

## APPENDIX 19 – JUSTIFICATION FOR AMENDMENT NO. 19

Amendment applies to	Explanation of provisions	Map changes
Schedule 4	Reclassify Lot 13 DP 838695, Costin Street, Narooma to operational land.	Nil

For further details of the proposed reclassifications, see below:

Lot and DP	Address	Suburb	Area	Identified through Recreation Strategy	Interests Changed – detailed in mapping	Intention
Lot 13 DP 838695	Costin Street	Narooma	552.1m <sup>2</sup>	N	N	To enable the sale of the land to adjoining owner(s).

### Section A – NEED for the PLANNING PROPOSAL

#### **1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is not the result of any strategic study or report. The amendments included in this proposal have been identified by Council staff and are considered minor in nature. The proposed amendment relates to land that is landlocked, not currently used for recreation and is surplus to Council's needs.

#### **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The planning proposal provides the only way of achieving the intended outcome.

### Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

#### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy**

The planning proposal is not inconsistent with any element of the South Coast Regional Strategy.

#### **4. Is the planning proposal consistent with the Council's local strategy or other local strategic plan**

The planning proposal is not inconsistent with any element of Council's Community Strategic Plan, One Community.

**5. Is the planning proposal consistent with applicable state environmental planning policies?**

State Environmental Planning Policies		Relevance to Planning Proposal	Consistency of Planning Proposal
SEPP71	Coastal Protection	The proposal relates to land in the coastal zone.	<b>Consistent</b> The subject area is within the coastal zone but is not a sensitive coastal locations as defined in SEPP 71. The proposed amendments will have no impact on the coastal zone.
REP	Lower South Coast No. 2, 1992	The REP is relevant to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and of no consequence to the matters addressed in the REP.

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

S.117 Ministerial Direction		Relevance to Planning Proposal	Consistency of Planning Proposal
<b>2</b>	<b>Environment and Heritage</b>		
2.2	Coastal Protection	The proposal relates to land in the coastal zone.	<b>Consistent</b> The subject area is within the coastal zone but is not a sensitive coastal locations as defined in SEPP 71. The proposed amendments will have no impact on the coastal zone.
<b>3</b>	<b>Housing, Infrastructure and Urban Development</b>		
3.1	Residential Zones	The proposal relates to land in a residential zone.	<b>Consistent</b> The proposed amendment provides for the sale of surplus public land. The amendment is not inconsistent with the direction.
3.4	Integrating Land Use and Transport	The proposal relates to land in an urban zone.	<b>Consistent</b> The proposed amendment provides for the sale of surplus public land. The amendment is not inconsistent with the direction.
<b>5</b>	<b>Regional Planning</b>		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	<b>Consistent</b> The proposed amendments are minor and consistent with the South Coast Regional Strategy.

## Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT

***7. 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?***

The vegetation on the subject land is “Spotted Gum - White Stringybark - Burrawang shrubby open forest on hinterland foothills, northern South East Corner” which is not listed as an endangered ecological community. There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

***8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

There are no other likely environmental effects as a result of this planning proposal.

***9. How has the planning proposal adequately addressed any social and economic effects?***

There are no likely social or economic effects as a result of this planning proposal.

