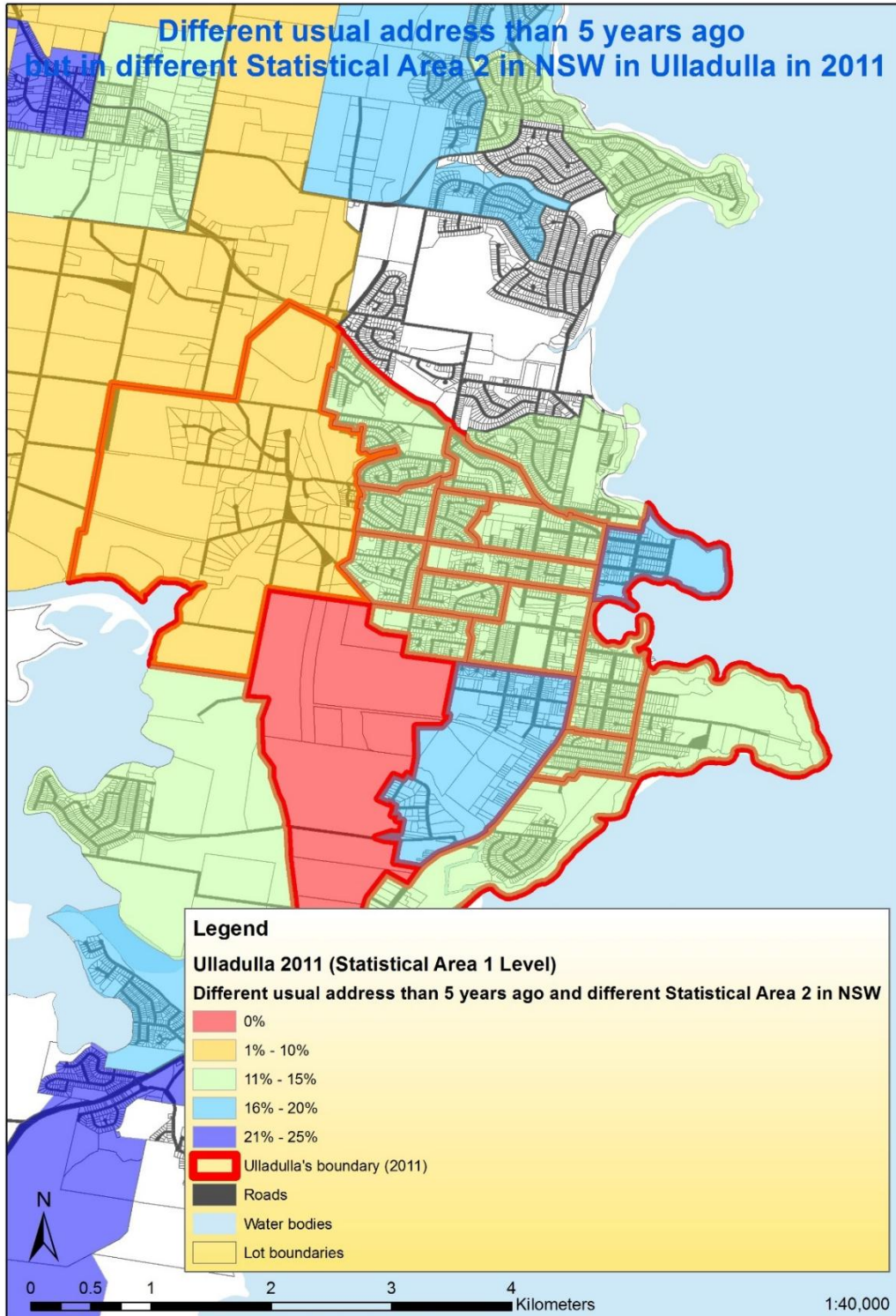


Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

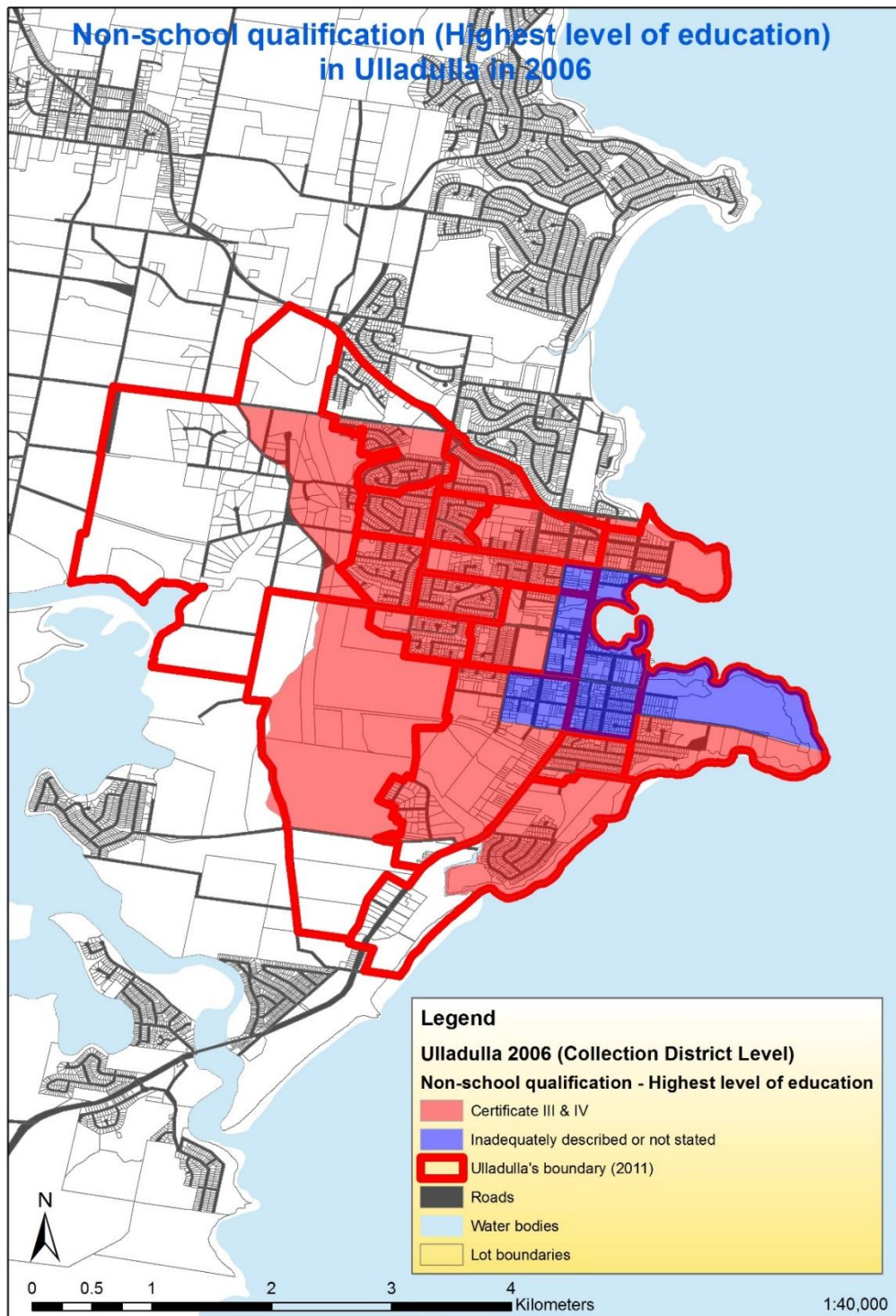




Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

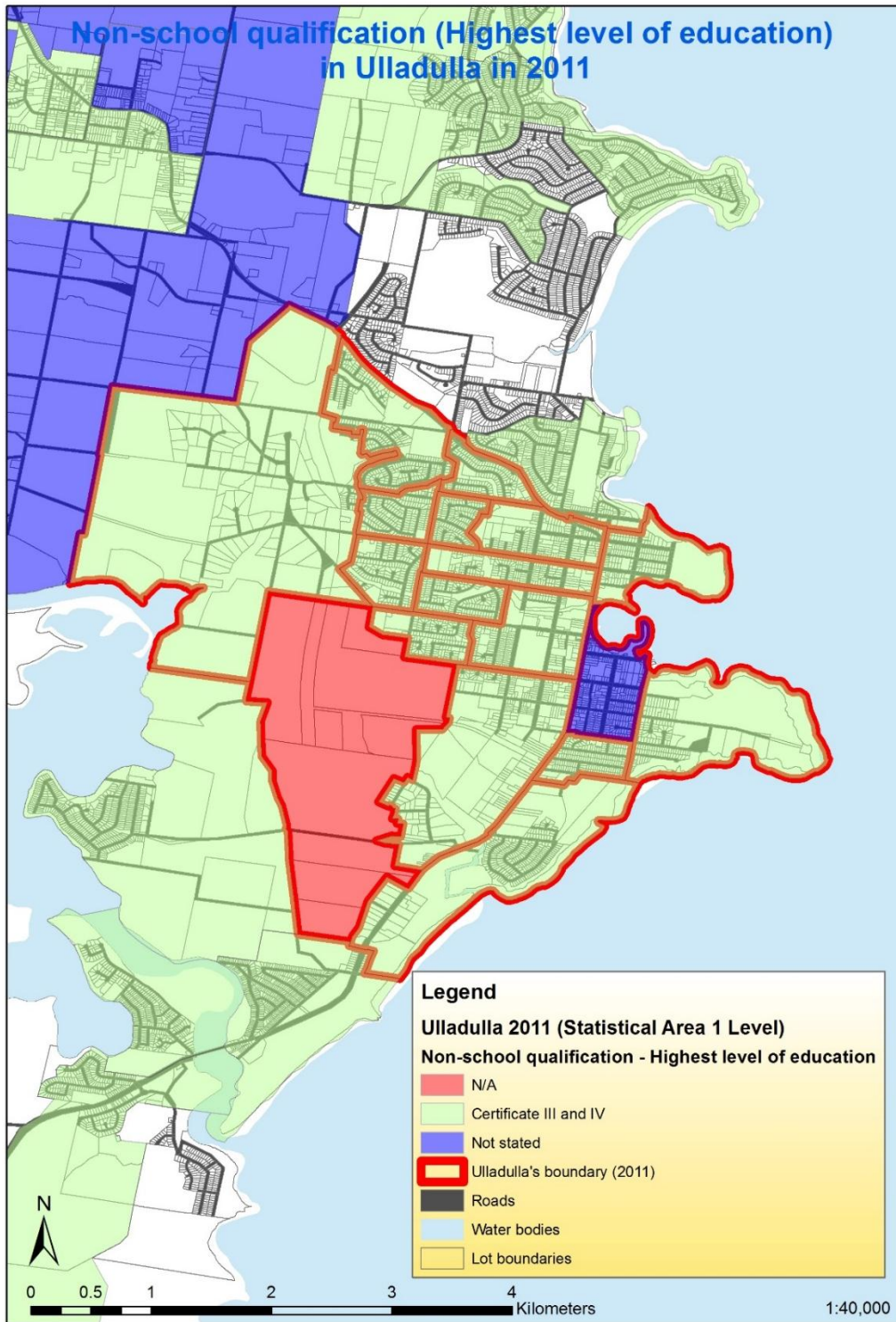


10. Non-School Qualification: Level of Education by Age by Sex



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

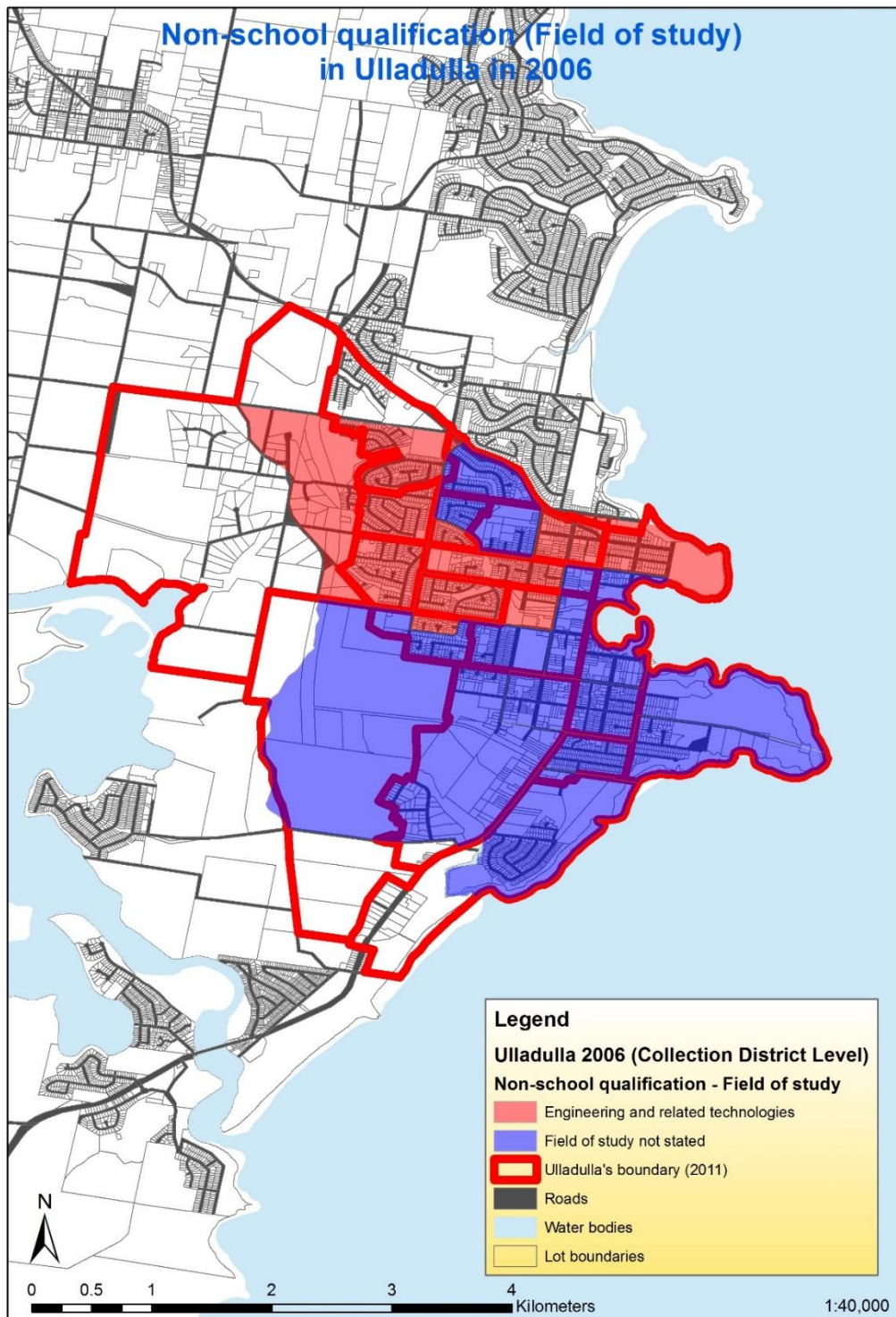




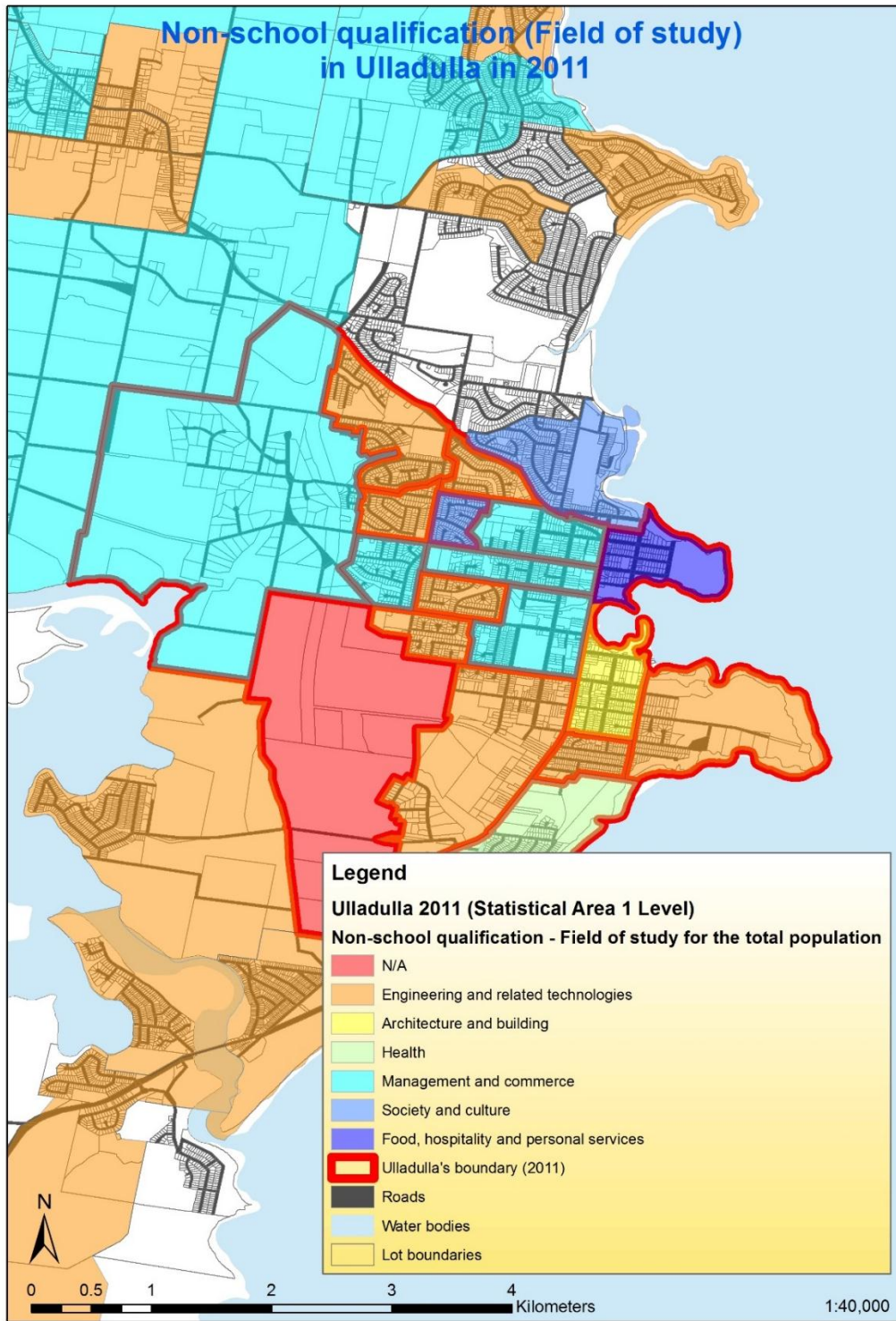
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1



11. Non-School Qualification: Field of Study by Age by Sex



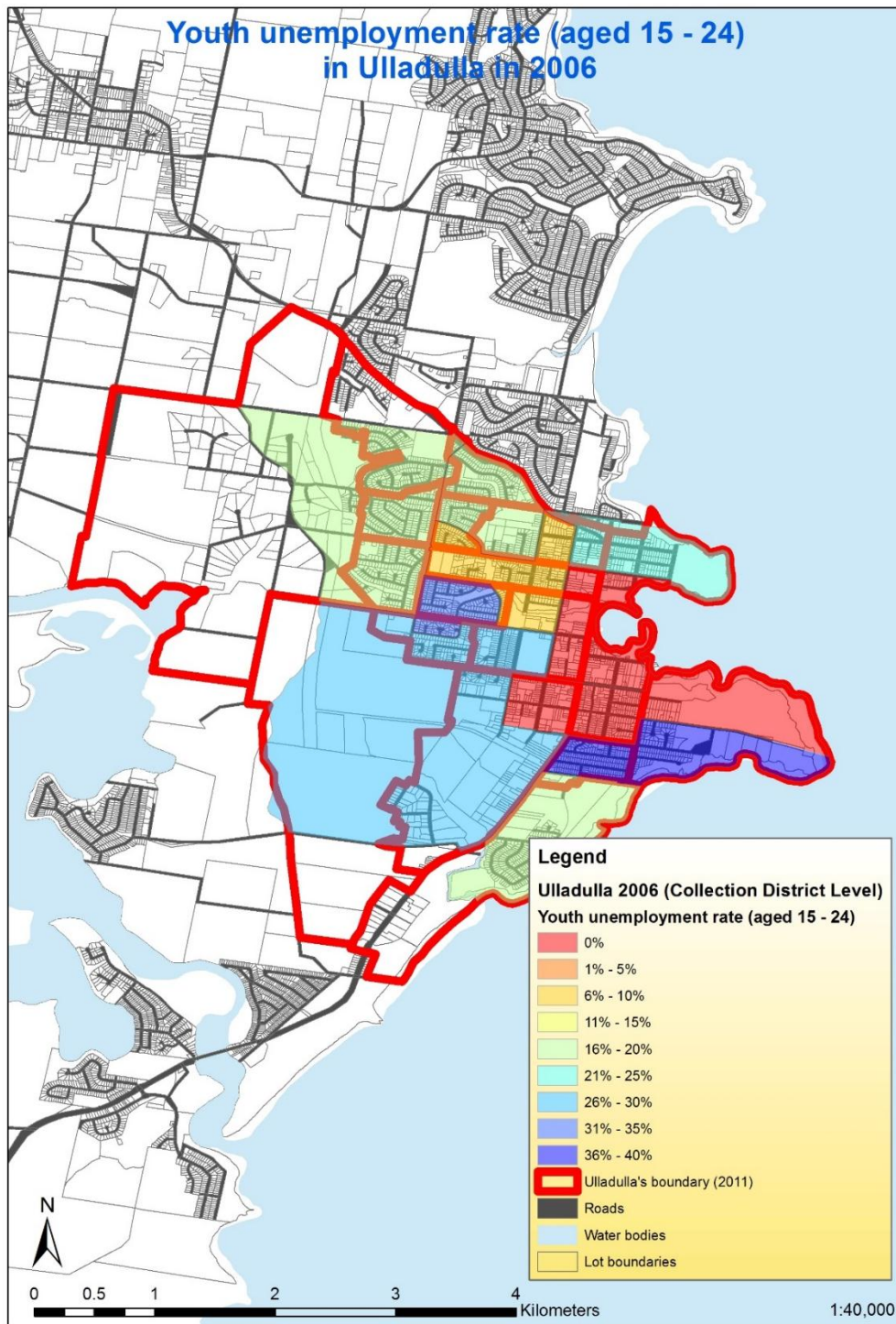
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

