

10

FIGURE 3: ILLAWARRA - SHOALHAVEN REGIONAL PLAN STRATEGY MAP



APPENDIX B – SUMMARY OF ACTIONS

TIMING: Short term: 0–5 years Medium term: 5–10 years Long term: 10+ years

DIRECTION	ACTION NUMBER	ACTION	LEAD AGENCY	KEY STAKEHOLDER	TIMING
1.1 Grow the national competitiveness of Metro Wollongong to provide housing and jobs	1.1.1	Create new and innovative opportunities for commercial development in the commercial core by making it more attractive for investment and business	Department of Planning and Environment	Wollongong City Council	Short term
	1.1.2	Increase the residential population of Metro Wollongong by making it a more attractive place to live, work and play	Department of Planning and Environment	Wollongong City Council	Short term
	1.1.3	Improve the productivity and liveability of Metro Wollongong by connecting and integrating the individual precincts	Department of Planning and Environment	Wollongong City Council; NSW Health; Transport for NSW; TAFE Illawarra; University of Wollongong	Short term
	1.1.4	Revitalise west Crown Street by enhancing the amenity and investment opportunities between the health precinct and the commercial core	Department of Planning and Environment	Wollongong City Council	Medium term
	1.1.5	Enhance the growth potential of the University of Wollongong to drive innovation in the region	Department of Planning and Environment	Wollongong City Council; University of Wollongong; Transport for NSW	Medium term
	1.1.6	Establish a governance framework to guide the ongoing delivery of the Plan's vision for Metro Wollongong	Department of Planning and Environment	Wollongong City Council; NSW Health; Transport for NSW; TAFE Illawarra; University of Wollongong	Short term
1.2 Grow the capacity of the port of Port Kembla as an international trade gateway	1.2.1	Reduce land use conflicts by managing buffers around the port and its supporting freight network	Department of Planning and Environment	Councils; Transport for NSW; NSW Ports	Short term

DIRECTION	ACTION NUMBER	ACTION	LEAD AGENCY	KEY STAKEHOLDER	TIMING
1.3 Grow regional strategic assets to support economic growth across the region	1.3.1	Renew and revitalise Nowra Centre by coordinating State agency input into precinct planning and reviewing capacity for expanded health uses	Department of Planning and Environment	Shoalhaven City Council; NSW Health; Transport for NSW	Medium term
	1.3.2	Diversify and grow local employment opportunities in the Shellharbour Centre by attracting complementary health and education activities	Department of Planning and Environment	Shellharbour City Council; NSW Health	Medium term
	1.3.3	Support the growth of defence-related industries at the Albatross Aviation Technology Park	Department of Planning and Environment	Shoalhaven City Council; Shoalhaven Water; Endeavour Energy	Medium term
	1.3.4	Grow the tourism and light aeronautics industries, and the emergency services roles of the Illawarra Regional Airport	Department of Planning and Environment	Shellharbour City Council	Short term
	1.3.5	Develop a stronger marine-based tourism industry, capitalising on the region's numerous small ports and building on The Waterfront, Shell Cove marine facility	Department of Planning and Environment	Councils; South Coast Regional Tourism Organisation	Medium term
1.4 Support new and expanded industrial activity by providing well-located and -serviced supplies of industrial land	1.4.1	Investigate opportunities to better utilise industrial landholdings at Port Kembla	Department of Planning and Environment	Wollongong City Council; Department of Industry	Short term
	1.4.2	Support the development of new industrial land through ongoing collaboration between State and Local Government and servicing authorities, to coordinate infrastructure delivery	Department of Planning and Environment	Councils; Sydney Water; Endeavour Energy	Ongoing
	1.4.3	Support growth in the priority growth sectors through flexible employment lands guidelines for the Illawarra-Shoalhaven	Department of Planning and Environment	Councils; Department of Industry, Skills and Regional Development	Short term

