

## APPENDIX 15 – JUSTIFICATION FOR AMENDMENT NO. 15

Amendment applies to	Explanation of provisions	Map changes
<b>Map and Schedule 4</b>	Rezone part of Lot 4 DP 1090948 (Moruya Airport) from RE1 (Public Recreation) to SP1 (Special Activities) and reclassify changed area to operational land and change the lot size map accordingly.	Zone Map – Rezone part of Lot 4 DP 1090948 from RE1 to SP1 Lot Size Map – Remove A1 (1000ha) from part rezoned to SP1

For further details of the proposed reclassification, see below:

Lot and DP	Address	Suburb	Area	Identified through Recreation Strategy	Interests Changed	Intention
Part Lot 4 DP 1090948	Bruce Cameron Drive	Moruya	232.8ha	No	No	To recognise existing infrastructure associated with Moruya airport and enable further associated infrastructure. There will be no reduction in the existing primitive campground that occupies the RE1 portion of the site.

### 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 amendments reflect actual operations of the airport.

#### **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 protects the operations of the Moruya Airport.

**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 ensures our planning framework accurately recognises existing infrastructure and facilitates appropriate infrastructure improvements.

**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 and is partly in 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 amendments are 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 and is partly in a sensitive coastal location as defined in SEPP 71. The proposed amendment will have no impact on the coastal zone.
<b>4</b>	<b>Hazard and Risk</b>		
4.1	Acid Sulfate Soils	The land may contain acid sulfate soils.	<b>Consistent</b> The proposed amendments affect land that may contain acid sulfate soils. The amendments are minor and are not considered to be an intensification of use.
4.3	Flood Prone Land	The land is flood prone.	<b>Consistent</b>

			The proposed amendments affect land within the Moruya Flood Planning Area. The amendments are minor and are not considered to be a significant increase in the development of the land.
<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?***

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 facilitates appropriate improvements to existing infrastructure at the Moruya Airport and does not reduce the area of the primitive campground that occupies the RE1 portion of the site.

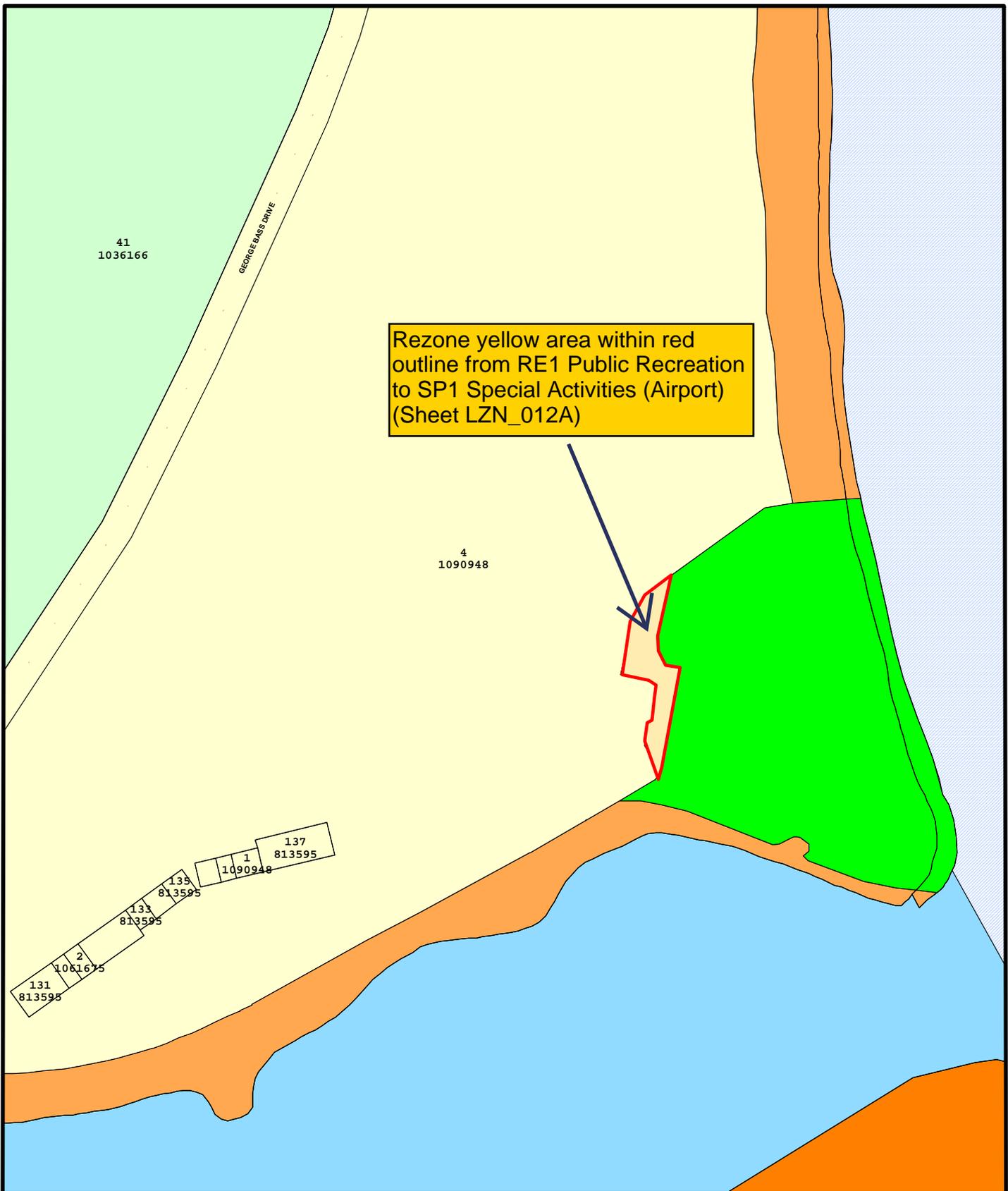
## Section D – STATE and COMMONWEALTH INTERESTS