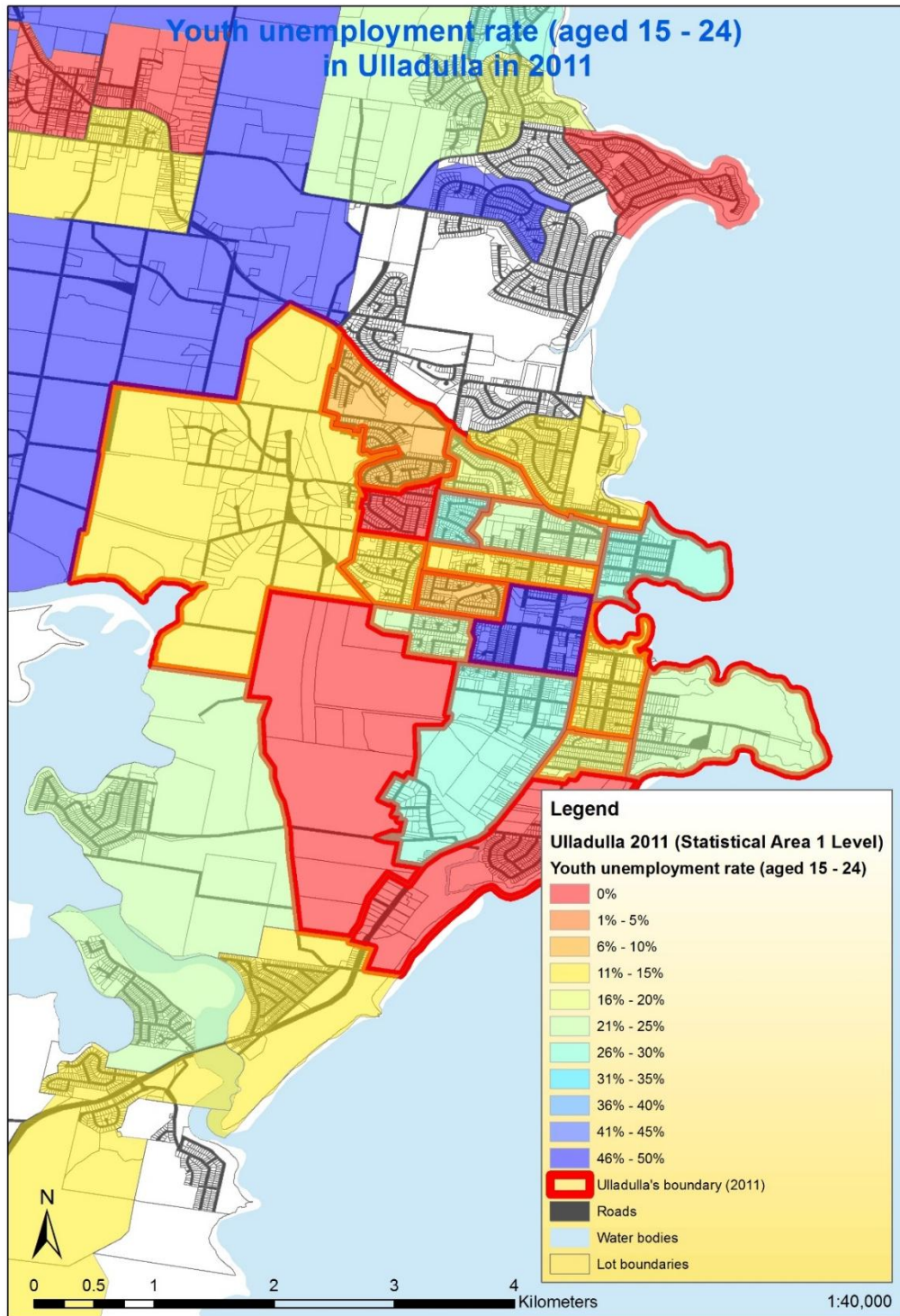


12. Labour Force Status by Age by Sex



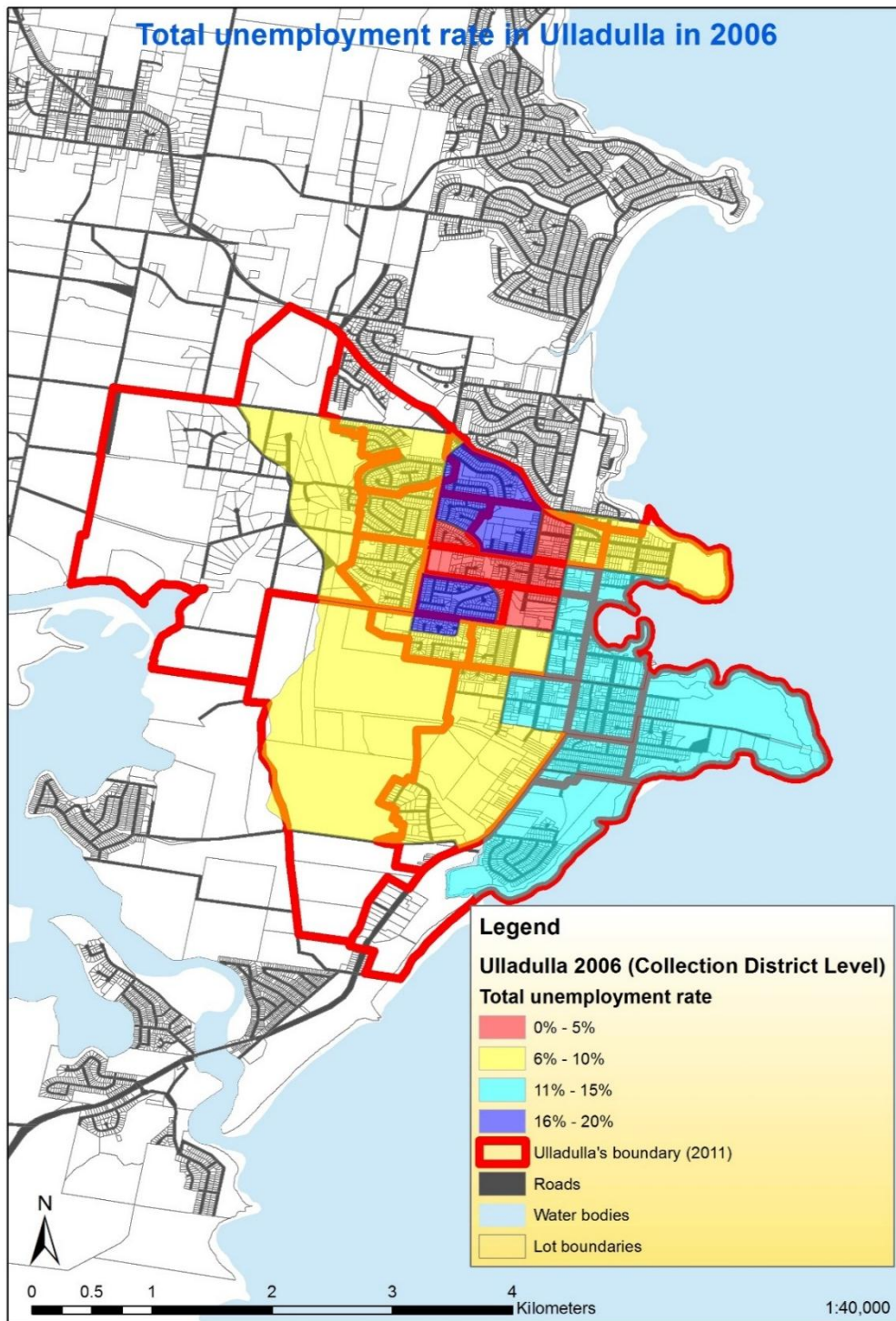
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1





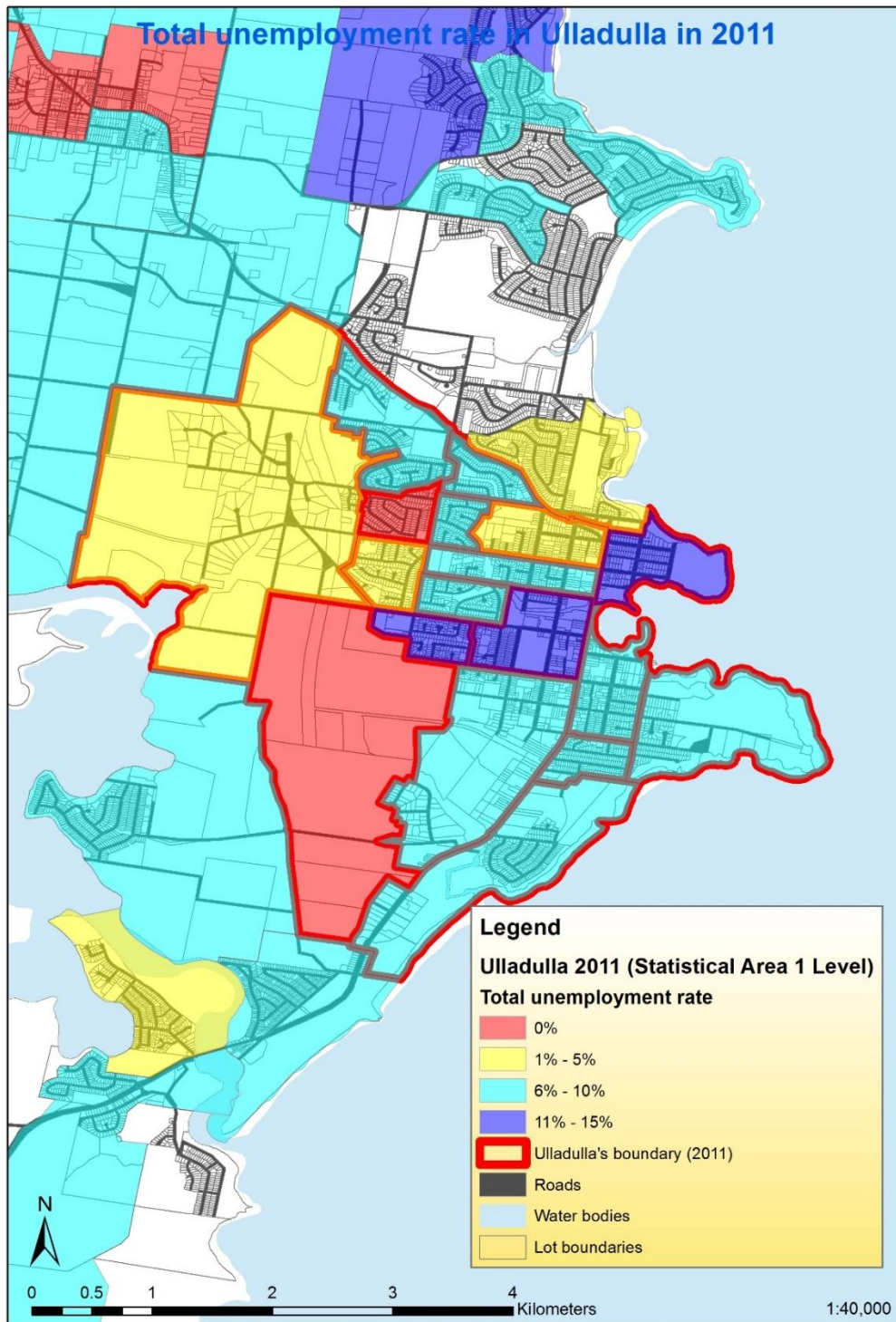
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1





Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

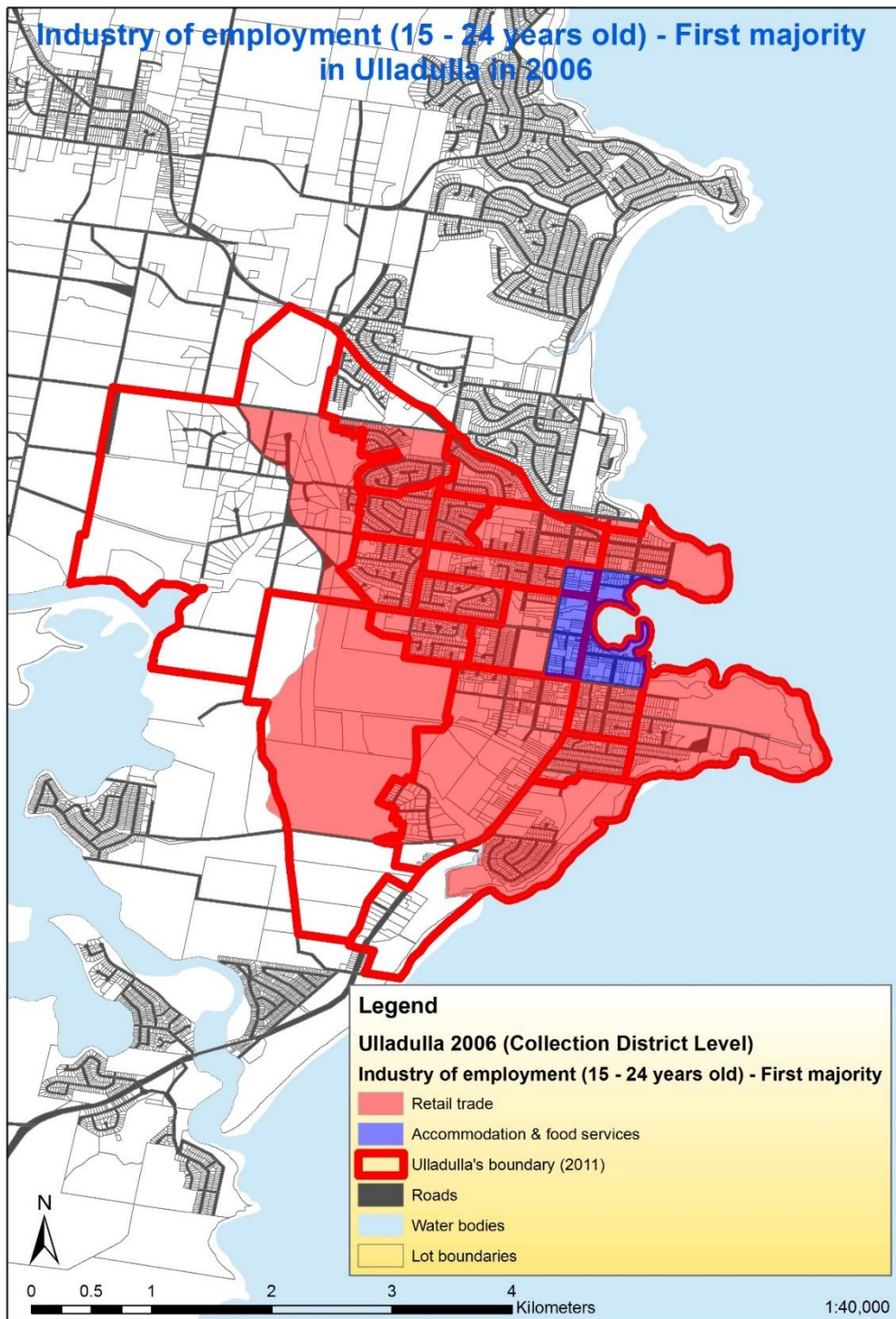




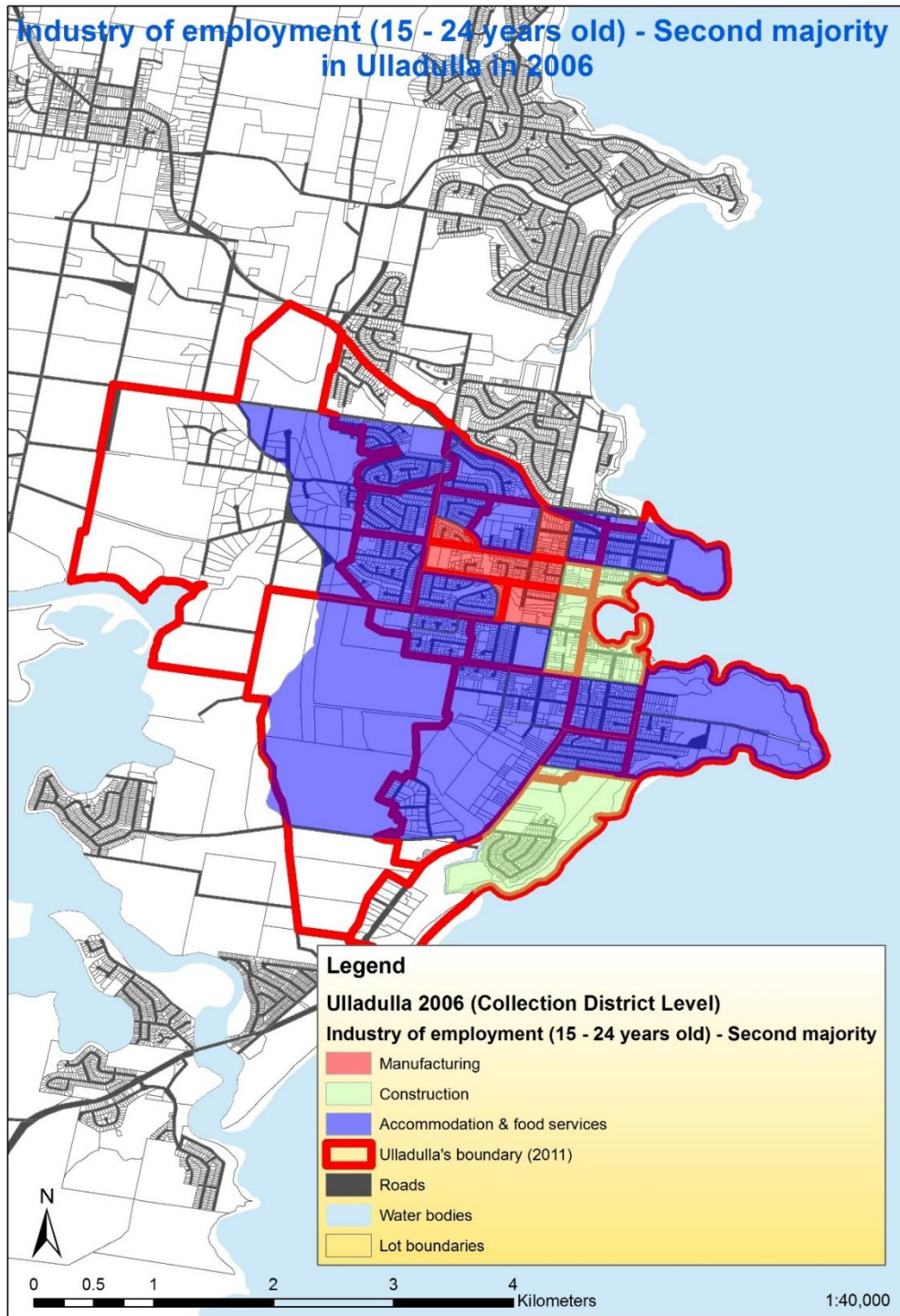
Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1



