

APPENDIX 1 – JUSTIFICATION FOR AMENDMENT NO. 1

Amendment applies to	Explanation of provisions	Map changes
Map and Schedule 5	Correct the property descriptions in the LEP for lots with heritage items due to subdivision or rectifying an incorrect property description.	See Tables 1.1 and 1.2

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 a result of any strategic study or report. The amendments have been identified by Council staff and are considered minor in nature. The amendments correct anomalies relating to the listing of certain heritage items, particularly with regards to the property descriptions.

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 improves the quality of the existing statutory lists of heritage items in Eurobodalla.

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 we can accurately identify, value and protect 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	Amendment numbers 1.3, 1.4, 1.8 relate to	Consistent The subject areas are within the coastal zone and/or are sensitive

		land in the coastal zone.	coastal locations as defined in SEPP 71. The proposed amendments will have no significant impact on the coastal zone.
SEPP	Rural Lands 2008	Amendment numbers 1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10 relate to land in a rural zone.	Consistent The proposed amendments are minor and will have no significant impact on rural lands.
REP	Lower South Coast No. 2, 1992	The REP is relevant to all planning proposals.	Consistent The proposed amendments are minor and of no consequences 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
1	Employment and Resources		
1.2	Rural Zones	Amendment numbers 1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10 relate to land in a rural zone.	Consistent The proposed amendments are minor and will have no impact on rural lands.
1.5	Rural Lands	Amendment numbers 1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10 relate to rural lands.	Consistent The proposed amendments are minor and will have no impact on rural lands.
2	Environment and Heritage		
2.1	Environment Protection Zones	Amendment number 1.4 relates to land zoned E1.	Consistent The amendment is minor and does not reduce the environmental protection standards that apply to the subject land.
2.2	Coastal Protection	Amendment numbers 1.3, 1.4, 1.8 relate to land in the coastal zone.	Consistent The subject areas are within the coastal zone and/or are sensitive coastal locations as defined in SEPP 71. The proposed amendments will have no impact on the coastal zone.
2.3	Heritage Conservation	All of amendment number 1 relates to heritage items.	Consistent The proposed amendments correct listings of certain heritage items, particularly with regard to property descriptions.

4	Hazard and Risk		
4.1	Acid Sulfate Soils	Amendment number 1.4 relates to land that may have acid sulphate soils.	Consistent The proposed amendments are minor and not inconsistent with the direction.
5	Regional Planning		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	Consistent 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?

There are no likely social or economic effects 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?

