

Ordinary Meeting

Meeting Date: Tuesday, 13 May, 2025

Location: Council Chambers, City Administrative Building, Bridge Road, Nowra

Attachments (Under Separate Cover)

Index

14. Reports

CL25.149	Community Consultative Body Activity Report January 2024 - December 2024	
	Attachment 1 Table of CCB Meeting Minutes received to Council.....	3
	Attachment 2 Timeline of Events Meeting Criteria to Cease Recognition as CCB - Sussex Inlet & Districts Community Forum - Pride of Bomaderry	4
	Attachment 3 Supporting Documents - Sussex Inlet and Districts Community Forum - Justification of meeting CCB functions.....	6
	Attachment 4 Timeline of Events - Culburra Beach and Orient Point Community Forum - Evidence of Community confidence in process of establishing CCB.....	21
CL25.152	Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla	
	Attachment 1 External agency responses (combined) - 131 St Vincent Street, Ulladulla	25
	Attachment 2 Summary of Submissions - 131 St Vincent Street, Ulladulla	47
	Attachment 3 Proponent's Additional Information Cover Letter - 14/1/2025	59
	Attachment 4 Fishermans Bend Urban Renewal Project - process for considering sensitive uses within buffer.....	61
CL25.155	Shoalhaven Water Rebate Policies	
	Attachment 1 Revised - Payment Assistant Scheme - Water Accounts - Shoalhaven Water Rebate Policies Report	62
	Attachment 2 Revised - Shoalhaven Water - Undetected Leak Rebate Policy - Shoalhaven Water Rebate Policies Report	70

CL25.156	Submission Response - Policy - Water & Sewer Headworks Charges (Section 64 Contributions) Assistance for Developments	
Attachment 1	Revised Policy - Water & Sewerage Headworks Charges (Section 64 Contributions) - Assistance for Developments	78
Attachment 2	Submissions Responses - Policy - Water & Sewer Headworks Charges (Section 64 Contributions) Assistance for Developments	85

Community Consultative Body	Minutes Received January 2024-December 2024
Wandandian Progress Association	General: 11
Shoalhaven Heads Community Forum	General: 10
Sussex Inlet & Districts Community Forum	General: 9
Basin Villages Forum	General: 8
Callala Bay Community Association	General: 8
Kangaroo Valley Community Consultative Body	General: 6
Ulladulla & Districts Community Forum	General: 6
Red Head Villages Association	General: 6
Currarong Community Association	General: 5
Huskisson Woollamia Community Voice	General: 5
Burrill Lake Community Association	General: 5
Bawley Point Kioloa Termeil Community Association	General: 5
Budgong Community Group	General: 5
Tabourie Lake Ratepayers and Residents Association	General: 4
Cambewarra Residents & Ratepayers Association	General: 4
Hyams Beach Villagers Association	General: 4
Callala Beach Progress Association	General: 3
Berry Forum	General: 3
Tomerong Community Forum	General: 3
Vincentia Ratepayers & Residents Association	General: 3
Conjola Community Association	General: 3
Culburra Beach & Orient Point Community Association	General: 2 (Newly established CCB October 2024)
Milton 2538	General: 1
Pride of Bomaderry	General: 0

Timeline of Events	
Pride of Bomaderry (PoB)	
2 December 2023	Council receives an email from a past committee member of PoB stating that no meetings had been held by the group since March 2022.
January 2024	Council's Community Connections Officer (CCO) contacts the last known President of PoB and confirms that PoB had not been able to elect office bearers to meet quorum for over 18 months
January to October 2024	As per the CCB Guidelines, the CCO offers guidance and support to resolve the identified matters of non-compliance.
22 July 2024	The contact for PoB is notified of Community Connections intent to submit this report with the recommendation that PoB cease to be recognised as a CCB.
November 2024	After 10 months the group has not been able to elect office bearers and they are notified that a report on their situation will be taken to Council. The CCO sends further notification of intent to submit report to Council and no objection is made.
Sussex Inlet & Districts Community Forum (SI&DCF)	
October 30 2024	Community Connections is made aware that SI&DCF have not been reaching quorum for some time.
October 31 2024	CCO sends email to the SI&DCF Secretary requesting confirmation of their CCB's ability to meet quorum. (D24/468755)
November 1 2024	Community Connections receives email confirmation from SI&DCF that email has been received and the committee will meet to discuss the following week. (D24/471678)
November 7 2024	Community Connections receives letter from SI&DCF stating that they have not been meeting quorum whilst offering reasons for this outcome based on inherent difficulty to attract volunteers. The letter also states that SI&DCF consider that in general terms the forum is healthy and is diligently executing its role as defined in the CCB Guidelines. (D24/485835)