## Section D – STATE and COMMONWEALTH INTERESTS

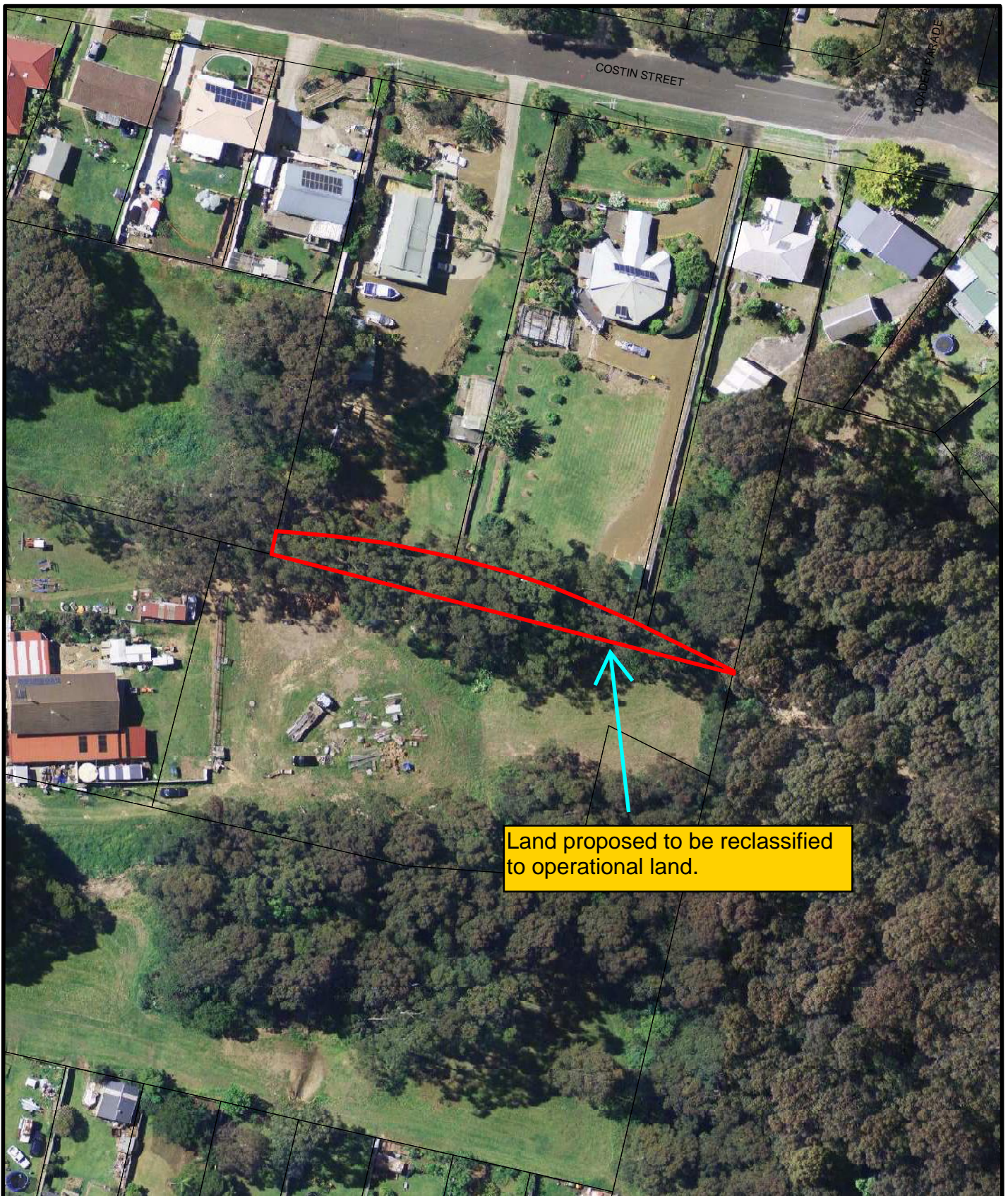
***10. Is there adequate public infrastructure for the planning proposal?***

Not applicable.

***11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The views of State or Commonwealth public authorities have not been sought prior to Gateway determination.





Land proposed to be reclassified to operational land.



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## Amendment No. 19

Issue Date 23/3/2015

Scale: 1:1025



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Valid for 60 days from the date of issue.



## APPENDIX 20 – JUSTIFICATION FOR AMENDMENT NO. 20

Amendment applies to	Explanation of provisions	Map changes
<b>Map and Schedule 5</b>	Addition of Eurobodalla Botanic Gardens Wallace Herbarium on part of SF 549 as a heritage item. <b>Note:</b> This proposed item was recommended by Council's Heritage Advisory Committee.	Heritage Map – Identify curtilage of herbarium as a heritage item.

### Section A – NEED for the PLANNING PROPOSAL

#### **1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is not the result of any strategic study or report. The amendments included in this proposal have been identified by Council staff and community members and are considered minor in nature. The proposed amendment relates to the listing of a moveable item of heritage, being the Wallace Herbarium, located at the Eurobodalla Botanic Gardens.

The Eurobodalla Botanic Gardens Wallace Herbarium was included within a request from the Friends of the Botanic Gardens to list the entire gardens. Council's Heritage Advisor advised that only the herbarium (which is a movable collection of seeds and plants) meets the criteria for heritage listing. This advice was supported by a resolution of Council's Heritage Advisory Committee.