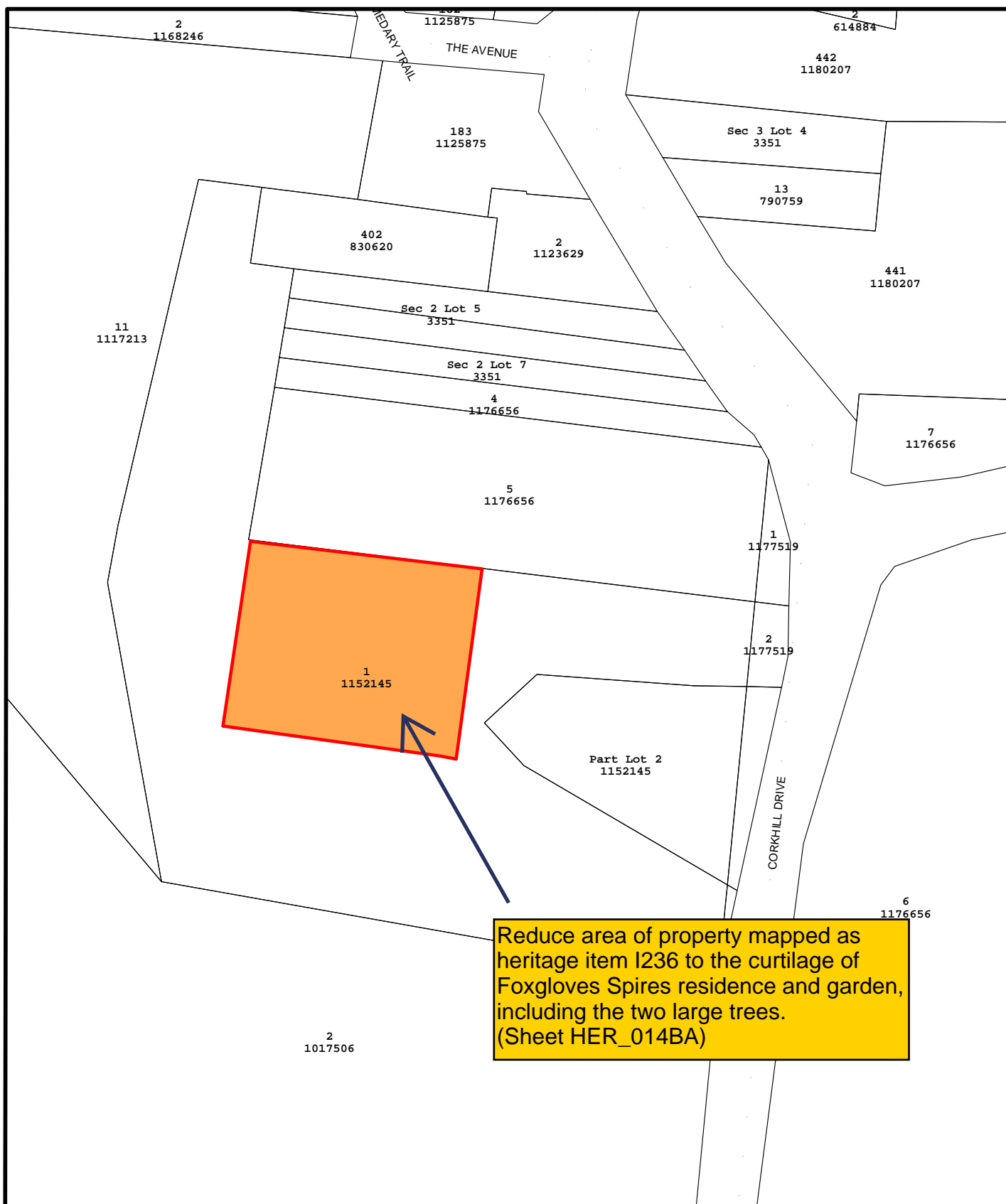
Given the minor nature of the proposed amendments, the views of State or Commonwealth public authorities have not been sought prior to Gateway determination.

TABLE 1.1 – Heritage Amendments to ELEP 2012

No.	Item No.	Schedule 5 Changes	Map Changes
1.1	I236 Foxgloves Spires Residence and Garden	Change Lot and DP to Part Lot 1 DP 1152145	Map only part of Lot 1 DP 1152145 – see Attached Map
1.2	I71 Lustleigh Park Farmhouse	Change Lot and DP to Lot 1 DP 1196461	Nil
1.3	I82 Presbyterian Church	Add to Schedule 5: Coila, Presbyterian Church, 4017 Princes Highway, Lot 96 DP 1134972, Local, I82	Nil (Heritage Map already shows item)
1.4	I223 McMillan’s Sawmill Wharf and Skids	Change Lot and DP to Lot 311 DP 1202989	Nil
1.5	I248 Kyla Park Grazing Lands	Add to Schedule 5: Tuross Head, Kyla Park Grazing Lands, Lot 3 DP 1081596, Local, I248	Map Lot 3 DP 1081596 – see Attached Map

TABLE 1.2 – Heritage Amendments to RLEP 1987

No.	Item	Schedule 1 Changes	Map Changes
1.5	Presbyterian church, Coila	Remove listing (transfer to ELEP 2012)	Nil
1.6	Water Race, Nerrigundah	Change Lot and DP to Lot 7300 DP 1129141, Gulph Creek Road	Nil
1.7	Chinese drystone wall	Remove “Lot 1, DP 1017506, Mount Dromedary Trail and”	Nil
1.8	Kyla Park grazing lands	Change Lot and DP to Lots 75-77 DP 260321 and Lots 1, 2 and 4 DP 1081596 and Lot 791 DP 1040710, Hector McWilliam Drive	Nil
1.9	Glen Luna residence	Change Lot and DP to Lot 45 DP 1171177	Nil
1.10	Mountain Valley farm cottage	Change Lot and DP to Lot 45 DP 1171177	Nil