DIRECTION	ACTION NUMBER	ACTION	LEAD AGENCY	KEY STAKEHOLDER	TIMING
1.5 Strengthen the economic self-determination of Aboriginal communities	1.5.1	Conduct a strategic assessment of land held by the region's Local Aboriginal Land Councils to identify priority sites for further investigation of their economic opportunities	Department of Planning and Environment	NSW Aboriginal Affairs; Councils; Local Aboriginal Land Councils	Short term
2.1 Provide sufficient housing to suit the changing demands of the region	2.1.1	Collaborate with Kiama Municipal Council to review housing opportunities within the Kiama Local Government Area so it can respond to changing housing needs	Department of Planning and Environment	Kiama Municipal Council	Medium term
2.2 Support housing opportunities close to existing services, jobs and infrastructure in the region's centres	2.2.1	Investigate the policies, plans and investments that would support greater housing diversity in centres	Department of Planning and Environment	Councils	Medium term
2.3 Deliver housing in new release areas best suited to build new communities, provide housing choice and avoid environmental impact	2.3.1	Coordinate infrastructure delivery to support West Lake Illawarra and Nowra-Bomaderry release areas	Department of Planning and Environment	Wollongong City Council; Shoalhaven City Council; Shellharbour City Council; Transport for NSW; Sydney Water; Shoalhaven Water; Endeavour Energy	Short term
2.4 Identify and conserve biodiversity values when planning new communities	2.4.1	Finalise biodiversity certification for West Dapto	Department of Planning and Environment; NSW Office of Environment and Heritage	Wollongong City Council	Short term

DIRECTION	ACTION NUMBER	ACTION	LEAD AGENCY	KEY STAKEHOLDER	TIMING
2.5 Monitor the delivery of housing to match supply with demand	2.5.1	Monitor land and housing supply through the Illawarra Urban Development Program and incorporate the Shoalhaven Local Government Area	Department of Planning and Environment	Councils	Ongoing
	3.2.1	Investigate options to improve public transport service levels which better link centres, corridors and growth areas to Metro Wollongong	Department of Planning and Environment; Transport for NSW	Councils	Short term
3.2 Enhance community access to jobs, goods and services by improving connections between centres and growth areas	3.2.2	Improve access to centres, particularly in the northern corridor, to encourage development	Transport for NSW	Department of Planning and Environment; Councils	Medium term
	3.2.3	Investigate tourism-related transport services in Kiama and Shoalhaven	Transport for NSW	Department of Planning and Environment; Shoalhaven City Council; Kiama Municipal Council	Medium term
	3.3.1	Review and update the Neighbourhood Planning Principles	Department of Planning and Environment	Councils	Medium term
3.3 Build socially inclusive, safe and healthy communities	3.3.2	Support Council-led revitalisation of centres	Department of Planning and Environment	Councils	Ongoing
	3.3.3	Develop and implement strategies to invest in sporting and recreational infrastructure	Office of Sport	NSW Office of Communities	Long term
3.4 Protect the region's cultural heritage	3.4.1	Conserve heritage sites when preparing local planning controls	NSW Office of Environment and Heritage	Councils	Ongoing

DIRECTION	ACTION NUMBER	ACTION	LEAD AGENCY	KEY STAKEHOLDER	TIMING
4.1 Protect regionally important agricultural lands as an asset to food and fibre production	4.1.1	Identify regionally important agricultural lands and reflect the outcomes in local planning controls	Department of Primary Industries	Department of Planning and Environment; Councils	Medium term
4.2 Secure the productivity and capacity of resource lands	4.2.1	Sequence release areas, in the vicinity of mineral resources, to allow the continuation of working extraction activities	Department of Planning and Environment	Department of Industry; NSW Office of Environment and Heritage; Shellharbour City Council	Ongoing
	4.2.2	Investigate opportunities for biodiversity certification and/or bio-banking agreements in the Dunmore – Shellharbour Hills area to allow ongoing extraction of hard rock	Department of Planning and Environment	NSW Office of Environment and Heritage; Shellharbour City Council	Medium term
5.1 Protect the region's environmental value by focusing development in locations with the capacity to absorb development	5.1.1	Avoid, minimise and mitigate the impact of development on significant environmental assets	NSW Office of Environment and Heritage	Councils	Ongoing
	5.1.2	Protect high environmental value land at Seven Mile Beach, Gerroa	NSW Office of Environment and Heritage; Department of Planning and Environment	Kiama Municipal Council	Ongoing
	5.1.3	Protect the region's biodiversity corridors in local planning controls	NSW Office of Environment and Heritage	Councils	Ongoing
	5.1.4	Create a consistent approach to protect important riparian areas in planning and development controls	Department of Planning and Environment	NSW Office of Environment and Heritage; Councils	Short term

