



City of Shoalhaven Local Environmental Plan 1985 (Amendment No 202)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W02/00036/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2004 No 165

Clause 1 City of Shoalhaven Local Environmental Plan 1985 (Amendment No 202)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 202)*.

2 Aims of plan

The aims of this plan are as follows:

- (a) to rezone certain land at Nowra to Zone No 3 (a) (Business “A” (Retail) Zone), Zone No 3 (g) (Business “G” (Development Area) Zone) and Zone No 5 (a) (Special Uses “A” Zone) under the *City of Shoalhaven Local Environmental Plan 1985*,
- (b) to implement the principles of the Nowra CBD Strategy,
- (c) to maintain the traffic integrity of the Princes Highway,
- (d) to provide for additional retail opportunities and other compatible uses to enhance the commercial and social role of Nowra as a sub-regional centre,
- (e) to provide safe and improved vehicle and pedestrian interaction between Nowra Fair and the Nowra CBD.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, as shown edged heavy black on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 202)” deposited in the office of the Council of the City of Shoalhaven except for the land shown edged heavy black and marked “Deferred” being land excluded from the application of this plan pursuant to section 70 (4) of the *Environmental Planning and Assessment Act 1979*.

4 Amendment of Shoalhaven Local Environmental Plan 1985

City of Shoalhaven Local Environmental Plan 1985 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Interpretation

Insert at the end of the definition of *the map* in clause 6 (1):

City of Shoalhaven Local Environmental Plan 1985
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[2] Clause 39E

Omit the clause. Insert instead:

39E Development of certain land at Princes Highway, Nowra

- (1) This clause applies to land at Nowra, as shown edged heavy black on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 202)” deposited in the office of the Council.
- (2) The Council must not consent to the development of land to which this clause applies, unless:
 - (a) the Council is satisfied that the nature of the development will complement the role of Nowra as a sub-regional centre, and
 - (b) a stormwater management strategy to minimise stormwater pollution has been submitted to the Council and the Council is satisfied that the strategy identifies the following:
 - (i) average annual pollutant loads from the proposed development,
 - (ii) suitable source controls to minimise the generation of excessive runoff and pollution,
 - (iii) means of reusing stormwater where possible,
 - (iv) use of stormwater infiltration.
- (3) The Council must not consent to the development of land to which this clause applies if the development provides for direct access from the development to the Princes Highway.
- (4) The Council must not consent to the development of land North of Junction Street, Nowra, as shown hatched on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 202)” deposited in the office of the

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Schedule 1 Amendments

Council of the City of Shoalhaven, unless the Council is satisfied, after consultation with the Roads and Traffic Authority, that adequate provision will be made to enable access for vehicles and services from North Street to Lot 3, DP 625710.

- (5) The Council must not consent to the development of land to which this clause applies, on the section of Junction Street, Nowra that is east of the Princes Highway, unless the Council is satisfied:
- (a) that adequate arrangements have been made for the relocation of public utility services, and
 - (b) after consultation with the Roads and Traffic Authority, that:
 - (i) adequate links will be made for vehicles and services between the proposed development and the proposed East Nowra Sub-Arterial Road, and
 - (ii) the proposed development's impact on the Princes Highway will be acceptable.

BY AUTHORITY