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Heritage Map (1.1)

Issue Date 13/2/2015

Scale: 1:1293

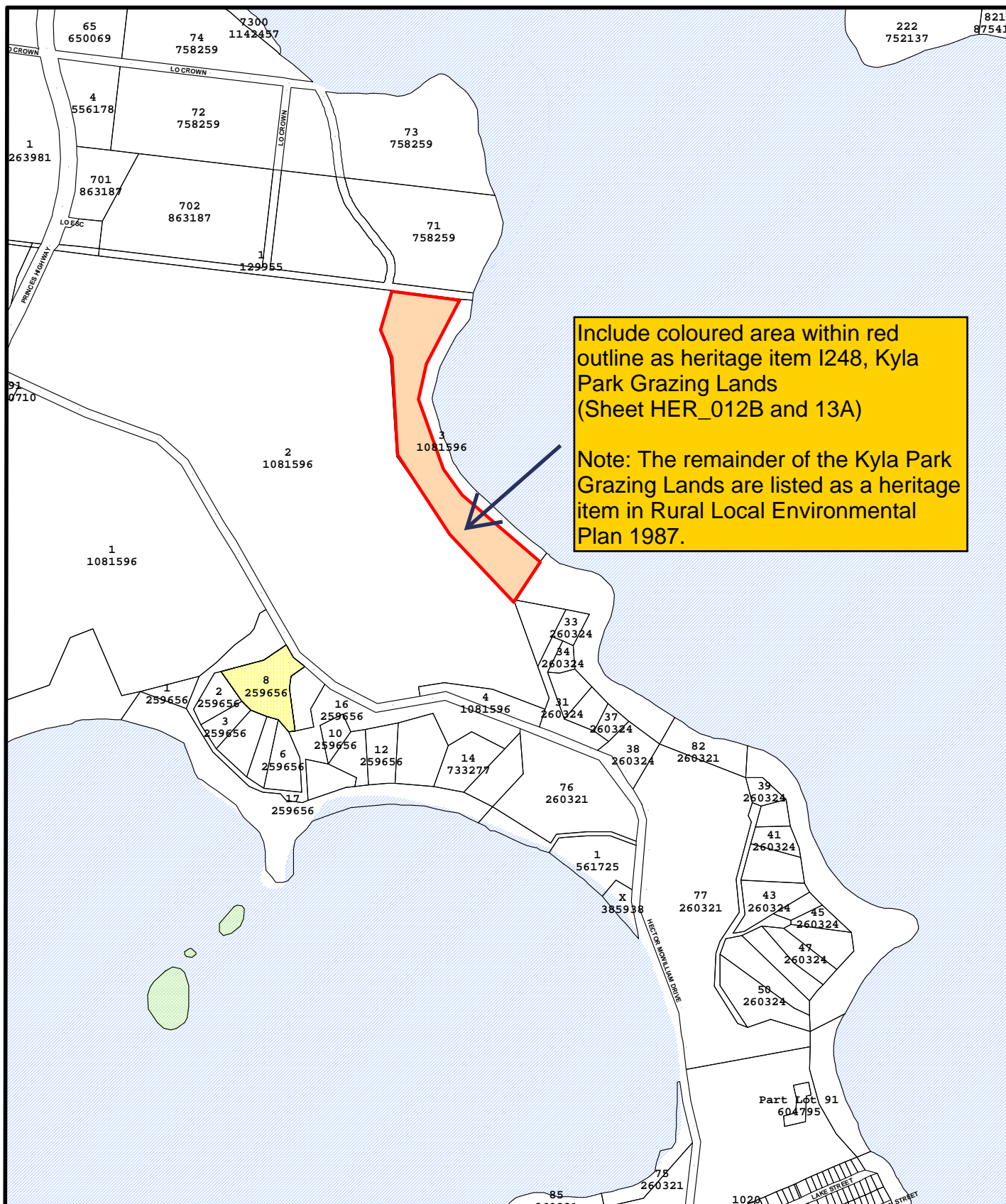


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Heritage Map (1.5)

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APPENDIX 2 – JUSTIFICATION FOR AMENDMENT NO. 2

Amendment applies to	Explanation of provisions	Map changes
Map	<p>Rezone part of Lot E DP 16091, 11 Princes Highway Narooma from SP2 (Infrastructure) to R2 (Low Density Residential) and change the height of buildings map accordingly.</p> <p>Note: This lot previously had an 8.5m height limit under the Residential Design Code (DCP).</p>	<p>Zoning Map – change part of lot not shown on Land Reservation Acquisition Map from SP2 to R2.</p> <p>Height of buildings map – change same part of lot from no height standard to 1 (8.5m).</p>

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 have been identified by Council staff and are considered minor in nature. The amendments will ensure appropriate residential development of the land can be achieved.