DIRECTION	ACTION NUMBER	ACTION	LEAD AGENCY	KEY STAKEHOLDER	TIMING
5.2 Build the Illawarra-Shoalhaven's resilience to natural hazards and climate change	5.2.1	Apply contemporary risk management to coastal and other hazards	NSW Office of Environment and Heritage; Department of Planning and Environment	Councils	Ongoing
	5.3.1	Develop long term waste-management capacity as the population and development of the region increases	NSW Office of Environment and Heritage	Councils	Short term
5.3 Improve the environmental outcomes for waste management and air quality	5.3.2	Finalise and implement the Illawarra Air Quality Action Plan	Environment Protection Authority	NSW Office of Environment and Heritage; Councils; Department of Planning and Environment; NSW Health	Medium term
	5.4.1	Protect sensitive estuaries and coastal lakes	NSW Office of Environment and Heritage	Councils; NSW Environment Protection Authority; NSW Department of Industry	Ongoing
5.4 Secure the health of coastal landscapes by managing land uses and water quality	5.4.2	Implement a risk-based decision-making framework to manage water quality and waterway health outcomes for Lake Illawarra	NSW Office of Environment and Heritage	NSW Environment Protection Authority; Wollongong City Council; Shellharbour City Council	Ongoing
	5.4.3	Implement a risk-based decision-making framework to manage water quality and waterway health for all coastal lakes and estuaries in the region where development is planned, with priority given to sensitive lakes and estuaries	NSW Office of Environment and Heritage	NSW Environment Protection Authority; Councils; NSW Department of Industry	Ongoing

The map displays the Shellharbour region, including the coastal area from Dapto to Ulladulla. Key features include:

- Legend:**
 - Urban and Regional Centres:** Metro Wollongong (red circle with dot), Major Regional Centre (red star), Major Urban Centre (red circle), Regional Centre (red circle with dot).
 - Environmental Values:** High Environmental Values (green circle), Biodiversity Corridor (grey circle), Marine Park (blue hatched circle), Waterway (blue circle), Motorway (thick black line), Highway (thin black line).
 - Water and Land Use:** Sydney Drinking Water Catchment (blue hatched area), State Forest (green area), National Parks & Reserves (light green area).
- Map Labels:** DAPTO, WARRAWONG, SHELLHARBOUR CENTRE, KIAMA, NOWRA CENTRE, Seven Mile Beach National Park, Comerong Island National Park, Lake Wollumbrook, Jervis Bay National Park, Jervis Bay VINCENTIA, ULLADULLA, Morton National Park, Work Bay.
- Disclaimer:**

DISCLAIMER:
The map is recommended for use at a regional planning level and gives an indication of relative biodiversity values at this scale. While this data may provide an indication of relative biodiversity significance at the local level, users should be aware that the data has limitations including those of scale and positional accuracy of attributes. The environmental values on the map is an amalgam of available data at the time of preparation. It is envisaged that the map will continue to evolve as ongoing work and identified mapping actions in the Plan are progressed.

The map is recommended for use at a regional planning level and gives an indication of relative biodiversity values at this scale. While this data may provide an indication of relative biodiversity significance at the local level, users should be aware that the data has limitations including those of scale and positional accuracy of attributes. The environmental values on the map is an amalgam of available data at the time of preparation. It is envisaged that the map will continue to evolve as ongoing work and identified mapping actions in the Plan are progressed.



Planning Proposal (Rezoning) Guidelines

Originally Adopted by Council: 26 March 2013

Revised by Council:

File Number: 23426E

Prepared by Planning and Development Services Group



1. Purpose

These guidelines outline:

- What is a planning proposal and what is its purpose;
- the circumstances when a planning proposal is likely to be supported by Council;
- the steps in the planning proposal process,
- the ownership of the planning proposal process; and
- risks to the proponent in the planning proposal process.