November 7 2024	CCO sends email notification of intent to report to Council outlining discussed non-compliance matters and offers support. (D24/485870)
November 8 2024	Community Connections receives email from SI&DCF acknowledging offer of support and advises that they will send through further supporting documentation shortly. (D24/485870)
November 13, 2024	Community Connections receives email from SI&DCF with documentation to justify the continuation of SI&DCF. (D24/494708)

CCB Justification



13/11/2024

To the question-should Council cease to recognise the Sussex Inlet CCB

On the 20th November 1995 the residents of Sussex Inlet & Districts held the first meeting of the Sussex Inlet & Districts Community Forum with the specific purpose of representing the voice of the community to Shoalhaven City Council. To this day the Forum has provided an uninterrupted service to the community of Sussex Inlet.

The mission of the Forum is per the Shoalhaven City council Guidelines of a Community Consultative Body i.e to be a conduit of information to and from Council. As such the Forum has never been incorporated and therefore does not present itself as the principal lead on any particular project. The Forum has always played the roll of advisor, advocate, supporting body to any other group who might drive a particular project.

The committee of the Sussex Inlet & Districts Community Forum (CCB) have always been respectful and considerate when interpreting their responsibility.

In this light we make the following comment.

- It has been made very clear for two years now that Council is in serious financial stress and that there is no funding available to do anything other than the basics. Therefore it is understood that requests for expanded services and infrastructure can not be met. So we don't ask. As a result the community of Sussex Inlet have not put pressure on Council in recent times and the demand on the CCB to host prolific community debate has been low. Other than potholes and increasing cost of rates we don't hear much at all from the community.
- Some examples of the past when residents have shown that they will rise up and get involved are:
 - The Jacobs Drive streetscape rejuvenation
 - Green pots in front of the theatre
 - The Golf Course Urban Release Area
 - The pedestrian bridges at Chris Creek & Cudmirrah
 - The Coastal Management & Estuary Management Plans
 - The sale of the Uniting Church.
 - Sand Mining

How do we Communicate to Community

It is fact that attendance is low at regular CCB meetings but the committee are willing to volunteer their time in an endeavour to reach out and make sure the community is informed, we do this in various ways.

We are always ready to discuss any issue with anybody at any time and direct all residents to the factual information.

The Forum have a TV installed in the window of the Lions Bookshop which is solely for the dissemination of public information, mostly related to Council. It is not an advertising board.

- See attached Powerpoint file showing examples of slides on 24 hour display in the Lions Bookshop window.

- Slides 1 to 5 are currently running on the screen. Slides 6 to 13 have been recently on display. Note where appropriate all messaging is directing the community back to Council via **getinvolved** or the appropriate link. It is the intention of this CCB to encourage all residents to make personal submissions or comment direct to Council, this way Council is always getting accurate feedback from all individuals, not an interpreted opinion from a CCB committee.

The Forum assumes responsibility for maintaining the Council owned community display board in the main street per the CCB guidelines. The content usually on display is Council notices and items related to community safety. Occasionally there will be a notice for a community event.

How do we assess the need of the community.

- Many years as a resident observing and involving ourselves in the community allows us to read the feel & mood of the community.
- Listening to conversations of community.
- The Forum Committee are guided by the Sussex Inlet & Districts Strategic Action Plan 2019. The Plan is actioned by the many active groups in the district carrying out their core business each day. With the mission statement in mind any gaps are recognised and the Forum will work with these groups to look for solutions.

In our attempt to administer the Action Plan we are required to observe every aspect of life in Sussex Inlet such as, commercial/business, land development, aspects related to youth, employment, social need, emergency preparation and management including the operations of emergency services. By observing the activities of all organisations in town, be they privately owned business or public service or emergency agency, if the Forum sees any inconsistency with their activities in relation to the vision laid down in the Strategic Action Plan then we speak up. As a result we are always alert to the happenings in town.

- The committee have historically involved themselves in post disaster (flood & Fire) meetings and discussion, to be aware of community reaction and need. In this light two committee members and one resident participated in the creation of the Community led Adaptation & Resilience Strategy for the Shoalhaven (CLARSS) project with the support of Griffith University. Two residents of Sussex Inlet now sit on the Shoalhaven Community led Adaptation Resilience Network (SCRN) the CLARSS implementation committee. This document aims to prepare community and to minimise potential for future disasters.