13. Industry of Employment by Age by Sex

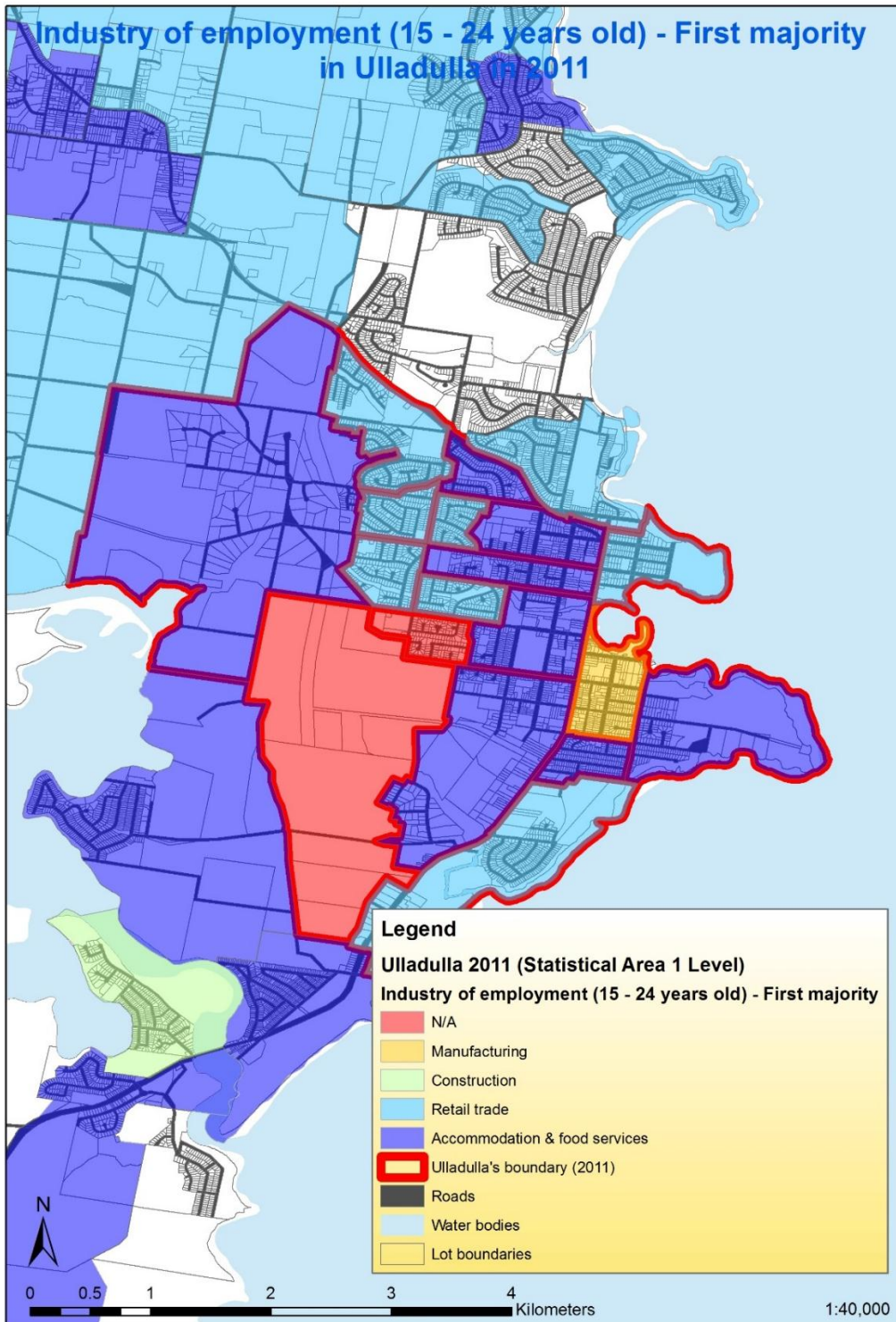


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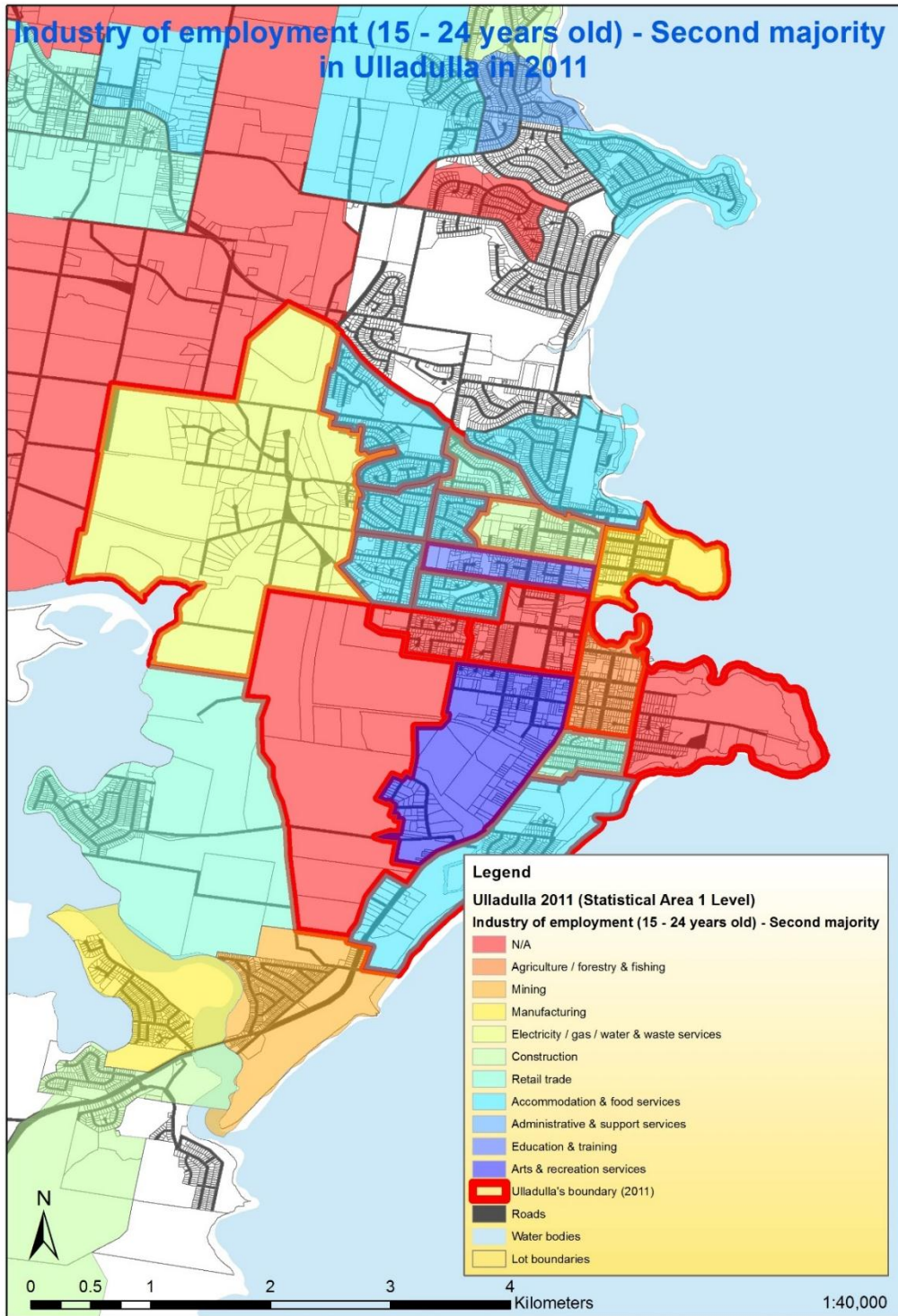
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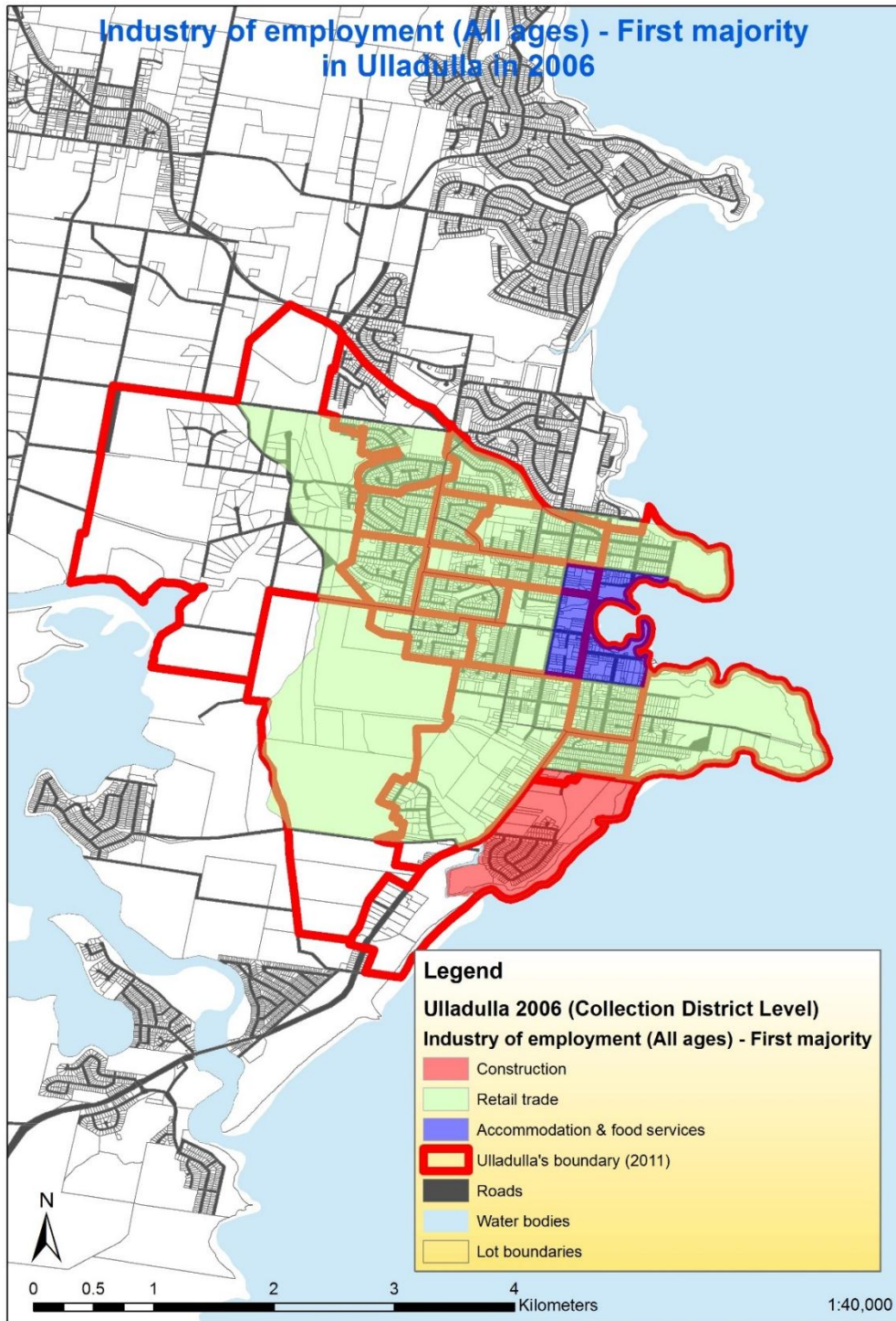
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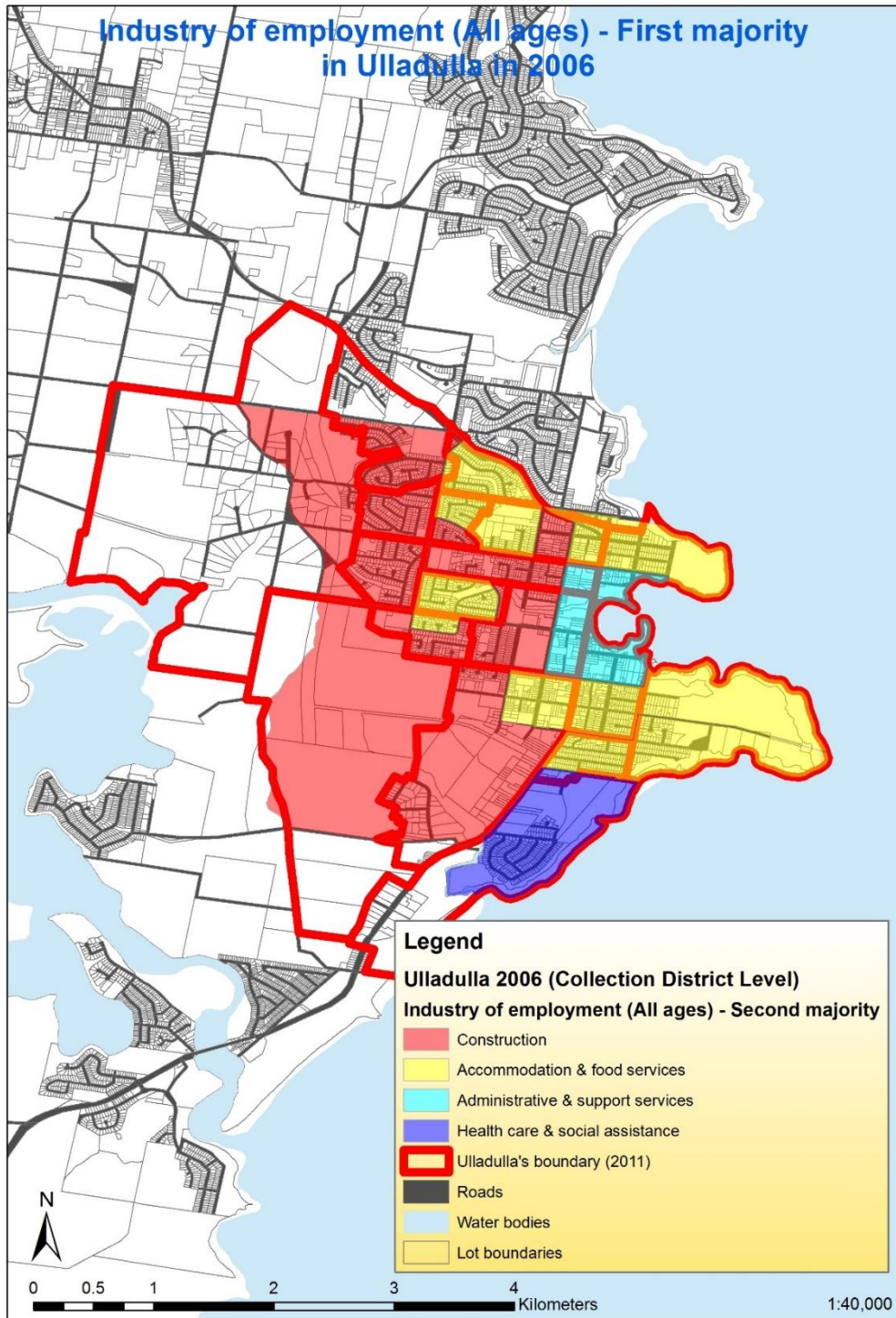