2. Introduction

Land use and development activities within Shoalhaven are subject to the Local Environmental Plan (LEP). An LEP is a legal document prepared under the provisions of the NSW Environmental Planning and Assessment Act 1979 and consists of a written document and maps. An LEP sets out land use zones and specifies where required, standards to control development such as minimum subdivision lot sizes and the maximum height for buildings.

Council has the ability to amend the LEP as the need arises. The ideal situation is to review the whole LEP regularly or major sections of the plan on a programmed basis.

However, Council may undertake less significant, one off amendments to the LEP where such a change is warranted, via the planning proposal process.

3. What is a planning proposal?

A planning proposal is a 'plain English' document which explains and justifies an amendment to the LEP, such as a rezoning of land, or making specific changes to development controls within the LEP.

If an individual or company (the proponent) wishes to pursue an amendment to the LEP (for example a change to the zoning of a parcel of land), this request must be submitted through Council. If Council determines that the planning proposal has merit, it will be formally supported and submitted to the NSW Department of Planning and Environment (the Department) for initial assessment and a 'Gateway' determination. Should the proposal pass through the 'Gateway', the remaining steps in the planning proposal process will be undertaken by Council with the proponent's input if and when required.

If Council resolves not to support the proposal, the process stops at this point. However, proponents can request an independent review of Council's decisions through the Department where Council has refused or failed to respond to their planning proposal. If the Department determines the request has strategic merit, the matter will be referred to the Southern Joint Regional Planning Panel for further consideration.

4. When is a planning proposal likely to be supported by Council?

Council is likely to consider supporting a planning proposal in the following circumstances:

- The proposed amendment is supported by a Council or State Government strategy or plan such as:
 - Illawarra-Shoalhaven Regional Plan;
 - Shoalhaven Growth Management Strategy;
 - Nowra-Bomaderry Structure Plan;
 - Jervis Bay Settlement Strategy;
 - Milton-Ulladulla Structure Plan; and
 - Sussex Inlet Settlement Strategy.
- A clear zoning anomaly exists on site.
- The proposed amendment is considered to be minor in nature and has been sufficiently justified to Council.

The proponent should contact Council at the earliest possible opportunity to discuss whether their proposed amendment meets these criteria and is likely to be favourably considered. This must be done before a proponent formally lodges a planning proposal request.

Prior to lodging a planning proposal request, the proponent must attend a pre-lodgement meeting with Council staff.