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 ensures land is appropriately zoned.

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 land is appropriately zoned.

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 may affect land in the coastal zone.	Consistent The subject area is within the coastal zone but is not 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.	Consistent 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
2	Environment and Heritage		
2.2	Coastal Protection	The proposal may affect land in the coastal zone.	Consistent 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.
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	The proposal relates to land proposed to be zoned residential.	Consistent The proposed amendment corrects a zoning anomaly and is not inconsistent with the direction.
3.4	Integrating Land Use and Transport	The proposal relates to land in an urban zone.	Consistent The proposed amendment corrects a zoning anomaly and is not inconsistent with the direction.
5	Regional Planning		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	Consistent 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 of this planning proposal.

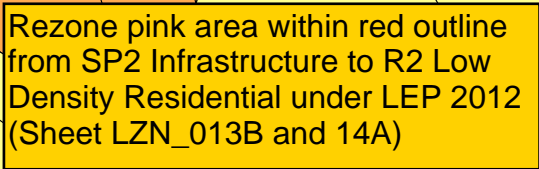
Section D – STATE and COMMONWEALTH INTERESTS

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 Roads and Maritime Services have advised that the identification of the whole of the property as zone SP2 Infrastructure is incorrect and should be amended to coincide with the Land Reservation Acquisition Map.



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APPENDIX 3 – JUSTIFICATION FOR AMENDMENT NO. 3

Amendment applies to	Explanation of provisions	Map changes
Map	Rezone Lot 2 DP 1164115, Crosby Drive, Batehaven from R5 (Large Lot Residential) to R2 (Low Density Residential).	Zoning Map – change from R5 to R2.

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 amendment has been identified by Council staff and is considered minor in nature. The amendment provides for consistent zoning of the subject land which is in single ownership.

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 ensures land is appropriately zoned.

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 land is appropriately zoned.

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.	Consistent 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
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	The proposal relates to land in a residential zone.	Consistent The proposed amendment corrects a zoning anomaly and is not inconsistent with the direction.
3.4	Integrating Land Use and Transport	The proposal relates to land in an urban zone.	Consistent The proposed amendment corrects a zoning anomaly and is not inconsistent with the direction.
5	Regional Planning		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	Consistent 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.

