

Council Reference: 23426E (D23/142611)

19/04/2023

Sent by email: All CCBs

To Whom It May Concern

Dear Sir/Madam

Public Exhibition - Draft/Interim Guideline - Proponent-Initiated Planning Proposals (PPs)

I am writing to advise that Council is seeking feedback on a *Draft/Interim Guideline for Proponent Initiated Planning Proposals (PPs)* from Wednesday, 19 April 2023 – Friday, 19 May 2023 (inclusive).

Background

The Draft/Interim Guideline for Proponent Initiated Planning Proposals reflects and aligns with the NSW Department of Planning and Environment's (DPE's) [Local Environmental Plan Making Guideline](#) which was released in December 2021 and updated in September 2022. The DPE Guideline formalised a significant change to the Planning Proposal (PP) / rezoning process, within existing the statutory framework ([Division 3.4 of the Environmental Planning and Assessment Act, 1979](#)).

The Draft/Interim Guideline outlines Council's process and procedures for considering and managing proponent initiated PPs through the six stages of the PP process now described in the DPE Guideline, being:

- | | |
|---------|--|
| Stage 1 | Pre-Lodgement – scoping the proposal and what should be included in the PP |
| Stage 2 | Planning Proposal - preparing the PP |
| Stage 3 | Gateway Determination – DPE review of the PP |
| Stage 4 | Post-Gateway - actioning Gateway determination conditions |
| Stage 5 | Public exhibition & and assessment - engaging with the community |
| Stage 6 | Finalisation - making the LEP |

Council's Draft/Interim Guideline includes further detail on the pre-lodgement and lodgement stages (Stages 1 and 2) of the PP/LEP-making process, noting the importance of these stages in light of DPE's new maximum benchmark timeframes.

Council's Draft/Interim Guideline for Proponent Initiated Planning Proposals was reported to Council on 3 April 2023. In response, Council resolved (MIN23.175):

That Council:

1. *Endorse the attached Draft/Interim Guideline for Proponent-Initiated Planning Proposals for public exhibition.*
2. *Exhibit the Draft/Interim Guideline for at least 28 days.*
 - a. *If no feedback is received, adopt the Guideline as exhibited.*
 - b. *If feedback is received, report the outcomes of the exhibition to Council.*

3. *Replace Council's current Planning Proposal Guidelines with the Draft/Interim Guideline on Council's Planning Proposals webpage until the outcomes of the public exhibition are known.*
4. *Should any minor procedural changes be made to the DPE Guideline, allow the CEO or delegate to revise Council's adopted Guideline without requiring it to be re-exhibited to ensure it is consistent with the DPE Guideline.*

Request For Comment

The *Draft/Interim Guideline for Proponent Initiated Planning Proposals* and accompanying Explanatory Statement are on public exhibition from **Wednesday 19 April 2023 – Friday 19 May 2023** (inclusive) and available for viewing online at:

<https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>

Submissions relating to the Draft/Interim Guideline for Proponent Initiated Planning Proposals are invited during the exhibition period and should be made in writing, and addressed to:

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

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

Website: via the form on the Exhibition page at:

<https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>

All submissions must be received in writing by **5pm Friday 19 May 2023**, quoting Council's reference **23426E**.

If you need further information about this matter, please contact Eric Hollinger, City Futures on (02) 4429 3320 or Kaitlin Aldous, City Futures on (02) 4429 3570. Please quote Council's reference 23426E (D23/142611).

Yours faithfully



Eric Hollinger
Coordinator - Special Projects Team