### ***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.



Rezone yellow area within red outline from RE1 Public Recreation to SP1 Special Activities (Airport) (Sheet LZN\_012A)



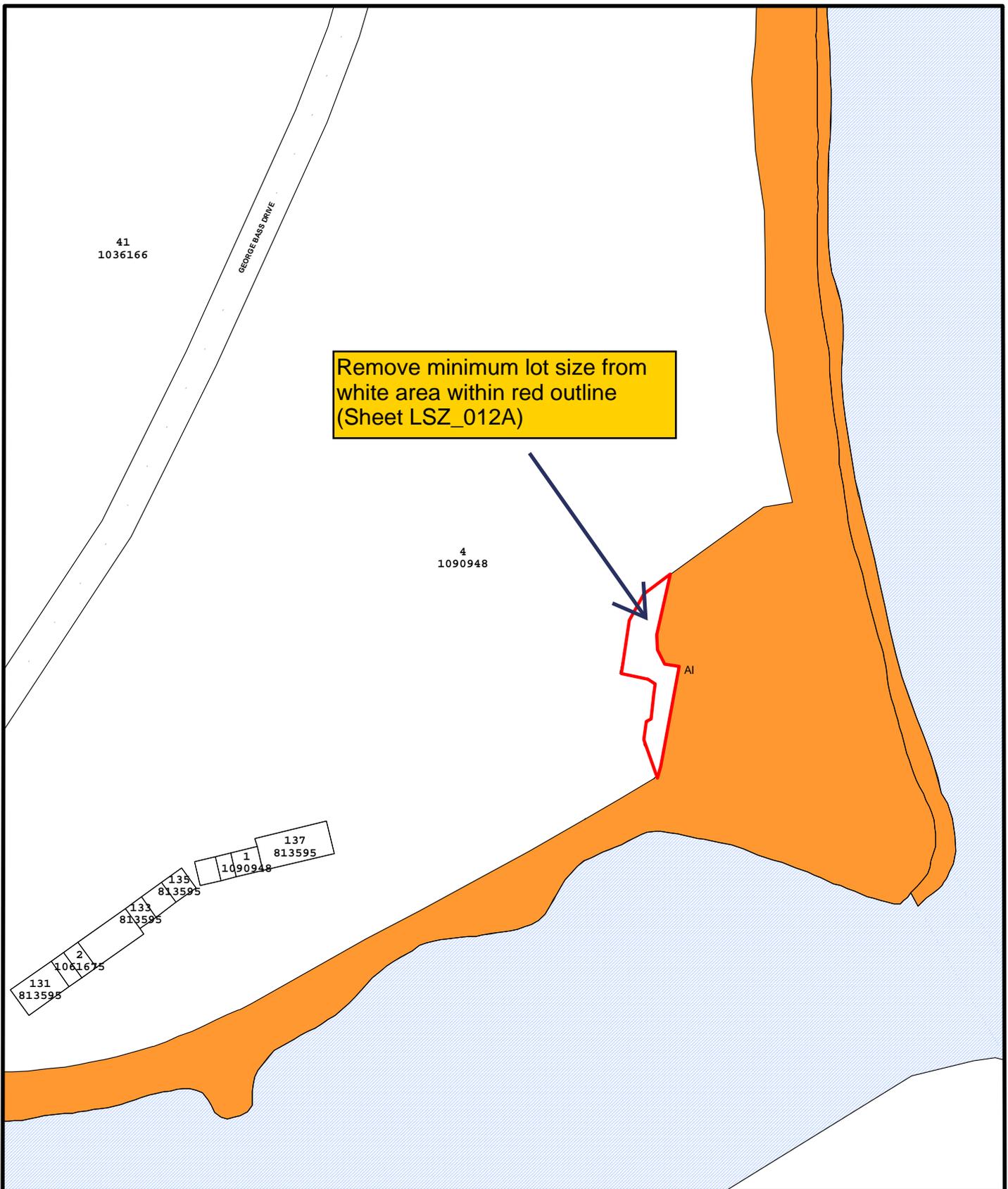
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## Zoning Map (15)