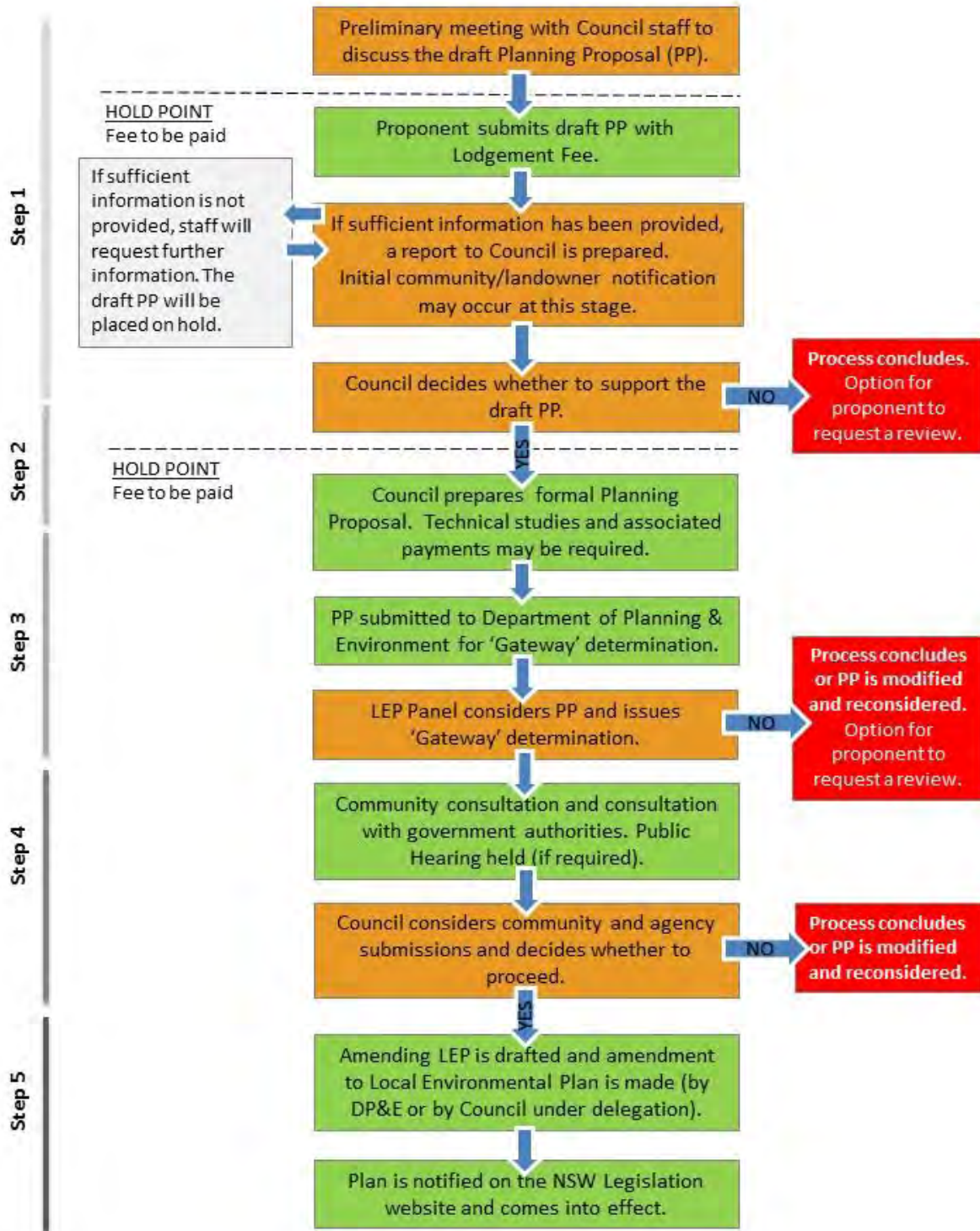
Planning proposals that are not supported by a strategy or plan and are considered speculative will generally not be supported by Council.

5. What needs to be included in a Planning Proposal?

A planning proposal is comprised of six parts. For information, clarification, and detail regarding the six parts please view the Department's *Guide to preparing planning proposals* on their website at: <http://www.planning.nsw.gov.au/>

6. What are the steps in the process?

The following flow chart illustrates the process that is undertaken by Council.



7. What is required to be submitted with a planning proposal?

The following is required to be submitted with any planning proposal:

1. Justification for the planning proposal. This includes, but may not be limited to:
 - The need for the planning proposal; and
 - Relationship to strategic framework – how is the planning proposal consistent with regional strategies, legislation, and Council policies; and
 - Economic, social and environmental impacts of the planning proposal.
2. Appropriate supporting technical studies, concept diagrams and preliminary plans. The level of detail required will be proportionate to the impact the planning proposal may potentially have. This may include, but is not limited to, the following technical issues:
 - Traffic and transport.
 - Environmental impacts.
 - Bushfire risk and mitigation.
 - Urban design.
 - Economic factors.
 - Social and cultural considerations.
 - Infrastructure requirements.

Note: The Department through their Gateway determination may require additional information or work on a particular aspect of the proposal.

3. Completed Planning Proposal Lodgement Form (Attachment “A”).
4. Pre-lodgement meeting outcomes letter.
5. Applicable fees. For the relevant fees, please refer to Council’s current Schedule of Fees and Charges (available on Council’s website).

For more detail, proponents should refer to the Department’s *Guide to preparing planning proposals*.

8. Ownership of the process

The planning proposal process is a Council process. While a proponent may request that Council commence a planning proposal process by lodging a planning proposal document and paying the required fees, once the planning proposal is lodged it becomes a Council process. Council determines the final outcome of the process based on consideration of the relevant factors such as technical studies, Government agencies comments, and community feedback. **Please note:** The final outcome may differ from the initial proposal and any concept plan.