#### **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The planning proposal provides the only way of achieving the intended outcome.

### Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

#### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy**

The planning proposal is consistent with the South Coast Regional Strategy in that it recognises an item of local heritage significance to the Eurobodalla community.

#### **4. Is the planning proposal consistent with the Council's local strategy or other local strategic plan**

The planning proposal is consistent with Council's Community Strategic Plan, One Community in that it values and protects our unique natural heritage.

**5. Is the planning proposal consistent with applicable state environmental planning policies?**

State Environmental Planning Policies		Relevance to Planning Proposal	Consistency of Planning Proposal
SEPP	Rural Lands 2008	The proposal relates to land zoned RU3.	<b>Consistent</b> The proposed amendment is minor and will have no impact on rural lands.
REP	Lower South Coast No. 2, 1992	The REP is relevant to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and of no consequence to the matters addressed in the REP.

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

S.117 Ministerial Direction		Relevance to Planning Proposal	Consistency of Planning Proposal
<b>1</b>	<b>Employment and Resources</b>		
1.2	Rural Zones	The proposal relates to land zoned rural.	<b>Consistent</b> The proposed amendment is minor and will have no impact on rural lands.
1.5	Rural Lands	The proposal relates to rural land.	<b>Consistent</b> The proposed amendment is minor and will have no impact on rural lands.
<b>2</b>	<b>Environment and Heritage</b>		
2.3	Heritage Conservation	The proposal relates to the listing of a heritage item.	<b>Consistent</b> The proposed amendments adds a new heritage item to the LEP.
<b>5</b>	<b>Regional Planning</b>		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and consistent with the South Coast Regional Strategy.

**Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT**

**7. 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?**

There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

***8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

There are no likely environmental effects as a result of this planning proposal.

***9. How has the planning proposal adequately addressed any social and economic effects?***

Recognition of Eurobodalla's unique natural heritage has potential social and economic benefits through increased understanding of our natural heritage and increased tourism.

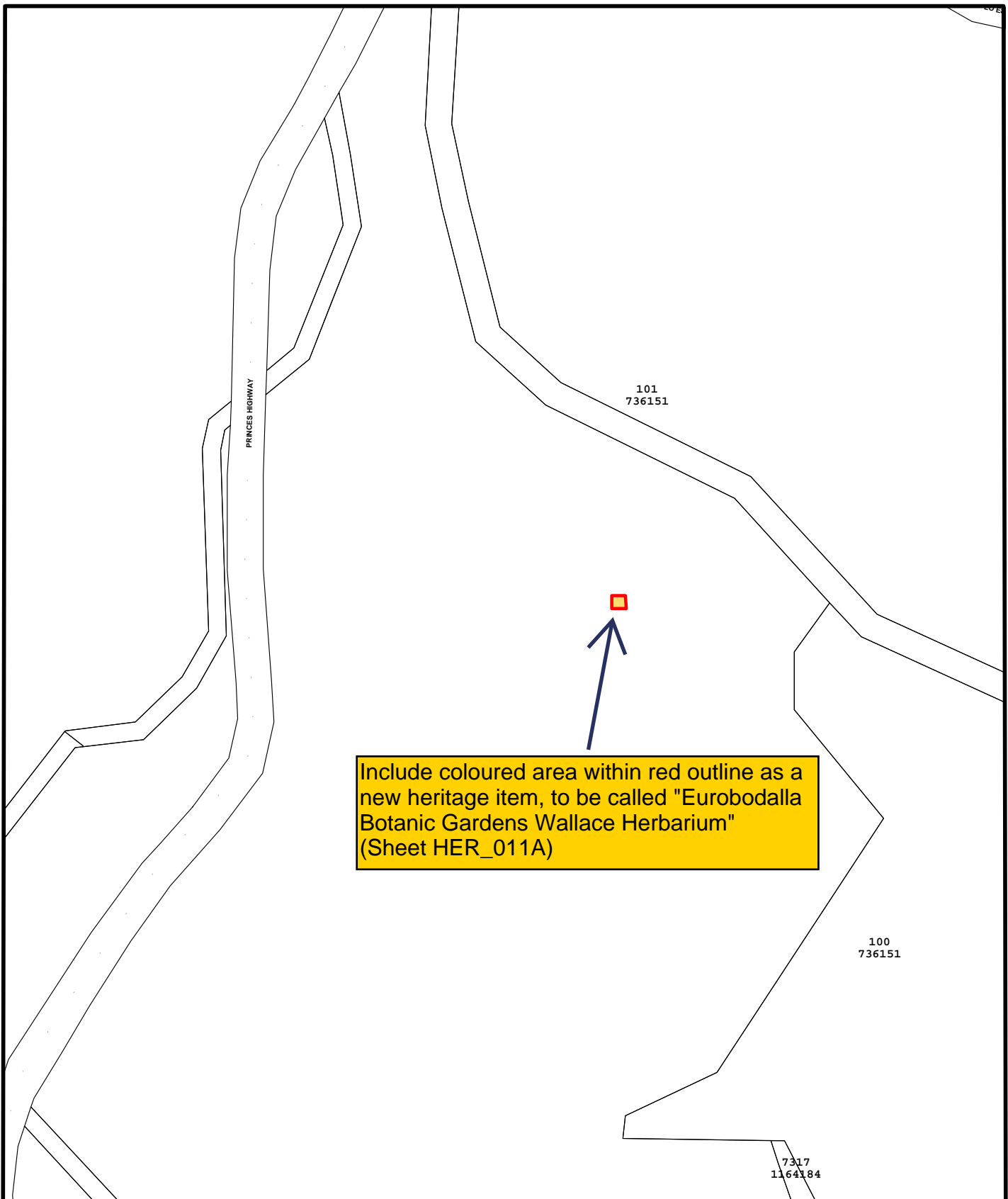
**Section D – STATE and COMMONWEALTH INTERESTS**