Issue Date 13/2/2015      Scale: 1:6455



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## Lot Size Map (15)

Issue Date 13/2/2015

Scale: 1:6455



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## APPENDIX 16 – JUSTIFICATION FOR AMENDMENT NO. 16

Amendment applies to	Explanation of provisions	Map changes
Schedule 4	Reclassify Lot 71 DP 601741, 521 George Bass Drive, Malua Bay to operational land.	Nil

For further details of the proposed reclassification, see below:

Lot and DP	Address	Suburb	Area	Identified through Recreation Strategy	Interests Changed	Intention
Lot 71 DP 601741	521 George Bass Drive	Malua Bay	5897m <sup>2</sup>	No	No	To enable the development of a sewer pumping station.

### 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 facilitates the construction of a sewer pumping station on the land.

#### **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 infrastructure that supports growth in an urban growth area identified in the Eurobodalla Settlement Strategy.

#### **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 the development of infrastructure that supports growth.

**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 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 location 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 land is zoned residential.	<b>Consistent</b> The proposed amendment provides for the servicing of residential land. The amendment is not inconsistent with the direction.
3.4	Integrating Land Use and Transport	The land has an urban zone.	<b>Consistent</b> The proposed amendment provides for the servicing of urban land. The amendment is not inconsistent with the direction.
<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?**

Vegetation on the subject land is identified as “Swamp Oak - Prickly Tea-tree - Swamp Paperbark swamp forest on coastal floodplains, Sydney Basin and South East Corner” which is listed as an endangered ecological community. A Review of Environmental Factors will be required to assess the impact of the proposed sewer pumping station on the EEC prior to any approval under Part 5 of the EP&A Act 1979.

**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?**

The proposed amendment facilitates housing and economic growth in Malua Bay.

## 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 operational land.



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**Amendment No. 16**

Issue Date 23/3/2015      Scale: 1:3242



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## APPENDIX 17 – JUSTIFICATION FOR AMENDMENT NO. 17

Amendment applies to	Explanation of provisions	Map changes
Schedule 4	Reclassify Lot 1 DP 1173024, Law Lane, Mogo to operational land.	Nil

For further details of the proposed reclassification, see below:

Lot and DP	Address	Suburb	Area	Identified through Recreation Strategy	Interests Changed	Intention
Lot 1 DP 1173024	Law Lane	Mogo	3.764ha	No	No	To recognise an existing water treatment plant on site and enable further associated infrastructure.

### 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 facilitates the ongoing operation of a water treatment plant.

#### **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 the operation of infrastructure that supports urban development.

#### **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 the operation of infrastructure that supports urban development.

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

State Environmental Planning Policies		Relevance to Planning Proposal	Consistency of Planning Proposal
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>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 proposed amendment facilitates the operation of essential infrastructure for development.