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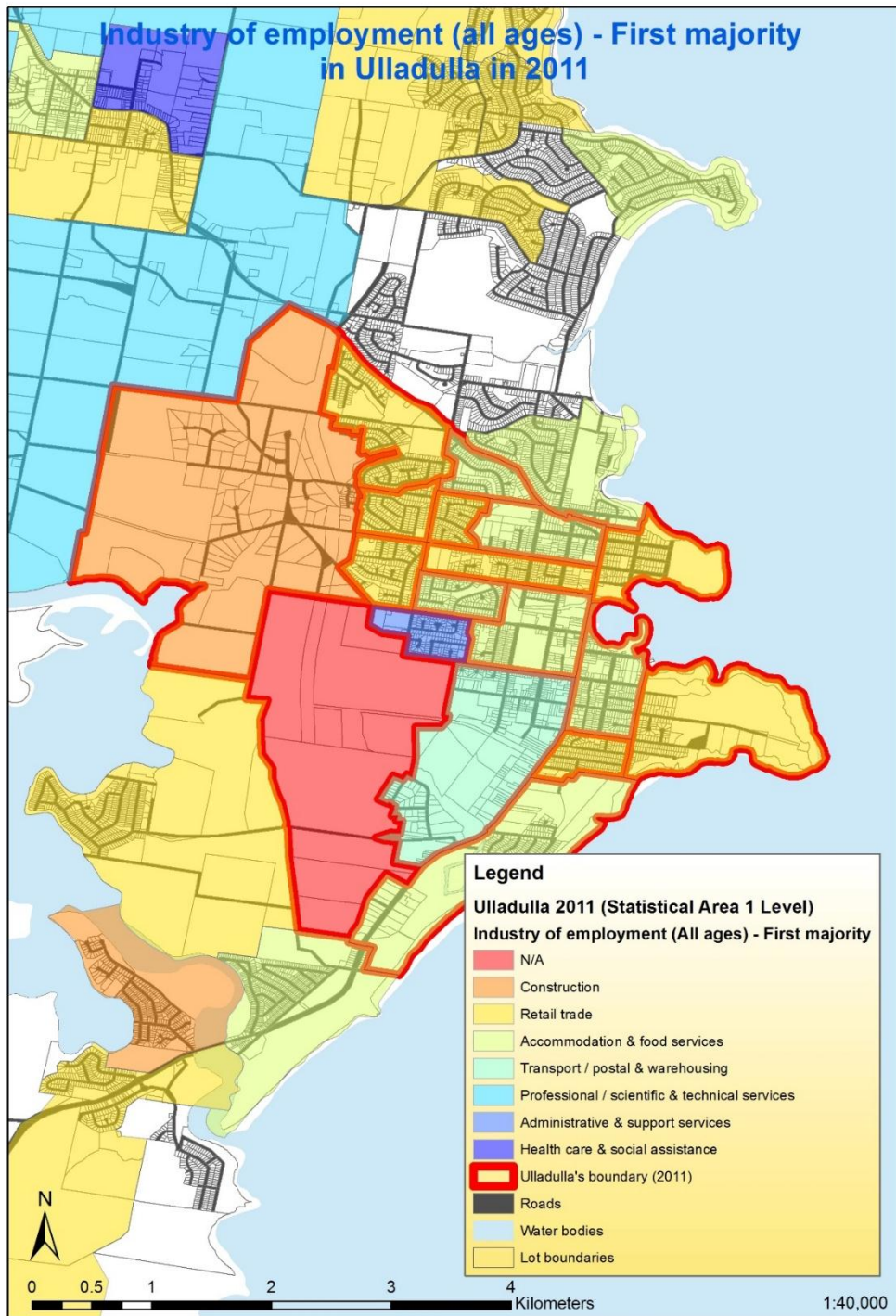
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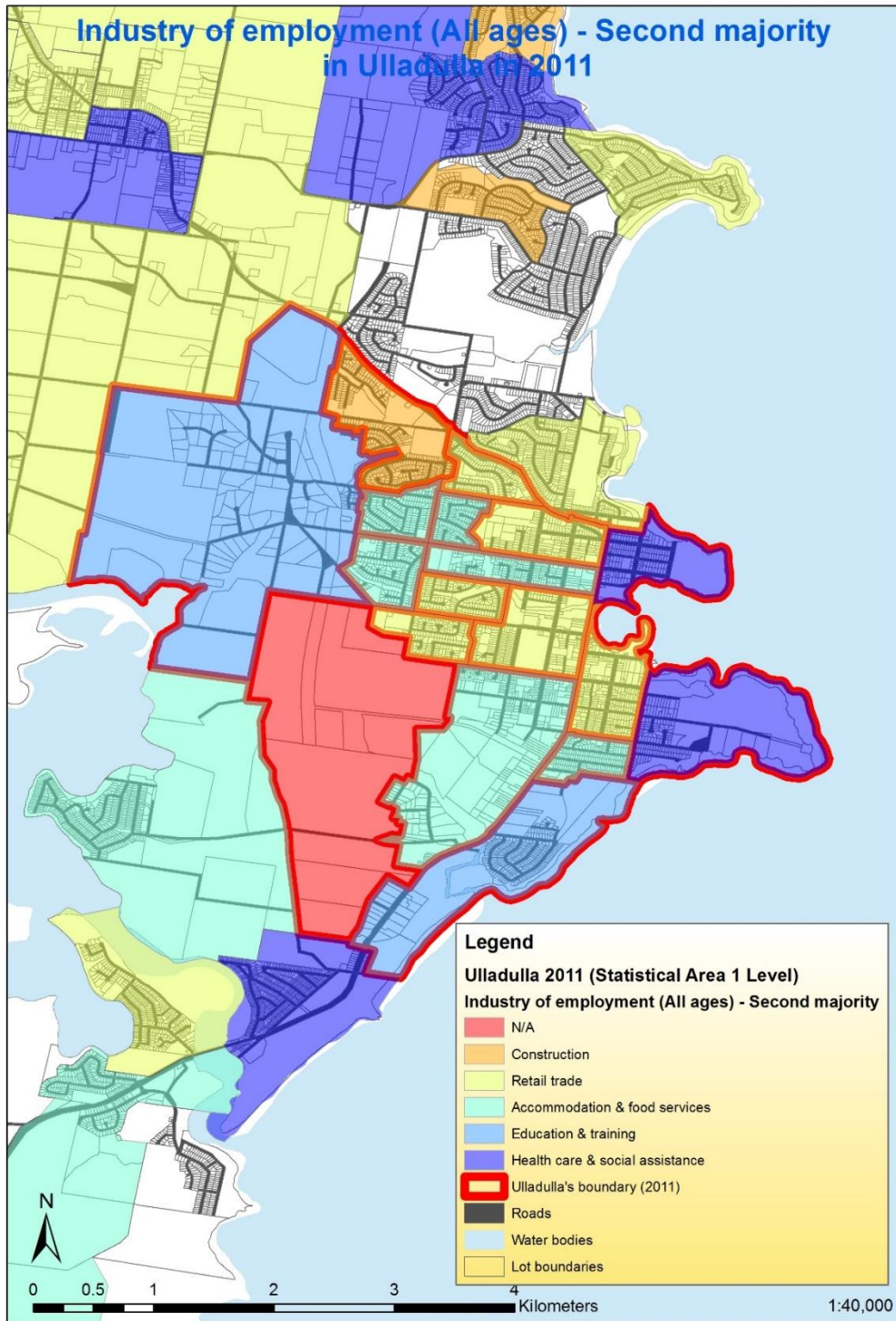
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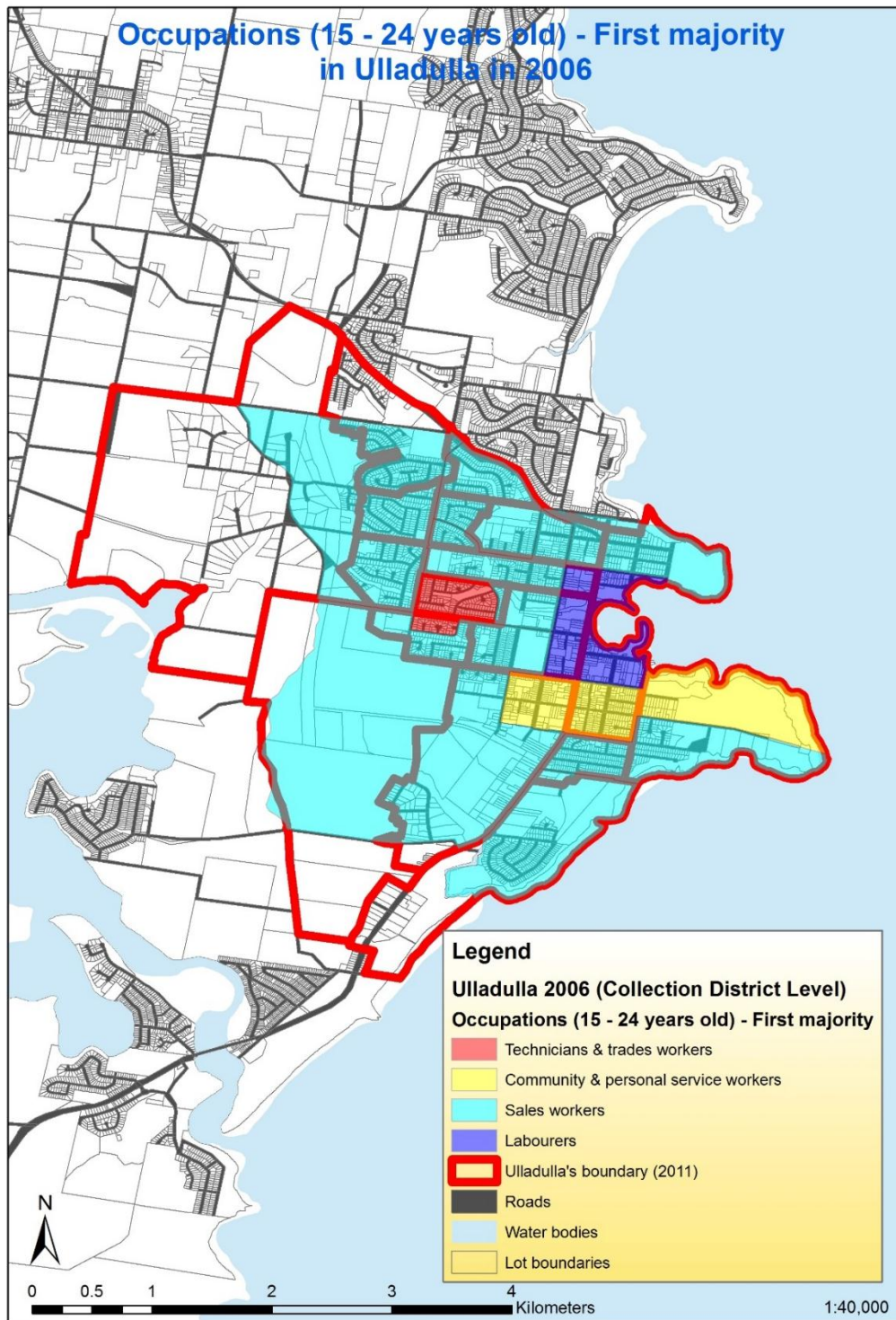




