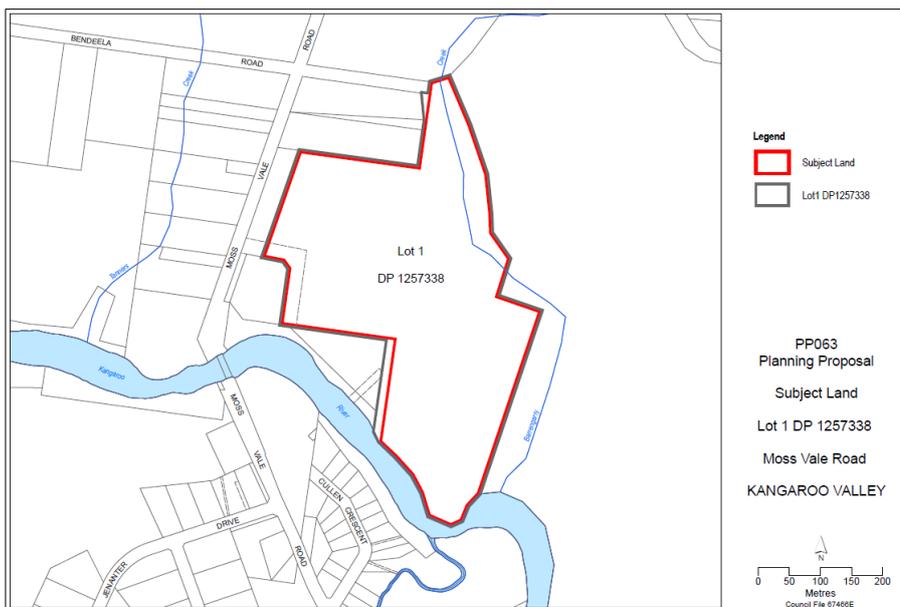


Explanatory Document

Planning Proposal PP063 – Amendment of Clause 7.25, Shoalhaven Local Environment Plan (SLEP) 2014

Affected Land

Part Lot 1 DP 1257338 – Moss Vale Road, Kangaroo Valley (see map below)



Overview

This proponent-initiated PP (PP063) seeks to amend Clause 7.25 (Additional Local Provision) of Shoalhaven Local Environmental Plan 2014 (SLEP 2014) which applies to part of Lot 1 DP 1257338, Moss Vale Road, Kangaroo Valley.

Clause 7.25 of SLEP 2014 enables part of Lot 1 DP 1257338 to be subdivided (subject to approval) into a maximum of 12 lots, one of which is intended for multi dwelling housing, comprising no more than six (6) dwellings.

This PP seeks to allow the future multi dwelling housing lot (that is already permissible under Clause 7.25) to be Strata subdivided, so that the dwellings can be individually owned. No additional dwelling entitlements are sought.

Background

Notable history of this Amendment to SLEP 2014:

- Lot 1 DP 1257338 resulted from approved amalgamation of the previous Lot 14 DP 773481 with an unformed private road
- Council previously approved development of a Guest House on the previous Lot 14 DP 773481. Under the Kangaroo Valley Sewerage Scheme, 15 Equivalent Tenements (ETs) were allocated.
- A Planning Proposal (PP) seeking a rezoning of Lot 14 DP 773481 and modification of the minimum lot size overlay mapping resulted in Amendment No. 5 to SLEP 2014 (August 2015) and inserted Clause 7.25 and the associated local clauses map.
- Council approved a Torrens Title subdivision (SF10697) of Lot 14 DP 773481 into nine (9) lots. Following the consolidation of Lot 14 DP 773481 with the road portion, to form Lot 1 DP 1257338, an application to modify the consent (DS20/1603) was approved on 27 April 2021, allowing a twelve (12) lot Torrens Title subdivision.
- Council resolved at its meeting of 5 October 2021 to support this proponent-initiated PP to permit Strata subdivision of the designated multi dwelling housing lot that was approved under Clause 7.25 of SLEP 2014, without increasing the number of dwellings.

Refer to the Planning Proposal for further detail.

Proposed Changes

The following amendments are proposed to SLEP 2014:

- Amend Clause 7.25 to permit Strata subdivision of the multi-dwelling housing component of the previously approved subdivision (SF10697). This will enable any housing on the designated multi dwelling lot to be individually owned, without increasing the number of dwellings on the site.
- The PP also seeks to make it expressly clear that, in accordance with the intent of Clause 7.25 (and the previous planning proposal on which it was based) that multi-dwelling housing is permissible within the area zoned R5 Large Lot Residential.

Refer to the Planning Proposal for further detail.

Exhibition Documents

The Planning Proposal is on public exhibition from **Wednesday, 23 February 2022 to Friday, 25 March 2022** (inclusive) and available for viewing online at www.shoalhaven.nsw.gov.au/MyCouncil/Public-exhibition/Documents-on-exhibition. Electronic copies of the exhibited package will also be available at Council's City Administration Centre

(Bridge Road, Nowra) and at the Ulladulla Administration Building (Deering Street, Ulladulla) during business hours (9am-5pm) for the duration of the exhibition period.

The exhibition package includes:

1. Explanatory Document
2. Planning Proposal (PP063)
3. Public Notice
4. Gateway Determination (29 November 2021)

Request For Comment

Submissions relating to the Planning Proposal are invited during the exhibition period and should be made in writing, and addressed to:

Post: The Chief Executive Officer, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

E-mail: council@shoalhaven.nsw.gov.au

Website: via the form on the Exhibition page at:
<https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>

All submissions must be received in writing by **5pm Friday, 25 March 2022**, quoting Council's reference **67466E**.

Please note that correspondence submitted to Council on this matter may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a submission are required to declare any relevant political, donations and/or gifts in accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979.

Enquiries should be directed to Eric Hollinger on (02) 4429 3320, quoting Council's reference **67466E**.