Our involvement in the SCRN committee provides us with current and future thinking when discussing disaster and also allows us to contribute to the proactive solutions to prevent future disasters and in this process we liaise with Federal, State and Council staff and consult with appropriately qualified scientific and academics as required.

Reports from our involvement in the SCRN are fed back to the community via regular reports in the CCB meeting.

Submissions to Council & Government

The question may be asked, if there is no attendance at the Forum meetings then how can the Forum committee determine or decide if a submission is required and who prepares it. The fact is that the record will show that in the last four years there has been very few submissions by the Forum. It is considered by the committee that given the small attendance at general meetings then it is not sensible to pretend that any opinion expressed in a submission by the committee is actually representative of the community so we

don't. The solution to this matter is for all submissions be lodged as personal submissions in the name of Russell Neeves or committee members as individuals.

Council records will show that Russell Neeves has been a prolific commentator through submissions on numerous major projects related to Sussex Inlet, the most notable being the Sussex Inlet & St Georges Basin Estuary Management Plan.

Other key projects: PAMP
Affordable Housing Strategy
Review of the Regional Development Act 2004
Badgee Urban Release Area
Illawarra Shoalhaven Regional Plan 2041
Shoalhaven Growth Management Strategy 2041
Princes Highway Upgrade-Jervis Bay road to Sussex Inlet Road.

A project that the Forum are currently collaborating on is with the Sussex Inlet Lions Club on upgrades and repairs to existing pathways as highlighted in the recently revised PAMP.

Summary

It is impossible to measure the performance of the Sussex Inlet & Districts Community Forum and its worth to community and Council. However, it needs to be understood that without it the community will lose the only opportunity for unbiased support in crisis.

In other words all the other organisations have a specific mission and therefore depending on the issue of the day will have a bias or a constraint placed on them by their mission statement/core operating statement, thus presenting a potential conflict of interest or political bias.

The committee of the Sussex Inlet & Districts Community Forum understand and support Council's need to constantly monitor the activities of CCB's and question the need to support inactive CCB's. However we believe the Sussex Inlet CCB is an example of a very active committee ensuring the CCB Guidelines are adhered to in its quest to provide a service to community and Council.

We trust Council will look favourably when considering future support to the Sussex Inlet & District Community Forum.

Yours sincerely

Russell Neeves
Chairman-Sussex Inlet & District Community Forum

Daniela Tronson
Secretary

John Lang
Treasurer

Judy Neeves
Publicity



30 Oct 2024

45 Degree Rule Exemption for tree removal – proposed changes

You're invited to provide feedback on proposed changes to the 45 Degree Rule Exemption for Tree Removal in Shoalhaven.

Under the proposed rule's landowners would not be required to;

- Notify council and neighbours of tree removal
- Utilise a qualified and experienced person to undertake the tree removal
- Maintain evidence of compliance with the 45 Degree Rule

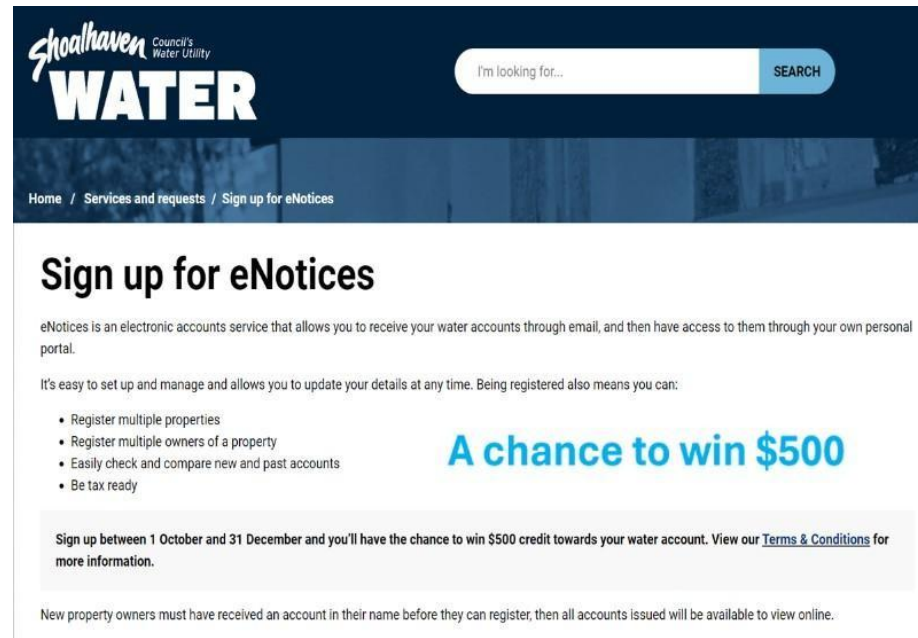
The draft amendments will be on public exhibition for review from 30 October until 29 November 2024.