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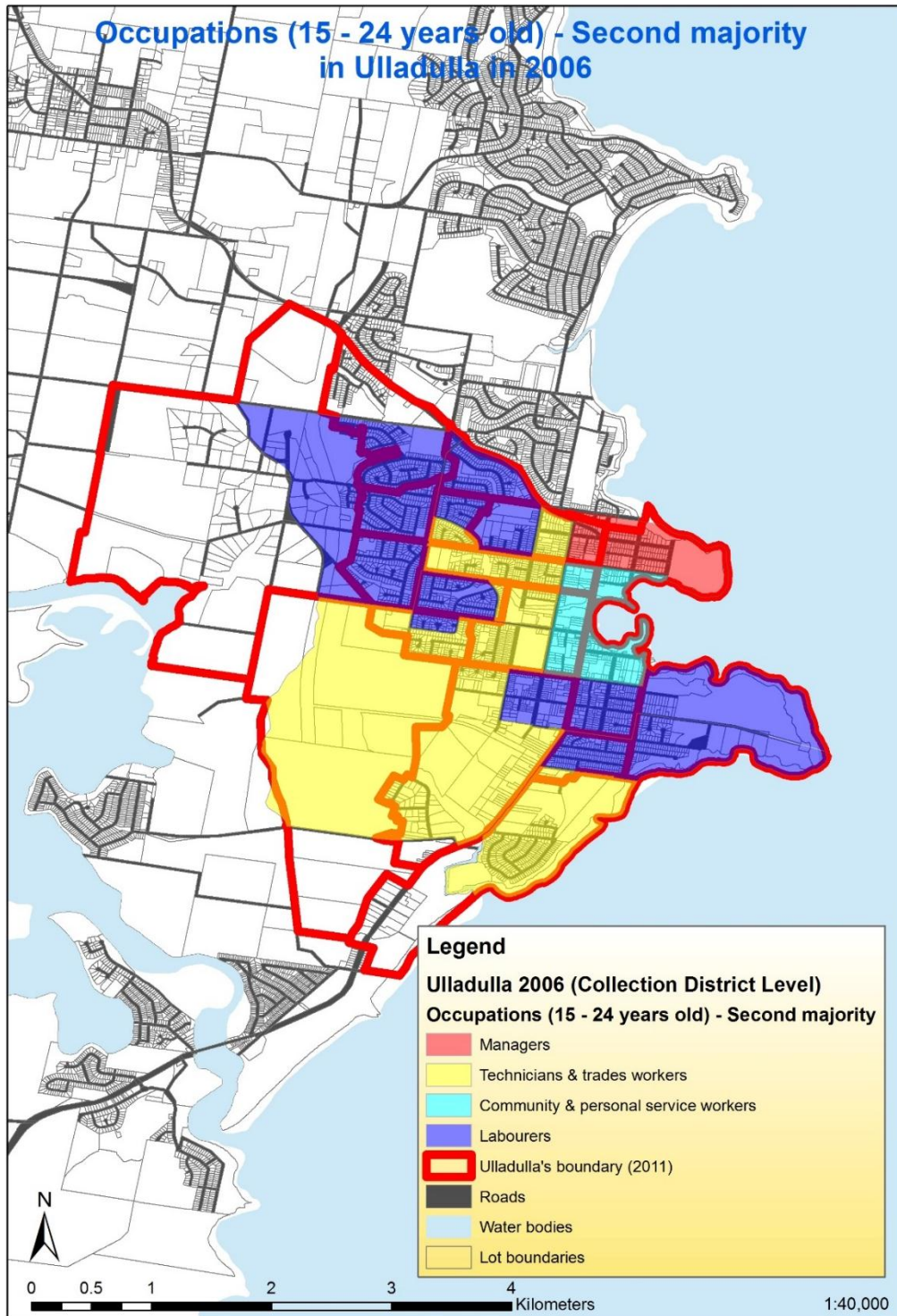