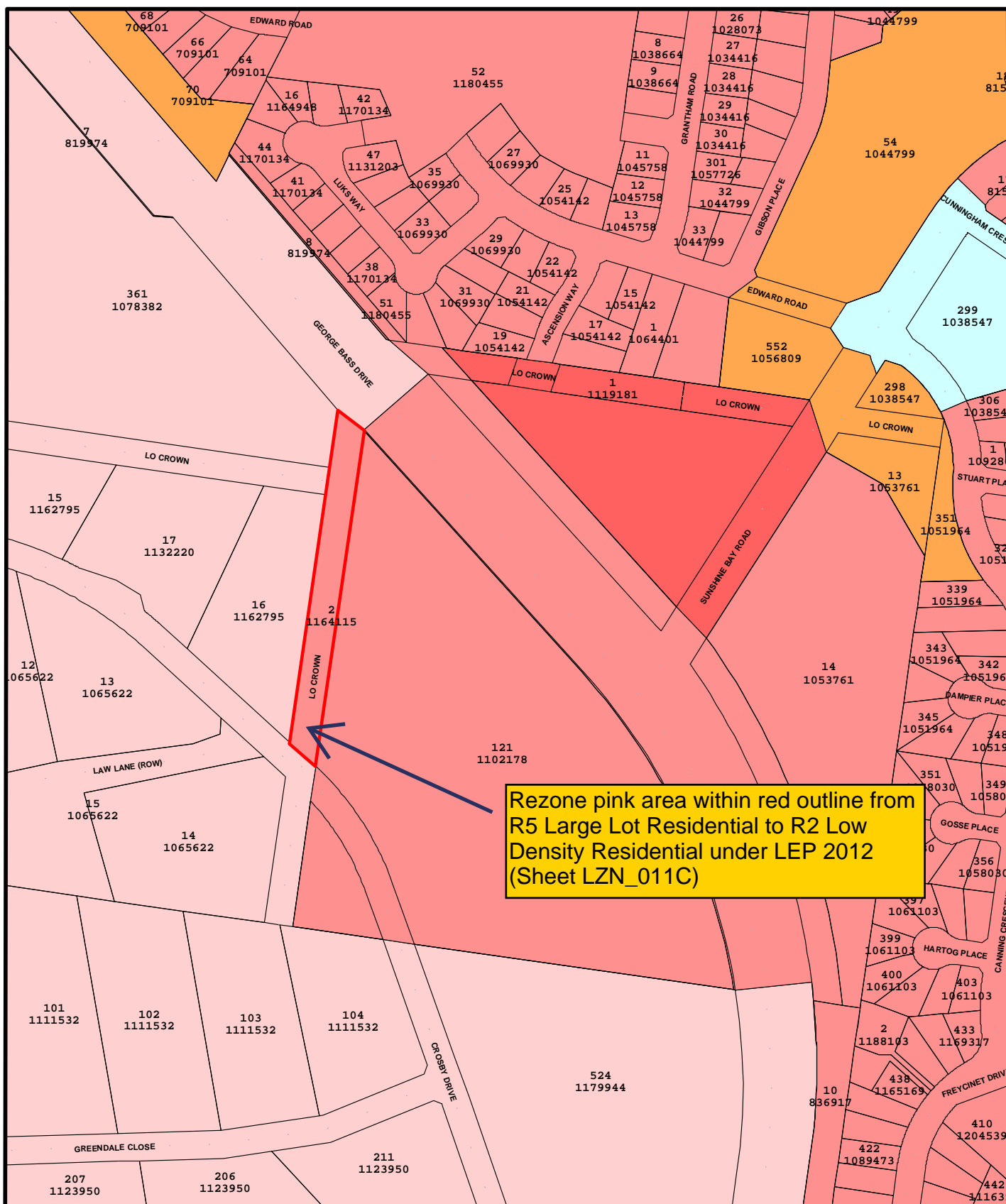
Section D – STATE and COMMONWEALTH INTERESTS

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.



Rezone pink area within red outline from
R5 Large Lot Residential to R2 Low
Density Residential under LEP 2012
(Sheet LZN_011C)



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Zoning Map (3)

Issue Date 13/2/2015

Scale: 1:3811



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APPENDIX 4 – JUSTIFICATION FOR AMENDMENT NO. 4

Amendment applies to	Explanation of provisions	Map changes
Map	<p>Include the following additional properties on the Dwelling Entitlement Maps to reflect the Council resolution of 20 December 2011:</p> <p>ii. Lot 7 DP 716697 and Lots 110 and 167 DP 752137, Beashels Lane, Bergalia (excluding Deferred Matter)</p> <p>iv. Lot 1, DP 807062 and Lots 1 and 2 DP 584738, Dunns Creek Road, Woodlands (excluding Deferred Matter)</p>	Dwelling entitlement map – include RU1 part of properties.

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 have been identified by Council staff and landowners and are considered minor in nature. The amendments provide for the retention of lawful dwelling entitlements on certain rural lands.

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 preserves existing lawful dwelling entitlements on certain rural land.

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 preserves existing lawful dwelling entitlements on certain rural land.

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 in a rural zone.	Consistent The proposed amendments recognise existing dwelling entitlements and are therefore consistent with the rural planning principles in the SEPP.
REP	Lower South Coast No. 2, 1992	The REP is relevant to all planning proposals.	Consistent 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
1	Employment and Resources		
1.2	Rural Zones	The proposal relates to land in a rural zone.	Consistent The proposed amendments do not increase the permissible density of land in a rural zone.
1.5	Rural Lands	The proposal relates to rural lands.	Consistent The proposed amendments recognise existing dwelling entitlements and are therefore consistent with the rural planning principles in the SEPP (Rural Lands) 2008.
5	Regional Planning		
5.1	Implementation of Regional Strategies	The South Coast Regional Strategy applies to all planning proposals.	Consistent 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?