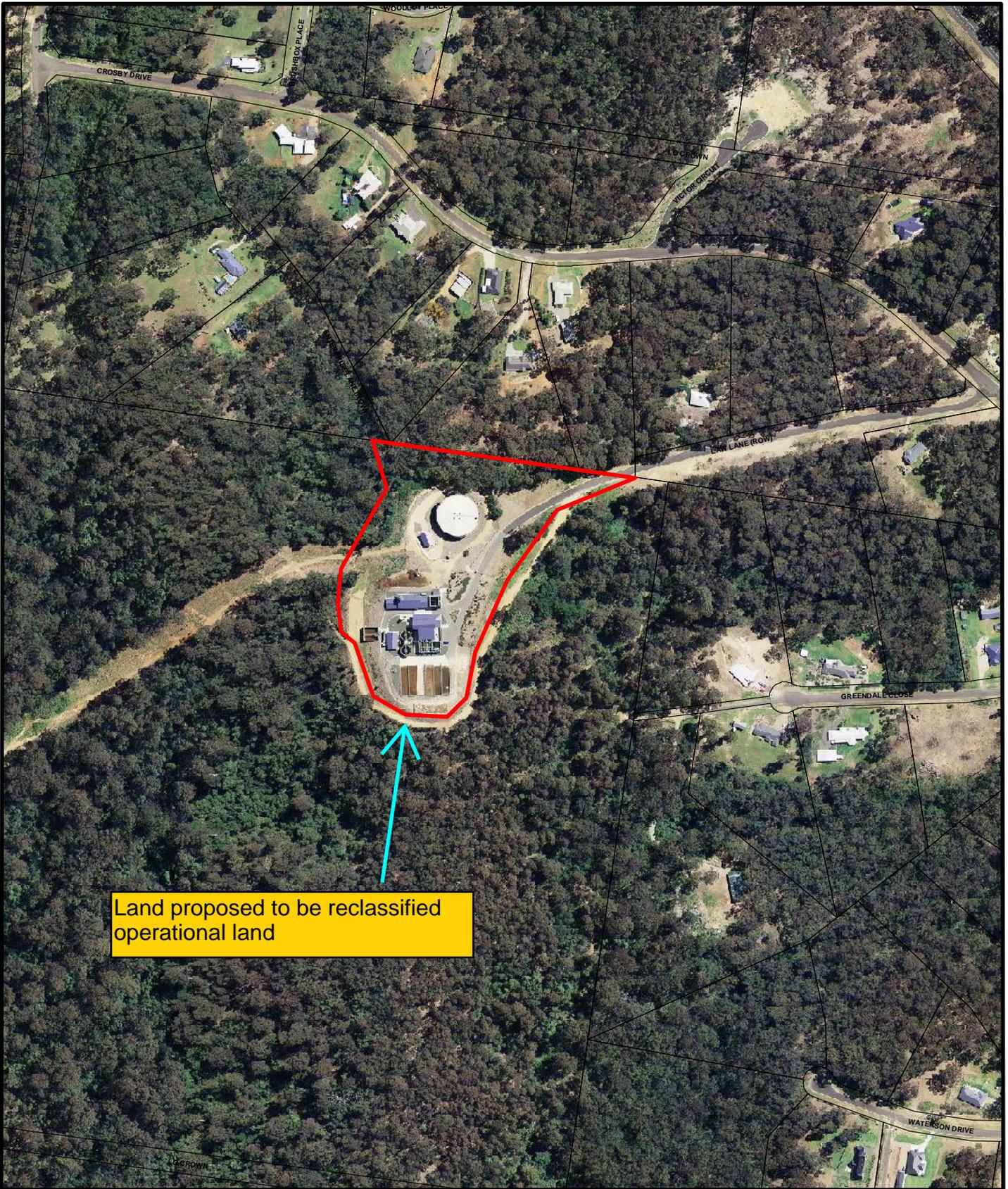
**Section D – STATE and COMMONWEALTH INTERESTS**

**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 operational land



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## Amendment No. 17

Issue Date 23/3/2015

Scale: 1:5122



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## APPENDIX 18 – JUSTIFICATION FOR AMENDMENT NO. 18

Amendment applies to	Explanation of provisions	Map changes
Schedule 4	Reclassify part of Lot 45 DP 1151309, 1 Evans Street, Moruya to operational land.	See Attachment

For further details of the proposed reclassification, see below:

Lot and DP	Address	Suburb	Area	Identified through Recreation Strategy	Interests Changed	Intention
Part Lot 45 DP 1151309	1 Evans Street	Moruya	16.23ha	N	N	To provide legal access to a dwelling on adjoining land at Sec 21 Lot 14 DP 758710.

### 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 landowners and are considered minor in nature. The proposed amendment facilitates legal access to residential land and will not affect the recreational use of Gundry Oval.

The land to which legal access will be provided has an approved dual occupancy and development consent for subdivision, which has not yet been enacted (but remains operational until 22 September 2016). The subdivision consent required both dwellings to be accessed from Foreman Street given there was no legal access to Evans Street. A right of way was to be created.

The land owner has requested legal access be provided to Evans Street as an alternative to the right of way, principally because the creation of the right of way would necessitate the demolition of an existing garage which the owner would prefer to retain.

#### **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 best way of achieving the intended outcome. However, as noted above, legal access to the lot from Evans Street is not the only way to provide access to the dwelling, as a right of way could be provided to Foreman Street. The land owner has advised that a right of way is not preferred as it would necessitate the demolition of a garage.

## 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 legal access to existing approved residential development within walking distance of a well serviced centre.

### 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
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>3</b>	<b>Housing, Infrastructure and Urban Development</b>		
3.1	Residential Zones	The proposed amendment facilitates legal access to land in a residential zone.	<b>Consistent</b> The proposed amendment provides for the servicing of residential land. The amendment is not inconsistent with the direction.
3.4	Integrating Land Use and Transport	The proposed amendment facilitates legal access to land in an urban.	<b>Consistent</b> The proposed amendment provides for the servicing of urban land. The amendment is not inconsistent with the direction.
<b>4</b>	<b>Hazard and Risk</b>		
4.3	Flood Prone Land	The land is flood prone.	<b>Consistent</b> The proposed amendment affects land within the Moruya Flood Planning Area. The amendments are minor and are not considered to

			be a significant increase in the development of the land.
<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?**

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. 18

Issue Date 23/3/2015

Scale: 1:1354



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