14. Occupation by Age by Sex



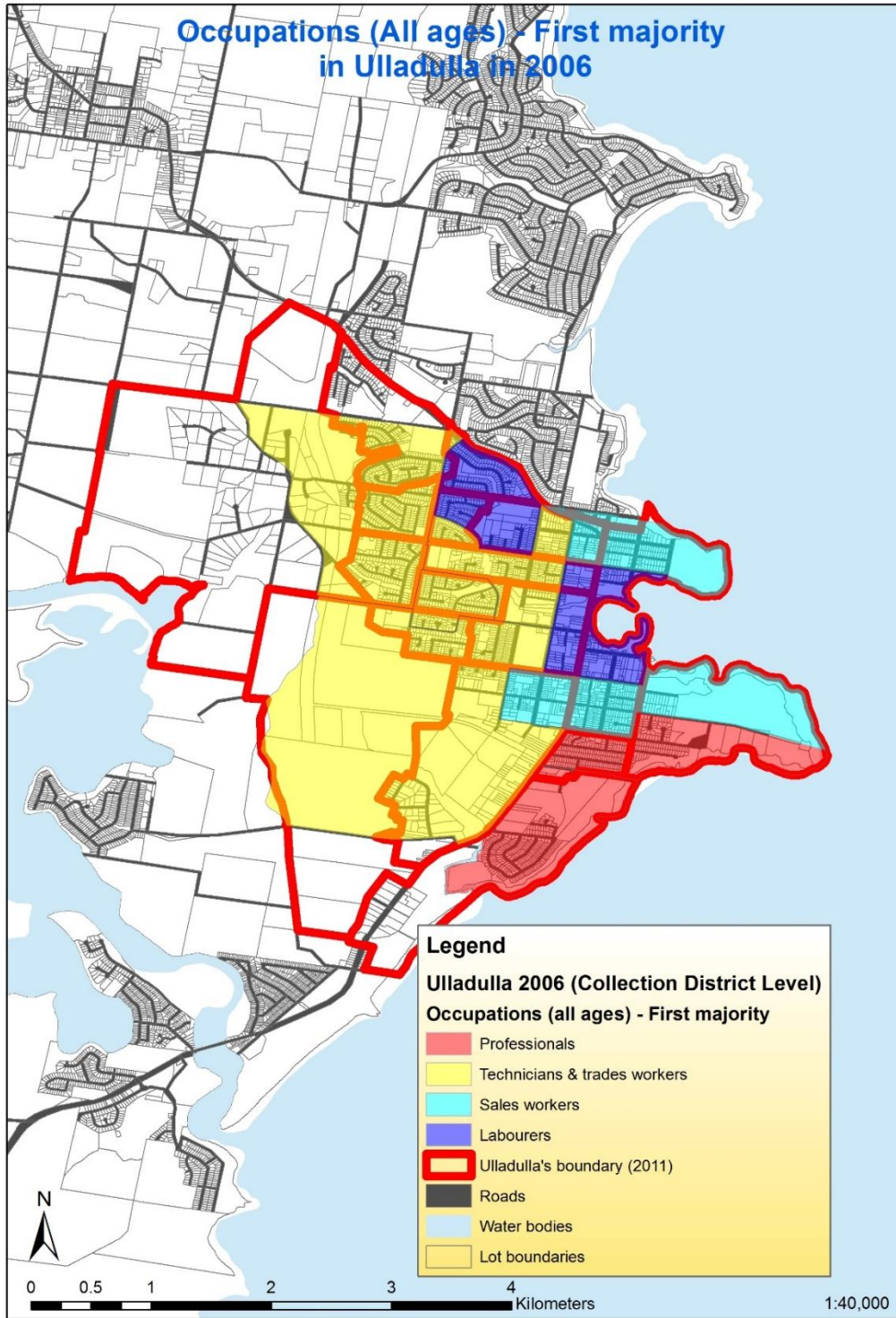
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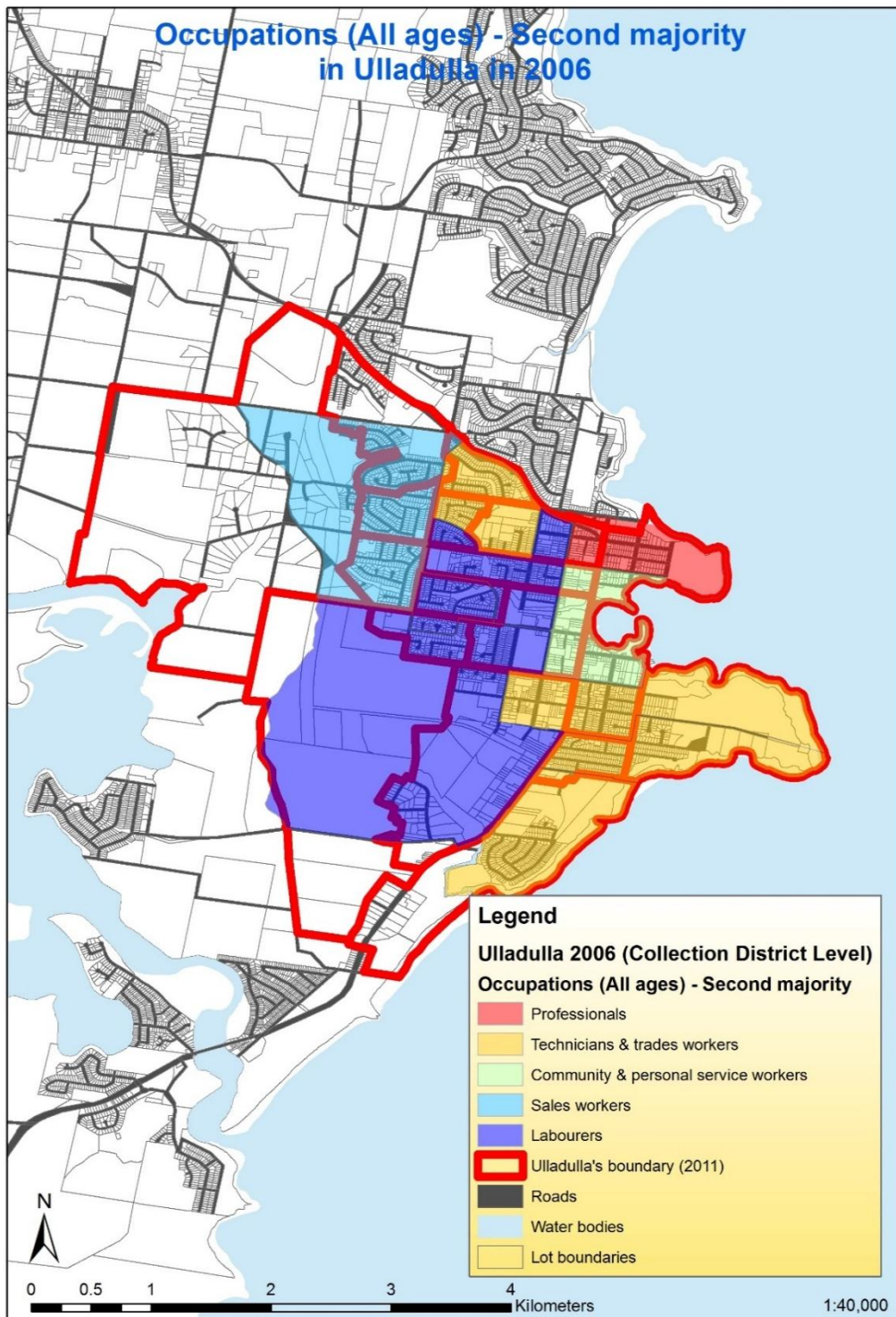


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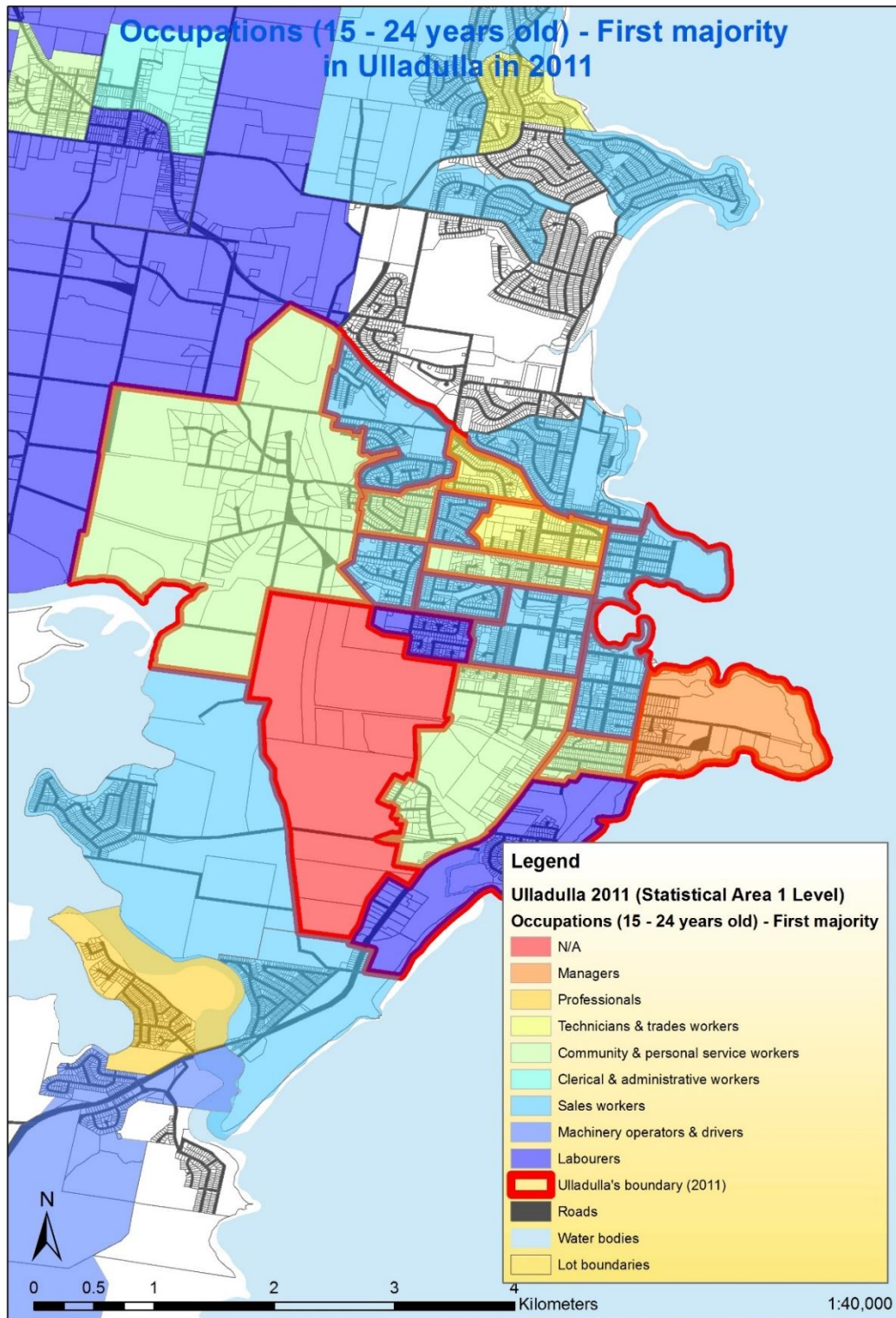