The planning proposal document lodged by the proponent is used as a guide for Council to prepare the actual planning proposal. Council’s planning proposal may not include the same content and may vary the details of the proposal based on what

Council is prepared to support or what is justifiable e.g. Council may reduce a proposed height of buildings if it considers the requested height of buildings to be excessive or out of character for the area.

The proponent is to nominate one contact to liaise with Council and to receive updates of the progress of the planning proposal.

The proponent will be kept updated on the progress of the planning proposal but is not to:

- have contact with consultants preparing technical studies or peer reviews for Council, or to see technical studies etc. prior to them being finalised;
- view staff reports to Council before they are finalised; or
- view the final Plan before the LEP amendment is made.

9. What are the applicant's risks applying for a planning proposal?

Council gives no undertaking that the processing of a planning proposal will result in the requested amendment to the LEP occurring. It is possible that all steps in the process can be completed and an amendment be declined by Council or by the NSW Minister for Planning. There is no merit based court appeal avenue available in NSW where an LEP amendment is declined or processing is ceased. However, proponents can request an independent review of decisions through the local Southern Joint Regional Planning Panel if Council has refused or failed to respond to their planning proposal.

Council can request that the Minister terminates a planning proposal at any point of the process including after all investigations, analysis and community engagement has been completed.

Council may seek an extension of time from the Department from the timeframe specified in the Gateway determination for the completion of a planning proposal should Council resources be required on more priority projects.

Council may decline to accept proponent prepared technical studies where they are considered inadequate, or may require an independent peer review of studies at the proponent's cost.

Council may process LEP amendment requests in the order it sees fit. Time of lodgement does not determine the priority for processing and progressing of an amendment.

Costs associated with the planning proposal process are to be paid by the proponent. All costs for processing and investigations by Council engaged third parties (at any phase) are to be paid by the proponent. These costs are not refundable should the planning proposal process be terminated or be unsuccessful once Council has resolved to support the planning proposal.

Who should I contact for more information?

Please contact Council's Strategic Planning Section on (02) 4429 3426. All proponents are encouraged to liaise with Council on the planning proposal as soon as possible in the concept and preliminary design phase.

The NSW Department of Planning and Environment publishes several guides in regards to LEP amendments and planning proposals. These can be viewed on their website at www.planning.nsw.gov.au.



Planning Proposal Lodgement Form

Planning & Development

City Administrative Centre Bridge Road, Nowra, NSW, Australia, 2541

Address all correspondence to: The General Manager, PO Box 42, Nowra, NSW, Australia, 2541

council@shoalhaven.nsw.gov.au | www.shoalhaven.nsw.gov.au | Phone: (02) 4429 3111 | Fax: (02) 4422 1818

1 Property Description

No.(s):

Street:

Suburb:

Postcode:

Lot(s)/Section(s)/Deposited Plan(s):

3 Proponent Details

This person will be Council's single point of contact to liaise with Council and receive progress updates.

Name:

Address:

Suburb:

Postcode:

Phone:

Mobile:

Fax:

Email:

2 Planning Proposal Description / Intended Outcomes

4 Owner's Consent

The section must be completed and signed by the owner(s) of the property which the Planning Proposal proposes to amend the relevant LEP provisions (this includes every person who owns the property). If the property is strata titled, the application must be signed by the Body Corporate with the strata seal.

Name:

Organisation / Company (if applicable):

Address:

Phone:

Email:

Signature:

Date:

If there is insufficient room above, or as an alternative to the above, the proponent can provide a signed letter from the respective owner(s) consenting to the lodgement of the Planning Proposal.

If the property is owned by a company/companies an authorised delegate from the company/ companies must provide a signed letter on letterhead paper identifying themselves as an authorised delegate of the company and consenting to the lodgement of the Planning Proposal.

Please note that if you have only very recently purchased your property, Council's records may still show the previous owner as the owner of the property. In such an event, a letter from your conveyancer or solicitor will be required stating that you are now the owner of the property.