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

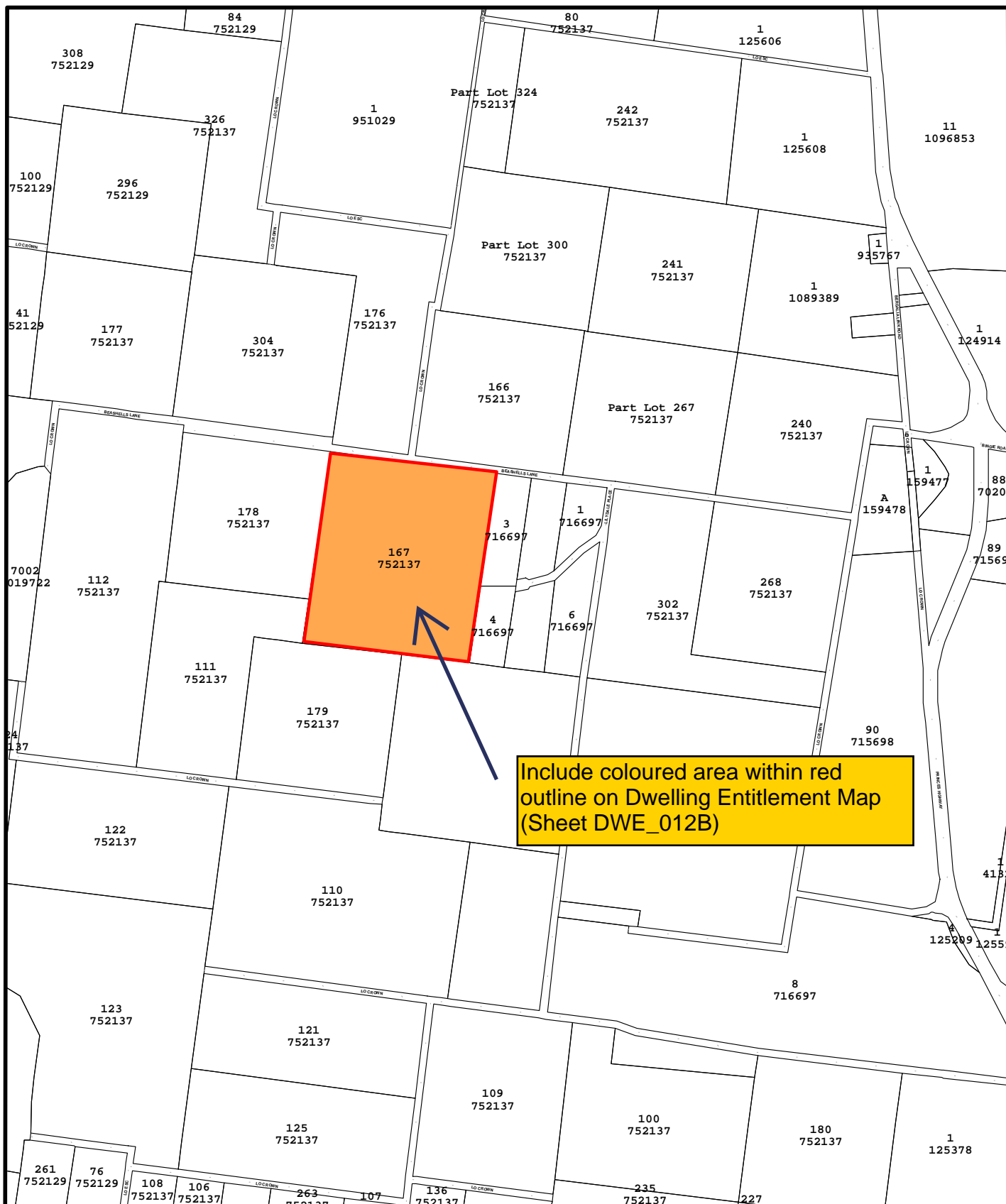
Section D – STATE and COMMONWEALTH INTERESTS

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.