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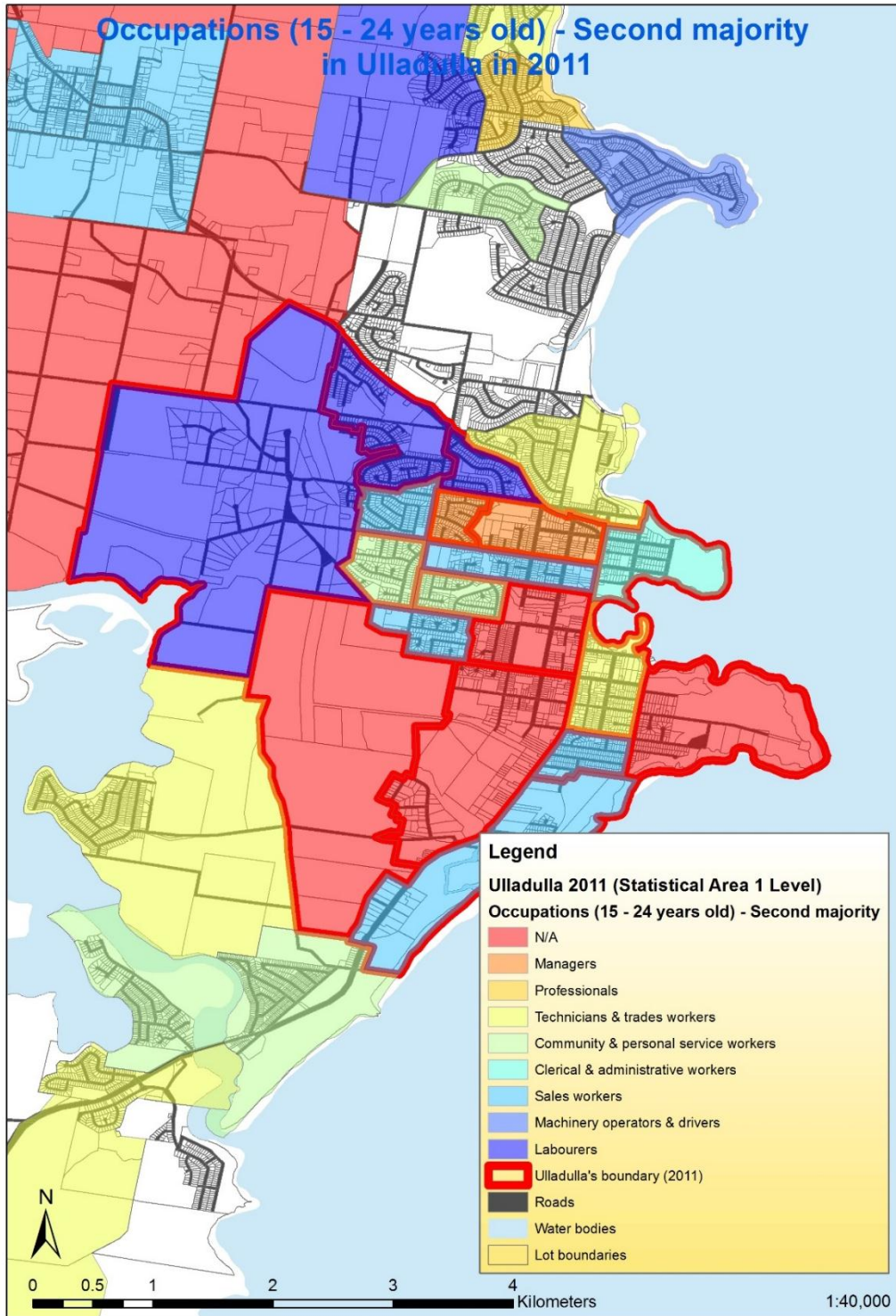
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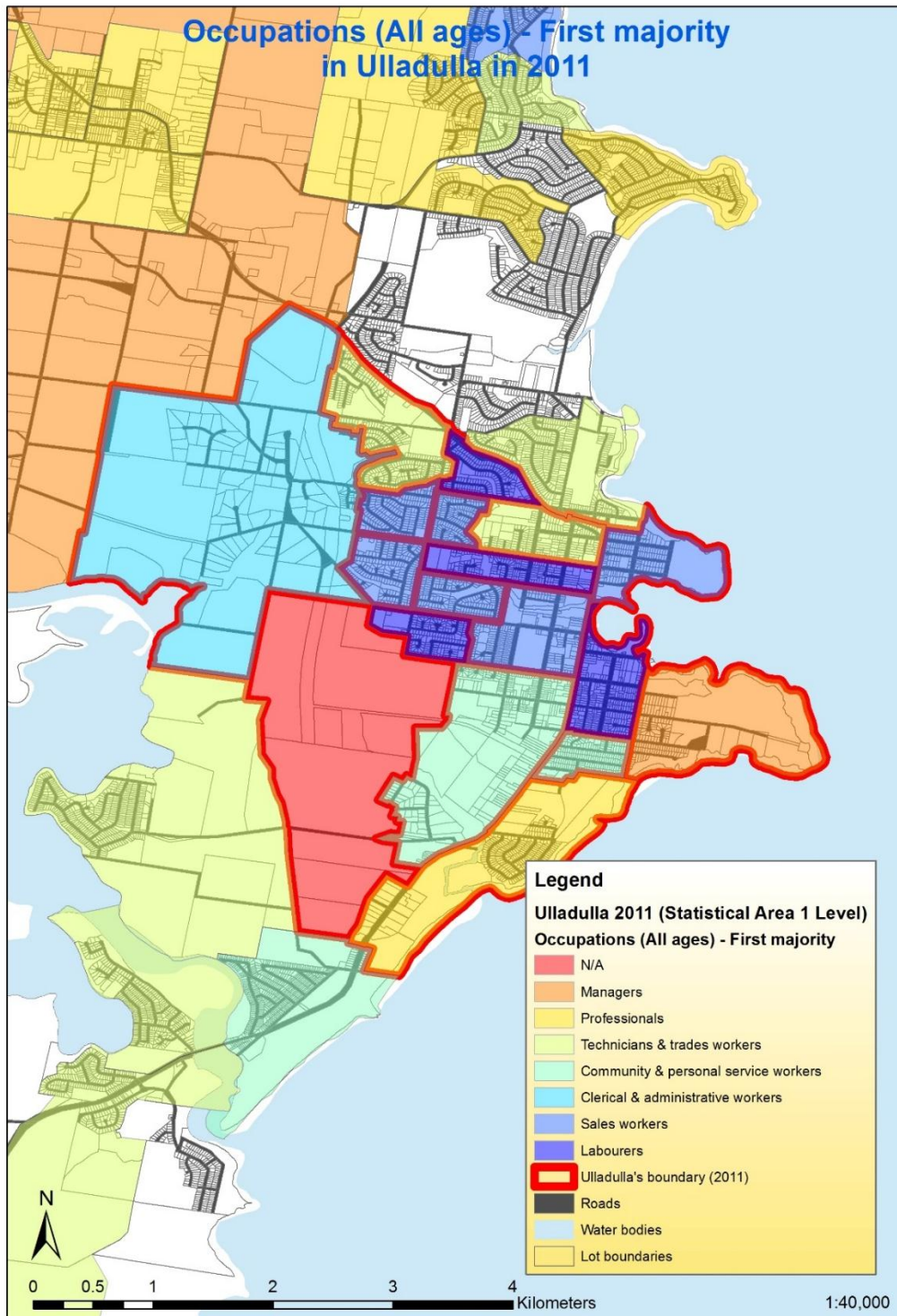
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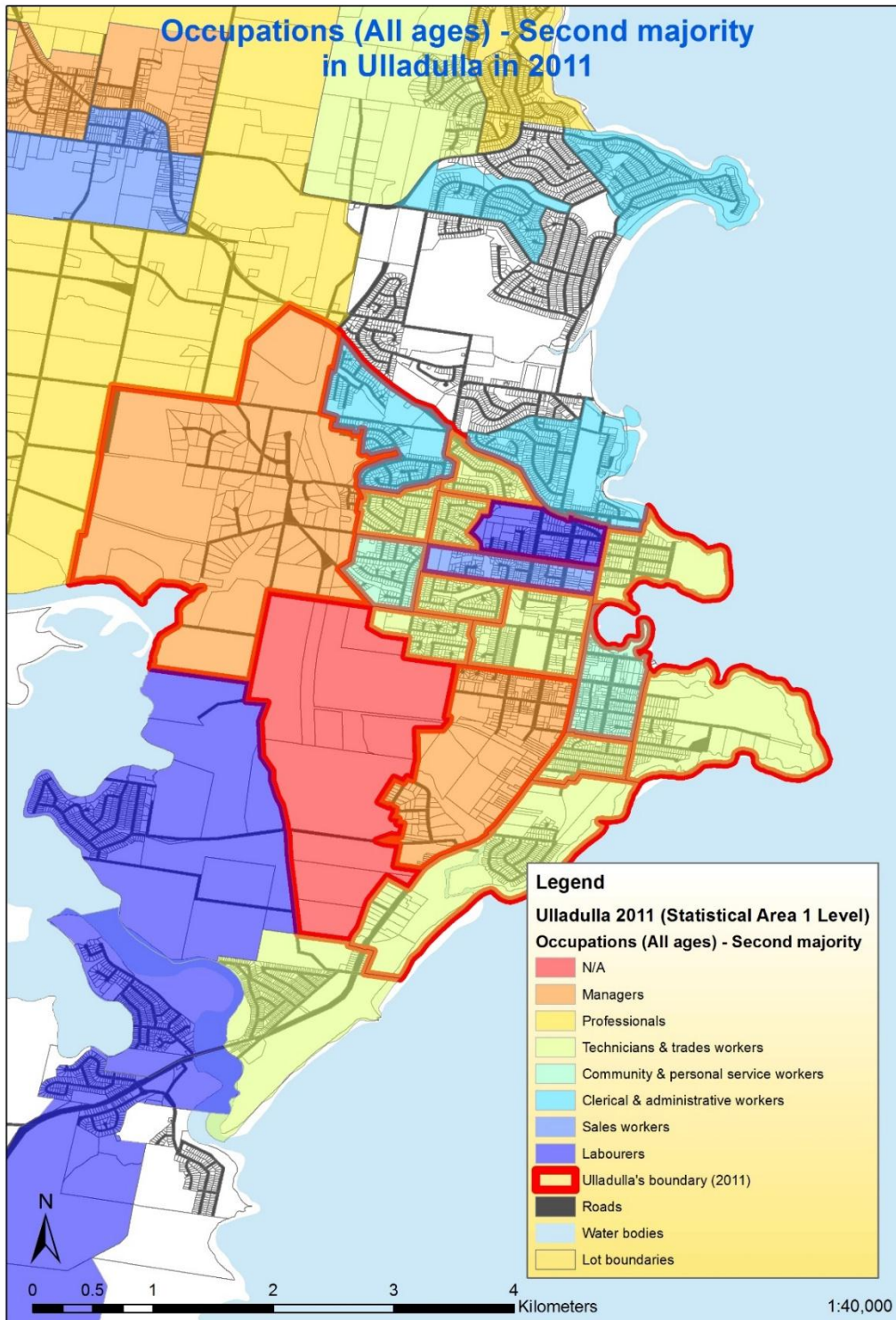


Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1





Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1



Source: Bureau of Statistics, NSW Lands and ESRI 10.3.1

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- End of report -