Complete the survey on [getinvolved-Shoalhaven City Council](#)





Your
help
can
make
others
smile.



The screenshot shows the top navigation bar of the Shoalhaven Council's Water Utility website. The logo for Shoalhaven Council's Water Utility is on the left, and a search bar with the placeholder text "I'm looking for..." and a "SEARCH" button is on the right. Below the navigation bar is a breadcrumb trail: "Home / Services and requests / Sign up for eNotices". The main heading is "Sign up for eNotices". The text below explains that eNotices is an electronic accounts service. A list of benefits is provided, followed by a promotional offer: "A chance to win \$500". A call to action box states that users can sign up between 1 October and 31 December to win \$500 credit. A final note mentions that new property owners must have received an account in their name before they can register.

Shoalhaven Council's Water Utility
WATER

I'm looking for... SEARCH

Home / Services and requests / Sign up for eNotices

Sign up for eNotices

eNotices is an electronic accounts service that allows you to receive your water accounts through email, and then have access to them through your own personal portal.

It's easy to set up and manage and allows you to update your details at any time. Being registered also means you can:

- Register multiple properties
- Register multiple owners of a property
- Easily check and compare new and past accounts
- Be tax ready

A chance to win \$500

Sign up between 1 October and 31 December and you'll have the chance to win \$500 credit towards your water account. View our [Terms & Conditions](#) for more information.

New property owners must have received an account in their name before they can register, then all accounts issued will be available to view online.



**Sussex Inlet, St Georges Basin, Swan Lake & Berrara Creek CMP
(Coastal Management Plan) Stage 3 Report Now Available**

29 Oct 2024

Stage 3 concluded with the identification of a short list of management actions to proceed to Stage 4. The Stage 3 Summary Report also outlines the community and stakeholder engagement completed as part of Stage 3.

[Stage 3 CMP Report](#)([External link](#)) is published in the 'Document Library' on the [getinvolved](#) web page.

<https://getinvolved.shoalhaven.nsw.gov.au/sussexinlet-stgeorgesbasin-berrara-swanelake-cmp>



Information on this screen is presented to you by the Sussex Inlet & Districts Community Forum.

Anyone can attend a Forum meeting to see and learn about current issues of interest to the community.

The Forum meets on the 3rd Monday of every month with the exception of July and December.

Visit the Forum website for recent discussion points.

www.sussexdistrictsforum.com.au

BUSH FIRE INFORMATION
COMMUNITY NEWSLETTER

'GET READY WEEKEND'
September 21 and 22

PREPARE YOUR FAMILY | PREPARE YOUR HOME

As we roll into spring and summer approaches it's time to 'Get Ready' for the risk of bush and grass fires. Preparing your family and your home is a key element of 'Living Bush Fire Ready', so RFS brigades are opening their doors and local firefighters will be on hand to discuss your bush and grass fire risk this weekend **Saturday September 21 and Sunday September 22** (see the full list attached).

13 RFS brigades will open their doors with displays of equipment, fire safety and preparedness information, goodies for the kids, fun activities and more! Six brigades will hold activities in October.

We encourage you to attend and discuss your bush fire plan and your preparations, regardless of how experienced you are with bush and grass fires in our environment.

Join us for a chat, learn about the bush fire risk in your area this year and meet other emergency services and support agencies who support the community in times of emergency - there will be something for everyone, including the opportunity to meet and chat to locals who know the area and our fire history - and who are ready to share their experiences so that you can prepare your family and your home, better understand bush fire danger ratings and gain an appreciation of the fire risk in your area.

Attached is the list of RFS brigades and their locations.

To help you get started we have included some important links to scan below.

PREPARE YOUR FAMILY PREPARE YOUR PLAN ASSISTANCE FOR ELDERLY

We look forward to seeing you at the RFS 'Get Ready Weekend' events!