***10. Is there adequate public infrastructure for the planning proposal?***

Not applicable.

***11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The views of State or Commonwealth public authorities have not been sought prior to Gateway determination.



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## Heritage Map (20)

Issue Date 13/2/2015

Scale: 1:5980



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## APPENDIX 21 – JUSTIFICATION FOR AMENDMENT NO. 21

Amendment applies to	Explanation of provisions	Map changes
<b>Map and Schedule 5</b>	Addition of a dwelling at Lot A DP 367304, 253 Princes Highway, Narooma as a heritage item. <b>Note:</b> This proposed item was included in the Community Based Heritage Study endorsed by the Heritage Office, but was inadvertently missed from amendment number 6 to ELEP 2012.	Heritage Map – Identify whole of lot as a heritage item

### Section A – NEED for the PLANNING PROPOSAL

#### **1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is the direct result of the Community Based Heritage Study adopted by Council in 2011, but was inadvertently missed from ELEP 2012 Amendment No. 6. An extract of the Community Based Heritage Study that outlines the heritage significance of the property is attached.

#### **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The planning proposal provides the only way of achieving the intended outcome.

### Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

#### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy**

The planning proposal is consistent with the South Coast Regional Strategy in that it recognises an item of local heritage significance to the Eurobodalla community.

#### **4. Is the planning proposal consistent with the Council's local strategy or other local strategic plan**

The planning proposal is consistent with Council's Community Strategic Plan, One Community in that it values and protects our unique heritage.

**5. Is the planning proposal consistent with applicable state environmental planning policies?**

State Environmental Planning Policies		Relevance to Planning Proposal	Consistency of Planning Proposal
SEPP71	Coastal Protection	The proposal relates to land in the coastal zone.	<b>Consistent</b> The subject area is within the coastal zone but is not a sensitive coastal location as defined in SEPP 71. The proposed amendment will have no impact on the coastal zone.
REP	Lower South Coast No. 2, 1992	The REP is relevant to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and of no consequence to the matters addressed in the REP.

