

5.0 Requested; a return to Due Process and Decisions made on Merit

1. That the newly elected Council not follow the ad-hoc decision making process of its predecessor and become a more inclusive representative of the Shoalhaven community.
 - a. In his letter to mayor Gash the Minister refers to “a number of issues where there is no justification or strategic merit” for certain decisions made and incorporated into the Draft SLEP2013, these decisions being “inconsistent with adopted State or Council policy or positions”.
 - b. We implore the Council to take an inclusive position in completing the SLEP2013, consulting with the community, and ensuring that decisions are made on merit, are transparent and in the best interest of the Shoalhaven and its citizens.

2. That all ad-hoc applications for re-zoning or lot size changes made during the first Exhibition not be approved and undergo proper consideration via specific planning reviews to ensure due process and strategic merit assessment and enabling landowners and local communities to comment.
 - a. The DoP&I in conjunction with the Minister have refused 12 of the 37 changes made for the 95 applications for zoning or lot size variations.
 - b. The Minister also expressed concerns “that without a strategic approach the selective inclusion of zoning proposals could not be considered equitable or justified”

3. That Council adhere to the Ministers request in his letter of 4 December 2012 to Mayor Jo Gash, that certain environmentally sensitive areas be zoned to ensure their proper protection in accordance with strategic reviews and State and Council Policy. These include;
 - “Appropriate environmental zones to protect the catchment of the internationally significant Lake Wollumboola” consistent with evidence of three independent government Inquiries, including the South Coast Sensitive Urban Lands Review.
 - E 1 zoning for lands at Woollamia identified in the Jervis Bay REP for inclusion in Jervis Bay National Park.
 - Residential boundaries at Crams Rd North Nowra to reflect environmentally sensitive lands and at Worrigeer to reflect flood prone lands.

Reasons for concerns.

Council’s February 2013 decisions in attempting to re-open these issues raises doubts about its commitment to evidence-based merit assessment consistent with State independent enquiries, strategic plans and policies such as the South Coast Regional Strategy and the Nowra Bomaderry-Structure Plan.

Council’s action;

- continues uncertainty for business and the community.
- raises false expectations.
- leaves Council exposed to criticism of the same lack of a strategic vision that characterised the previous Council and

- importantly diverts Councillors' attention from issues in the Draft SLEP which are Council's responsibility to resolve.

Background

The Review Group is a coalition of 25 Shoalhaven community organisations, 16 CCB's, 7 environmental groups and two community organisations, formed as a means of pooling resources to better understand the SLEP2009 (and SLEP2013) and providing explanation to the community so they can make informed decisions regarding the new Shoalhaven LEP

In making submissions to Council, the Minister for Planning and Infrastructure and the Department of Planning the Review Group has drawn on the efforts of in excess of 500 people across the Shoalhaven, not to mention the memberships of each community group who were involved in critiquing the submissions and approving their issue. These community organisations represent between 15,000 and 20,000 residents and ratepayers of the Shoalhaven and should, as has the Minister and DoP&I be given the credibility of being representative, particularly as much of the detail included in these submissions has been proven to be accurate and factual.

The Minister's intervention in the process of issuing the second Section 65 certificate justifies a greater focus on Council's part in collaborative engagement with the community, particularly the SLEP Review Group in the public comment phase for the final Draft SLEP. It also requires that the community has confidence that decisions are made on the basis of evidence and merit assessment, not un-informed opinion.

We are keen to engage in "in good faith" dialogue with Council to resolve significant local issues to achieve a Shoalhaven Local Environment Plan that would have the support of the community, whilst at the same time enabling Council to meet its mid-year deadline.