FOR MORE HELP PREPARING YOUR FAMILY AND YOUR HOME VISIT [RFS.NSW.GOV.AU](https://www.rfs.nsw.gov.au)

**GET
READY
WEEKEND**

**PREPARE FOR
BUSH FIRE**

9AM-3PM Sussex Inlet Brigade
27 Thompson Street, Sussex Inlet

LIVE BUSH FIRE READY
RFS
FIRE & RESCUE
NSW GOVERNMENT

FOR MORE HELP PREPARING YOUR PROPERTY AND FAMILY FOR BUSH FIRE GO TO [RFS.NSW.GOV.AU](https://www.rfs.nsw.gov.au)

New pet ownership rules in the Shoalhaven

The NSW Government has changed pet ownership rules across the state which affects some current and all future pet owners in the Shoalhaven.

Council encourages all pet owners to familiarise themselves with the new regulations at [Pet Registry \(nsw.gov.au\)](https://petregistry.nsw.gov.au).



We need your help

Vehicles driving on sand dunes are destroying our coastal environment.

Contact Council if you notice suspicious behaviour.
Any information is appreciated.



Report online

shoalhaven.nsw.gov.au/contact-us

Available 24/7

1300 293 111

Community Donations Program



**Applications
closing 30th
September
2024**

**Contact
Council for
detail.**

Status	Open
Opening date	02 September 2024, 09:00 AM
Closing date	30 September 2024, 05:00 PM



How to report illegal dumping



REPORT ILLEGAL DUMPING

Help keep Shoalhaven pristine at ridonline.epa.nsw.gov.au

<https://ridonline.epa.nsw.gov.au/#/home>

Phone: 131 555

Strategy for new paths, crossings and cycleways on public exhibition

Shoalhaven residents are invited to comment on the draft Active Transport Strategy that will help prioritise the delivery of new paths, pedestrian crossings and cycleways infrastructure across the city.



For more information about the exhibition and to fill out the survey visit Council's [Get Involved web page](#).



Timeline of Events		
Date	Action	Outcome
16 May 2024	Community Connections Manager and Community Connections Officer met with the interim committee.	<p>Discussion around the functions and roles of a CCB.</p> <p>Interim committee made aware of CCB Guidelines.</p> <p>Interim committee spoke about what they would like to include in their constitution. Community Connections were supportive of the efforts to include specifics on inclusion and diversity within the constitution.</p>
30 May 2024	Two representatives of Culburra Beach and Orient Point Community Forum attend CCB Executive Meeting.	Council's strategic priorities shared with community.
July 2024	Interim committee seeks advice from Community Connections Officer on how to ensure fairness in AGM voting.	Community Connections Officer advises interim committee to seek advice from NSW Fair Trading.
7 July 2024	<p>Steering committee set up meeting with community to introduce themselves to the community and let the community know there would be an election for the CCB executive upcoming.</p> <p>Community Connections Manager, Michael Paine attended community meeting of Culburra Beach and Orient Point Community Forum.</p>	<p>Over 100 community members in attendance.</p> <p>SCC Manager Community Connections, Michael Paine spoke about functions of a CCB and was able to report that there was lots of positivity from the community attending.</p> <p>Some concerns raised about establishing a constitution without an executive but steering committee responded with advice from NSW Fair</p>

		trading that this was normal practice.
August 2024	Interim committee works with Community Connections to retrieve keys to the Culburra Beach and Orient Point Community Forum noticeboards.	<p>Keys are retrieved from previous committee members and returned to Council to make copies.</p> <p>Keys assigned to interim committee to support community communications.</p> <p>Monthly newsletter posted in community noticeboards at Culburra Beach Village, Orient Point, Jerrinja Community Noticeboard and the Community Centre.</p>
8 September 2024	Community meeting held. SCC Principal Traffic Engineer, Scott well in attendance.	<p>PAMP presentation for community.</p> <p>Community relationship building.</p>
September 2024	Follow up phone call between interim committee and Community Connections Officer.	<p>Discussion on community meeting held.</p> <p>Interim committee reported a positive outlook for future CCB in the attendees and well attended.</p>
20 October 2024	AGM held.	<p>135 community members attended to vote.</p> <p>Committee members elected.</p>
22 October 2024	AGM Meeting minutes received by Council. (D24/456592) Follow up discussion between interim committee and Community Connections Officer.	