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

S.117 Ministerial Direction		Relevance to Planning Proposal	Consistency of Planning Proposal
<b>2</b>	<b>Environment and Heritage</b>		
2.2	Coastal Protection	The proposal relates to land in the coastal zone.	<b>Consistent</b> The subject area is within the coastal zone but is not a sensitive coastal location as defined in SEPP 71. The proposed amendments will have no impact on the coastal zone.
2.3	Heritage Conservation	The proposal relates to the listing of a heritage item.	<b>Consistent</b> The proposed amendment adds a new heritage item to the LEP.
<b>3</b>	<b>Housing, Infrastructure and Urban Development</b>		
3.1	Residential Zones	The proposal relates to land in a residential zone.	<b>Consistent</b> The proposed amendment is minor and will have no impact on residential lands.
3.4	Integrating Land Use and Transport	The proposal relates to land in an urban zone.	<b>Consistent</b> The proposed amendment is minor and will have no impact on urban lands.
<b>5</b>	<b>Regional Planning</b>		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and consistent with the South Coast Regional Strategy.

## Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT

***7. 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?***

There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

***8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

There are no likely environmental effects as a result of this planning proposal.

***9. How has the planning proposal adequately addressed any social and economic effects?***

Recognition of Eurobodalla's unique heritage has potential social and economic benefits through increased understanding of our heritage and increased tourism.

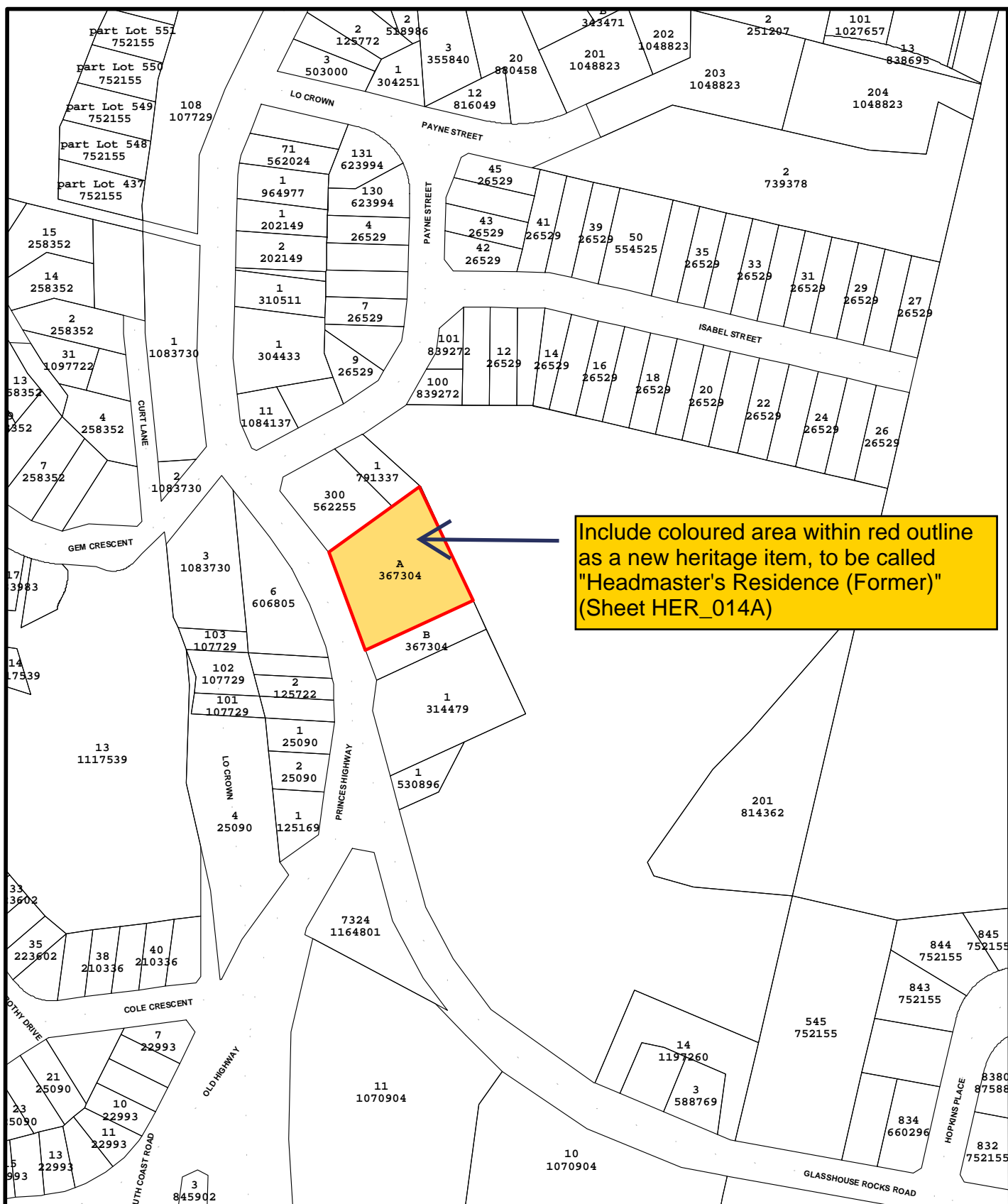
## Section D – STATE and COMMONWEALTH INTERESTS