Include coloured area within red outline on Dwelling Entitlement Map (Sheet DWE_012B)



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Dwelling Entitlement Map (4(i))

Issue Date 13/2/2015

Scale: 1:14790

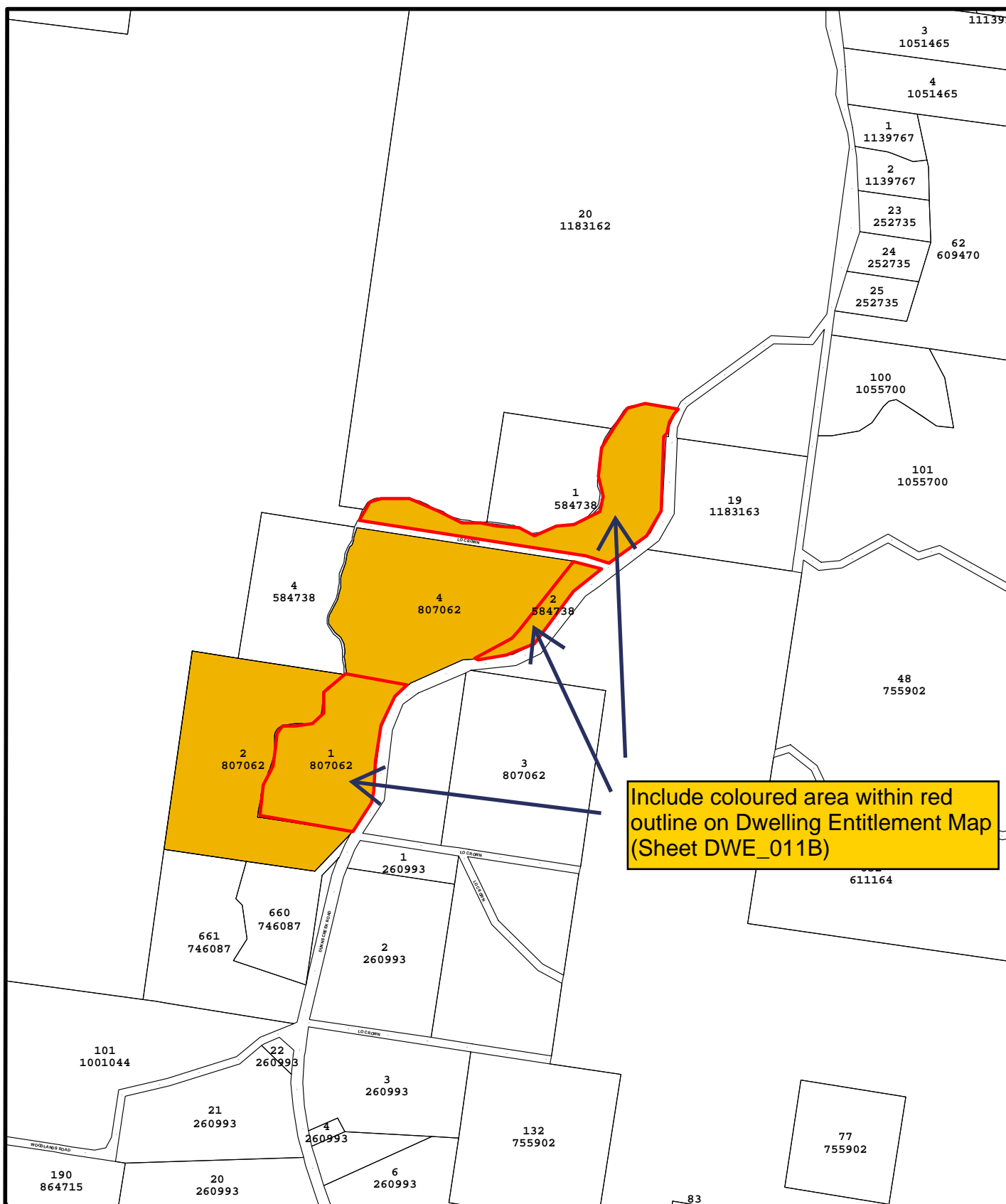


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Dwelling Entitlement Map (4(ii))

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