27 October 2024	Committee Meeting held.	Executive member positions agreed. Schedule of town meetings agreed.
29 October 2024	Committee Meeting minutes received by Council. (D25/61521)	
24 November 2024	Committee Meeting held.	
27 November 2024	Committee Meeting minutes received by Council. (D25/61575)	
27 November 2024	Two representatives of Culburra Beach and Orient Point Community Forum attend CCB Executive Meeting.	Council's strategic priorities shared with community.
8 November 2024 2 December 2024 1 January 2025 1 February 2025	Culburra Beach & Orient Point Community Forum Monthly Newsletter distribution. (D25/61442, D24/508529, D25/61459, D25/61468)	Provides overview of committee meeting minutes, details of current office bearers and details of upcoming community meetings. Additional community information and contact details included.
11 December 2024	Community Priorities Survey distribution. (D25/61483)	Community given the opportunity to provide their top 3 priorities that they would like the CCB to take to SCC.
15 December 2024	Community Meeting held	Community opportunity to engage with CCB.
5 February 2025	Documents received by Council (D25/58296) Committee Meeting minutes AGM Nomination Form Correspondence Register	Council informed of committee actions. Evidence of commitment to community inclusion and transparency provided.

	CCB Executive Meeting Briefing Joint CCB Character Statement Meeting minutes	
12 February 2025	Committee Member Code of Conduct Form received by Council. (D25/61640)	Evidence of commitment to good practice provided.



Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: PP-2024-109 & 73907E/6
(D25/21208)
Our reference: SPI20250119000011

ATTENTION: Kaitlin Aldous

Date: Monday 3 February 2025

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning – Planning Proposal
131 St Vincent Street, Ulladulla NSW 2539**

This Planning Proposal (PP) seeks to:

- Amend the zoning from E4 General Industrial to MU1 Mixed Use,
- Increase the Height of Buildings permitted under Clause 4.3 of the Shoalhaven LEP 2014 from 11 metres to a maximum of 30 metres, and
- Introduce a Floor Space Ratio (FSR) of 3.5:1 under Clause 4.4 of the Shoalhaven LEP 2014.

In accordance with Section 3.34(2)(d) of the *Environmental Planning and Assessment Act 1979*, Council seeks further comment on this PP following receipt of additional information from the proponent (SMEC).

I refer to your correspondence dated 17/01/2025 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Based upon an assessment of the additional information provided, NSW RFS generally raises no objections to the progression of the proposal subject to a requirement that future subdivision/development complies with *Planning for Bush Fire Protection 2019*, including but not limited to:

- Chapters 5 and 6,
- Section 8.2.2 – Multi-Storey Residential Development, and
- The Addendum to *Planning for Bush Fire Protection* (where a child care centre is proposed).

For any queries regarding this correspondence, please contact Kathryn Murphy on 1300 NSW RFS.

Yours sincerely,

Anna Jones
**Supervisor Development Assessment & Plan
Built & Natural Environment**

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au





RFS



Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: (REF-3242) PP-2024-109
Our reference: SPI20241013000218

ATTENTION: Stephanie Wood

Date: Friday 18 October 2024

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning – Planning Proposal
131 St Vincent Street, Ulladulla NSW 2539**

This Planning Proposal seeks to:

- Amend the zoning from E4 General Industrial to MU1 Mixed Use
- Increase the Height of Buildings permitted under Clause 4.3 of the Shoalhaven LEP 2014 from 11 metres to a maximum of 30 metres, and
- Introduce a Floor Space Ratio (FSR) of 3.5:1 under Clause 4.4 of the Shoalhaven LEP 2014.

The proponent, SMEC Pty Ltd, on behalf of Ulladulla Precinct Trust seeks to alter the Shoalhaven Local Environmental Plan (LEP) 2014 for a mixed-use residential and commercial development at 131 Vincent Street, Ulladulla. The proposal aims to rezone the land to MU1 Mixed Use, raise the building height limit up to 21 metres, and implement a floor space ratio (FSR) of 3.5:1.