Privacy Notification: The information will be used solely by Council staff for the purpose mentioned or a directly related purpose. The applicant understands that this information is provided on voluntary basis and they may apply to Council for access or amendment of the information at any time.

This form may be published on Council's website in accordance with Government Information (Public Access) Act 2009

OFFICE USE ONLY

Form Number: 870	Issue Date: 05/2015
Version Number 2	Next Review date: 12/2016



5 Lodgement Checklist

- ☐ Completed Lodgement Form
- ☐ Owner's Consent
- ☐ Pre-lodgement Meeting Advice Letter
(Ref No.:) including letter and any reports/
studies identified
- ☐ Planning Proposal Report (2 copies) (the report must
contain the parts of a planning proposal in accordance
with the Department's Guide: http://www.planning.nsw.gov.au/Portals/0/LocalEnvironmentalPlans/A_guide_to_preparing_planning_proposals_Oct12.pdf)
- ☐ Electronic Copy (.pdf)
- ☐ Digital Mapping Data (ESRI/CAD GDA Zone 56)
- ☐ Lodgement Fees (Fees and Charges: <http://shoalhaven.nsw.gov.au/My-Council/Fees-and-charges>)

Please note that the Planning Proposal may not be accepted for lodgement unless all of the above has been included.

6 Disclosure of Political Donations and Gifts

Pursuant to Section 147(4) of the Environmental Planning and Assessment Act 1979, a person who makes a planning application to a Council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the application, within the period commencing two years before the application is made and ending when the application is determined:

- a) all reportable political donations made to any local Councillor of Shoalhaven City Council; and
- b) all gifts made to any local Councillor or employee of Shoalhaven City Council.

Have you or any persons with a financial interest in this Planning Proposal in the last 2 years, made any political donations or given any gifts to any local Councillor or Council employee?

Yes ☐ No ☐

If yes, complete the Political Donation and Gifts Disclosure Statement and lodge it with this application. If no, in signing this application I undertake to advise the Council in writing if I become aware of any person with a financial interest in this application who has made a political donation or has given a gift in the period from the date of lodgement of this application and the date of determination. Failure to disclose relevant information is an offence under the Act. It is also an offence to make a false disclosure statement.

7 Acknowledgement of Planning Proposal (Rezoning) Guidelines

- ☐ I acknowledge that I have read and understood Council's Planning Proposal (Rezoning) Guidelines.

8 Proponent Declaration

I declare all the information supplied herein and in connection with this Planning Proposal is true and correct.

I confirm that this Planning Proposal has been prepared in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulations 2000 and any supporting guidelines for the preparation of Planning Proposals.

A Political Donations and Gifts Disclosure Statement has been completed, if applicable.

Proponent Signature: _____

Date: _____

Review of PP Fee Structure

Fee Number	Fee Name	Purpose	Amount (incl. GST)	Comment
14849	Lodgement	Initial request for consideration of PP	\$4,561.50	No change to fee 14849. Note: 40% of lodgement fee may be returned to the proponent if Council does not support the concept PP
New fee (fees 14850 & 14851 combined)	Preparation of PP – Minor PP (<1Ha)	Preparation of PP (40 hours staff time; every hour thereafter \$249/hr)	\$10,608	Combined fees 14850 & 14851 as preparation of the PP and submission to Gateway occur in the same step of the process
New fee (fees 14850 & 14852 combined)	Preparation of PP - Major PP (>1Ha – multiple ownerships etc)	Preparation of PP (80 hours staff time; every hour thereafter \$249/hr)	\$21,217	Combined fees 14850 & 14852 as preparation of the PP and submission to Gateway occur in the same step of the process
New fee	Technical Studies	Applicant is to pay 100% of the cost of specialist/technical report preparation	Market Rate	Previously part of fee 14851 & 14852 – separated out to make it clear that applicant is to pay the cost of studies in addition to preparation fees
14853	Post Exhibition Assessment and Finalisation	Assessment – review of exhibition submissions etc. and preparation of reports	\$226.60	Delete this fee – if additional staff time is required to undertake this task, it should be charged at an hourly rate under the Preparation of PP fees above.