***10. Is there adequate public infrastructure for the planning proposal?***

Not applicable.

***11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The views of State or Commonwealth public authorities have not been sought prior to Gateway determination.



Include coloured area within red outline as a new heritage item, to be called "Headmaster's Residence (Former)" (Sheet HER\_014A)



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## Heritage Map (21)

Issue Date 13/2/2015

Scale: 1:3007



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## APPENDIX 22 – JUSTIFICATION FOR AMENDMENT NO. 22

Amendment applies to	Explanation of provisions	Map changes
Map	Increase the height of buildings standard for land on the western side of Golf Links Drive, Batemans Bay adjoining the golf course.	Height of Buildings Map – change from M2 (12.5m) to O1 (15m).

### Section A – NEED for the PLANNING PROPOSAL

#### ***1. Is the planning proposal a result of any strategic study or report?***

The planning proposal is not the result of any strategic study or report. The amendments included in this proposal have been identified by Council staff and are considered minor in nature. The proposed amendment provides for an increase in height limit on the western side of Golf Links Drive, Batemans Bay to the same height limit that applies on the eastern side of Golf Links Drive.

#### ***2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The planning proposal provides the only way of achieving the intended outcome.

### Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

#### ***3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy***

The planning proposal is consistent with the South Coast Regional Strategy in that it facilitates development of higher density housing adding to the mix of housing options in the locality.

#### ***4. Is the planning proposal consistent with the Council's local strategy or other local strategic plan***

The planning proposal is consistent with Council's Community Strategic Plan, One Community in that it facilitates respectful planning, balanced growth and good design.



**5. Is the planning proposal consistent with applicable state environmental planning policies?**

State Environmental Planning Policies		Relevance to Planning Proposal	Consistency of Planning Proposal
SEPP71	Coastal Protection	The proposal relates to land in the coastal zone.	<b>Consistent</b> The subject area is within the coastal zone but is not a sensitive coastal location as defined in SEPP 71. The proposed amendment will have no impact on the coastal zone.
REP	Lower South Coast No. 2, 1992	The REP is relevant to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and of no consequence to the matters addressed in the REP.

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

S.117 Ministerial Direction		Relevance to Planning Proposal	Consistency of Planning Proposal
<b>2</b>	<b>Environment and Heritage</b>		
2.2	Coastal Protection	The proposal relates to land in the coastal zone.	<b>Consistent</b> The subject area is within the coastal zone but is not a sensitive coastal locations as defined in SEPP 71. The proposed amendments will have no impact on the coastal zone.
<b>3</b>	<b>Housing, Infrastructure and Urban Development</b>		
3.1	Residential Zones	The proposal relates to land in a residential zone.	<b>Consistent</b> The proposed amendment broadens the choice of building types that may be provided in the local market.
3.4	Integrating Land Use and Transport	The proposal relates to land in an urban zone.	<b>Consistent</b> The proposed amendment potentially increases development density in a location with good access to transport and services.
<b>4</b>	<b>Hazard and Risk</b>		
4.1	Acid Sulfate Soils	The land may contain acid sulphate soils.	<b>Consistent</b> The proposed amendment affects land that may have acid sulfate soils. The amendment is minor and is not considered an intensification of use.

<b>5</b>	<b>Regional Planning</b>		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	<b>Consistent</b> The proposed amendment is minor and consistent with the South Coast Regional Strategy.

## Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT

### ***7. 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?***

There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

### ***8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

There are no likely environmental effects as a result of this planning proposal.

### ***9. How has the planning proposal adequately addressed any social and economic effects?***

The planning proposal may facilitate additional housing diversity and development activity in the locality.