I refer to your correspondence dated 11/10/2024 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

To clarify the intent of the letter previously issued by the RFS on 30 September 2024, the RFS raises no objection to the exhibition of the proposal subject to the following:

- Given the significant increase in density, the RFS recommends that prior to any approval of the planning proposal, Council are satisfied that the proposal is suitable with regards to the capacity for the proposed, and existing road network to deal with evacuating residents and responding emergency services during a bush fire event. Council may wish to obtain a new or amended traffic impact statement to address this recommendation.
- Future subdivision/development of the land must comply with the relevant requirements of *Planning for Bush Fire Protection 2019*, including but not limited to:
 - Chapters 5 and 6,
 - Section 8.2.2 – Multi-Storey Residential Development, and
 - The Addendum to *Planning for Bush Fire Protection* (where a hospital, school, child care centre or residential care building is proposed).

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au





For any queries regarding this correspondence, please contact Kathryn Murphy on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
Supervisor Development Assessment & Plan
Built & Natural Environment





Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: PP076 73907E (D24/398431)
Our reference: SPI20240915000180

ATTENTION: Kaitlin Aldous

Date: Monday 30 September 2024

Dear Sir/Madam,

Rezoning – Planning Proposal
131 St Vincent Street Ulladulla NSW 2539

Proposal:

- **Amendment to the Shoalhaven Local Environmental Plan 2014 to rezone the land, amend the maximum height and apply a floor space ratio to permit a mixed-use development.**
- **Consultation is required under section 3.34 (2)(d) of the Environmental Planning and Assessment Act 1979, to comply with the requirements of relevant section 9.1 directions and to comply with the Gateway Determination issued by the Director, Southern Region, Local and Regional Planning on 24 November 2023.**

131 St Vincent Street Ulladulla NSW 2539

I refer to your correspondence dated 13/09/2024 regarding the above proposal.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following comments:

The documentation provided as part of this Planning Proposal has not addressed 4.3 of the Ministerial Directions. As such, the Planning Proposal is not supported in its current form due to insufficient information.

Prior to exhibition, a Bush Fire Assessment Report must be provided to the RFS to address 4.3 of the Ministerial Directions and the requirements of *Planning for Bush Fire Protection (PBP) 2019*, including but not limited to:

- Chapters 5 and 6, and
- Section 8.2.2 – Multi-Storey Residential Development.

Further, the Bush Fire Assessment Report should address the comments provided for the scoping proposal. Namely:

- Council should consider the capacity for the proposed, and existing, road network to deal with evacuating residents and responding emergency services, based on the existing and proposed community profile.
- The consent authority may wish to consult with Fire & Rescue NSW (as the primary response agency) during consideration of the planning proposal.

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

If additional information is not received within 100 days the application will be closed. A formal request for re-assessment would be required after this time.

For any queries regarding this correspondence, please contact Kathryn Murphy on 1300 NSW RFS.

Yours sincerely,

Anna Jones
Supervisor Development Assessment & Plan
Built & Natural Environment

CL25.152 - Attachment 1



Your ref: 131 St Vincent Street, Ulladulla NSW
Our ref: DOC24/836916-3

Erin Hollinger
Strategic Planner
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

By email: eric.hollinger@shoalhaven.nsw.gov.au

24 October 2024

Dear Erin

Thank you for providing the NSW Environment Protection Authority (EPA) with the opportunity to comment on the planning proposal to amend the Shoalhaven Local Environmental Plan (LEP) 2014 in relation to Lot 1 Section 26 DP759018, 131 St Vincent Street, Ulladulla NSW (subject site).

The EPA has reviewed the planning proposal and understands it is for the rezoning of land from E4 General Industrial to B4 Mixed Use for the purpose of the construction of mixed-use residential and commercial precinct at the subject site.

From our review, the proposed amendment has the potential to:

- Increase the number of sensitive receivers adjacent to existing commercial/industrial premises which may result in land use conflict where potential impacts, such as noise, are not appropriately mitigated against; and
- Interact with potential contamination at the subject site if redevelopment occurs.

Guidance material on using and applying strategic planning initiatives to mitigate potential environmental impacts can be found at the following weblinks:

- [Noise Guide for Local Government \(EPA, 2023\)](#) – section 5 provides information on strategic planning and examples of how it can be used by council to promote better noise outcomes.
- [Local Government Air Quality Toolkit \(EPA\)](#) – provides information and guidance on common air quality issues managed by council officers. [Section 6 of module 2: land use planning and appropriate site selection](#) of the toolkit outlines how planning can be used improve and protect air quality.

The EPA notes the presence of contamination at the subject site that has previously been encapsulated. The EPA recommends that the proposal be supported by information demonstrating that the land is suitable for the proposed use or can be made suitable as per the [Resilience and Hazards SEPP 2021](#) and the [Managing Land Contamination: Planning Guidelines](#). Additionally, under section 60 of the *Contaminated Land Management Act 1997*, the EPA must be notified of contamination that meets certain triggers. These are outlined in the [Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997](#) (EPA, 2015).

NSW Environment Protection Authority
As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

Phone:
131 555
Email:
info@epa.nsw.gov.au
Website:
epa.nsw.gov.au

Visit:
6 Parramatta Square
10 Darcy Street
PARRAMATTA NSW
Mail:
Locked Bag 5022
PARRAMATTA NSW
2124



Please note that this response does not cover biodiversity or Aboriginal cultural heritage issues, which are the responsibility of NSW Environment and Heritage. The EPA encourages meaningful engagement with traditional custodians, where appropriate, when considering proposed amendments to the Shoalhaven LEP.

If you have any further questions about this issue, please contact Claire McQueeney, A/Senior Environmental Planning and Assessment Officer, Strategic Planning Unit, via email environmentprotection.planning@epa.nsw.gov.au.

Sincerely,



Patrick Andrade
**A/Unit Head – Environment Protection Planning
Strategy and Policy Division**

Transport for NSW



4 November 2024

TfNSW reference: STH24/00563/002
Your reference: PP-2024-109 (Ref-3239)

Planning Officer
Department of Planning, Housing and Infrastructure
By Email: steph.wood@dpie.nsw.gov.au
CC: eric.hollinger@shoalhaven.nsw.gov.au

Attention: Stephanie Wood

PLANNING PROPOSAL 2024-109 – Rezone for Mixed-Use Precinct – LOT: 26 DP: 759018 & LOT: 14 DP: 1105304 – 131 St Vincent Street ULLADULLA

Dear Stephanie

Transport for NSW (TfNSW) is responding to the Planning Proposal PP-2024-109 referred on 11 October 2024.

TfNSW has reviewed the information and has no objections to the Planning Proposal noting it will not have a significant impact on the state road network. Comments on the proposal are set out in Attachment 1.

If you have any questions, please contact Rachel Carocci, Development Services Case Officer, on 9983 2093 or email development.south@transport.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink that reads "Anna".

Anna Paul
A/Team Leader, Development Services

OFFICIAL

Transport for NSW



Attachment 1

PLANNING PROPOSAL 2024-109 – Rezone for Mixed-Use Precinct – LOT: 26 DP: 759018 & LOT: 14 DP: 1105304 – 131 St Vincent Street ULLADULLA

Context

TfNSW notes for this DA:

- The key state road is the Princes Highway.
- Department of Planning, House and Infrastructure is seeking comments from TfNSW to assist in its assessment of the subject Planning Proposal (PP). It is noted that Gateway Determination has been made for this PP.
- The Planning Proposal seeks to rezone a one-hectare land holding to facilitate a mixed-use residential and commercial precinct, which includes 182 new residential apartments and a 120-place childcare centre.
- The two vehicular access points are provided from St Vincent Street, with rear lane access via Witherington Avenue, both of which are local roads managed by Council.
- TfNSW has reviewed the TIA and considers the subject PP will not have a significant impact to the state road network and therefore has no objections to the proposal.

CL25.152 - Attachment 1

OFFICIAL

**Development Application and Planning Proposal Review
NSW Planning Portal Concurrence and Referral**



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Shoalhaven City Council	PP-2024-109	Ref-3241	Eric Hollinger	11/10/2024	8/11/2024	30/10/2024

Address	Land Title
131 ST VINCENT STREET ULLADULLA 2539	Lot 1 Sec 26 DP 759018, Lot 14 DP 1105304

Scope of Development Application or Planning Proposal

Planning Proposal to alter the Shoalhaven Local Environmental Plan (LEP) 2014 by rezoning the land from E4 General Industrial to MU1 Mixed Use for a mixed-use residential and commercial development.

Endeavour Energy's G/Net master facility model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Pole / tower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Cables				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Streetlight / pillar	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substation				
<input checked="" type="checkbox"/> Pole mounted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Padmount	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.



Endeavour Energy
ABN 11 247 365 823
T 133 718
Level 40-42, 8 Parramatta Square,
10 Darcy Street Parramatta NSW 2150
PO Box 811, Seven Hills NSW 1730
endeavourenergy.com.au

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by .

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into to multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
<input type="checkbox"/>	<input type="checkbox"/>	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