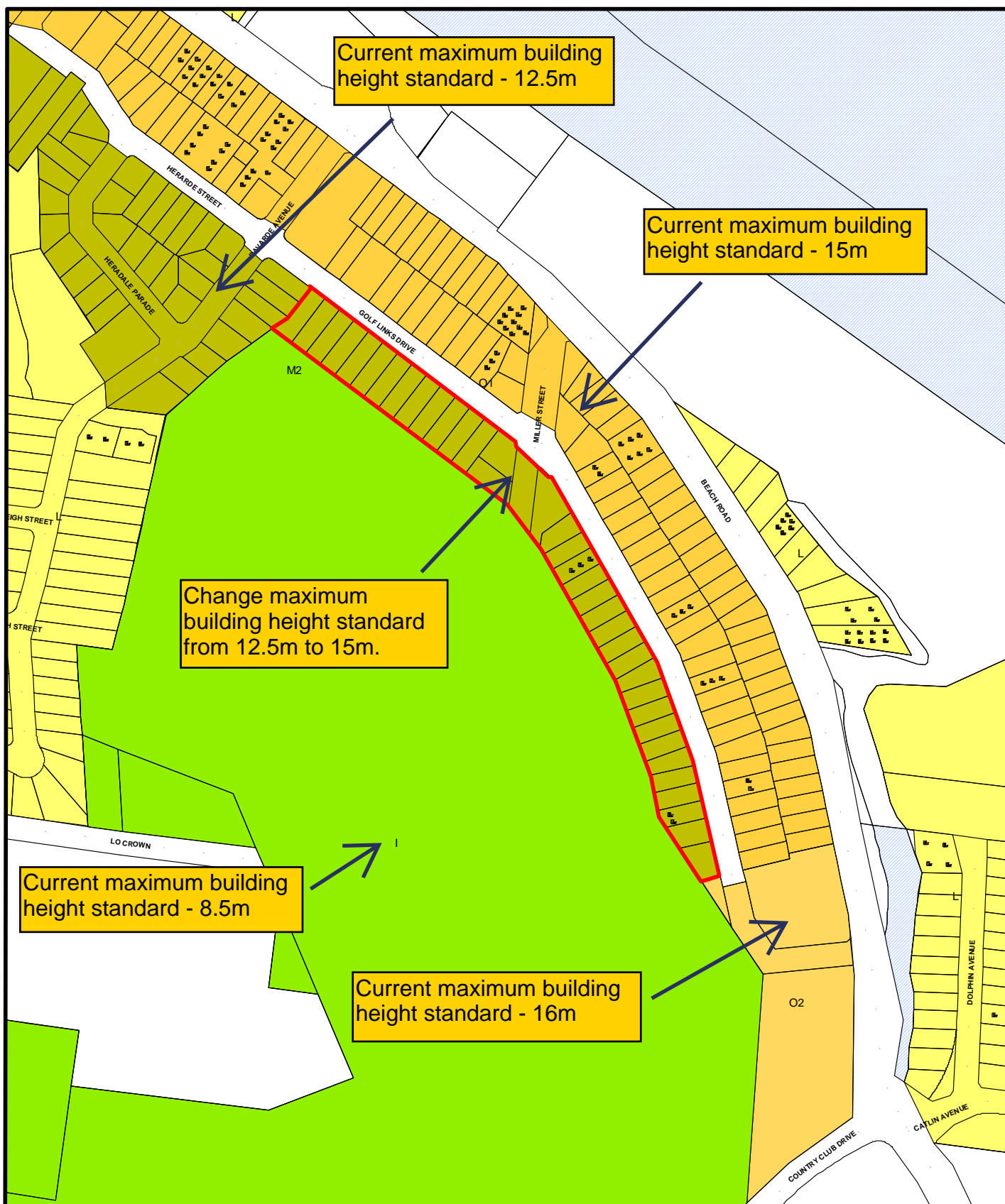
## Section D – STATE and COMMONWEALTH INTERESTS

### ***10. Is there adequate public infrastructure for the planning proposal?***

Not applicable.

### ***11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The views of State or Commonwealth public authorities have not been sought prior to Gateway determination.



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## Height of Buildings Map (22)

Issue Date 23/3/2015

Scale: 1:4515



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