



On Public Exhibition

Planning Proposal and Local Approvals Policy
for Mobile Tiny Homes Pilot Program
(Council ref. PP0002/2025
Planning Portal ref. PP-2025-2427)

Exhibition period

From 9 April to 8 May 2026

Submissions received until 4:30pm on Friday 22nd May 2026

How to make a Submission

Submissions must be received in writing and addressed to
The Chief Executive Officer, Dharawal Country,
Locked Bag 155 Shellharbour City Centre, 2529
or sent by email to council@shellharbour.nsw.gov.au

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TINY HOMES PLANNING PROPOSAL

2025



Dharawal Country

Shellharbour City Council acknowledges the Traditional Custodians of Dharawal Country and recognises their continued connection to the land. We pay our respects to Elders past, present and emerging and the contribution they make to the life of this City.

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Planning Proposal for Mobile Tiny Homes

Council reference: PP0002/2025

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Exhibition period: 9/04/2026 – 8/05/2026

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Part 1- Objectives and intended outcomes

This planning proposal has been prepared by Shellharbour City Council in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Industry and Environment's (now Department of Planning, Housing and Infrastructure) *Local Environmental Plan Making Guideline* (August 2024).

This Council-initiated planning proposal is categorised as a Principal planning proposal under the *Local Environmental Plan Making Guideline*.

Objective

The objective of the planning proposal is to promote housing diversity and affordability within Shellharbour LGA through a "Mobile Tiny Homes" pilot program to permit moveable tiny homes as exempt development for a period of two (2) years.

Note: exempt development is development that poses minimal environmental impact and is permitted without development consent. Refer also to [clause 3.1 Exempt development](#) of *Shellharbour Local Environment Plan 2013*.

Intended outcomes

The intended outcome is to facilitate a two (2) year pilot program that would allow Mobile Tiny Homes to be installed as exempt development on lots with existing residential properties, in certain zones in the Shellharbour Local Government Area.

Part 2- Explanation of Provisions

Background

At the Council meeting of 26 March 2024, Council resolved to:

- 1. Trial a 2 year pilot program that would allow mobile tiny homes to be used as rental accommodation in association with an existing dwelling (with a maximum of 1 mobile tiny home per property),*
- 2. Develop a Local Approvals Policy under the provisions of the Local Government Act 1993, that would facilitate the trial and allow for mobile tiny homes to be installed as exempt development.*

Since this resolution, Council officers have worked with the Department of Housing and Infrastructure (DPHI) to determine an appropriate legal mechanism to facilitate the pilot program. DPHI have advised that a Local Approvals Policy in isolation did not turn off the requirements for land use approval under the Environmental Planning and Assessment Act (EP&A) 1979.

This proposal is to allow a two-year pilot program to be undertaken to allow moveable dwellings (Tiny Mobile Homes) within certain zones within Shellharbour Local Government Area (LGA). A Local Approvals Policy would be developed concurrently to the progression of this proposal through the LEP Making process. This would address requirements under Section 68 of the Local Government Act.

This would allow mobile tiny homes to be installed without a development application, providing a short-term, practical mechanism to increase rental housing provision. This will deliver immediate housing supply, supplementing housing delivery measures proposed in the medium and longer terms such as infill housing in state led and state assessed planning proposals, low and mid-rise housing and greenfield land release areas such as Tullimbar and Calderwood.

Proposed Amendments

It is proposed to insert the following clauses into Schedule 2 Exempt Development of the LEP:

Schedule 2 Exempt development

Note 1. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies exempt development under that Policy. The Policy has State-

wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Temporary use of structure as a Secondary Dwelling

1. This section permits the temporary use of a structure for a secondary dwelling for a maximum of 365 days per year up until **XXX (cessation date after 2 years)**, provided the following requirements are met:
 - a. Must be located on land containing one (1) existing dwelling house on its own Torrens Title allotment.
 - b. Must be capable of being registered under the Roads Transport Act 2013 and pursuant to the Road Transport (Vehicle Registration) Regulation 2017, must not exceed the following dimensions:
 - i. If registered as a motor vehicle, must not exceed a length of 12.5m, a width of 2.5m, and a height of 4.3m.
 - ii. If registered as a trailer, must not exceed a length of 12.3m, a width of 2.5m, and a height of 4.3m.
 - c. Must not be located on land that is:
 - i. Flood-prone land,
 - ii. Bushfire-prone land,
 - iii. Land which contains Heritage items or draft Heritage items, or within a Heritage Conservation Area,
 - iv. Land in a foreshore area,
 - v. Land in an environmentally sensitive area,
 - vi. In a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016, or declared critical habitat under Part 7A of the Fisheries Management Act 1994,
 - vii. Known to be contaminated lands.
 - d. Must connect to existing reticulated sewer systems and potable water connections on site.

- e. Must connect to existing stormwater drainage systems on site.
- f. Must not require the removal, pruning or other clearing of protected trees, unless the tree removal or pruning works are exempt.
- g. Must not contravene the conditions of a development consent that applies to the land, including the provision of car parking for the principal dwelling on the site.
- h. Must meet the following set back requirements:
 - i. Be located behind the front building line of the primary dwelling.
 - ii. Provide for a minimum 1.8m separation from the principal dwelling and attached structures to ensure fire safety in accordance with the National Construction Code 2022.
 - iii. If the site's area is 900sqm or less, must comply with a side setback of at least 0.9m, and a rear setback of at least 3m.
 - iv. If the site's area is between 900sqm – 1,500sqm, must comply with a side setback of at least 1.5m, and a rear setback of at least 5m.
 - v. If the site's area is 1,500sqm or more, must comply with a side setback of at least 2.5m, and a rear setback of at least 10m.
 - vi. If the site is a corner allotment, be positioned behind the front building line of the primary dwelling, from the primary road boundary.
 - vii. If the site is a corner allotment with a site area less than 600sqm, be setback at least 2m from the secondary road boundary.
 - viii. If the site is a corner allotment with a site area equal to or greater than 600sqm, be setback at least 3m from the secondary road boundary.
 - ix. Be setback 3m from the trunk of any protected tree in accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- i. Must retain a minimum 20m² private open space for the primary dwelling.
- j. Must be sited on a maximum gradient of 5%.
- k. Must not be installed over any easements.
- l. Must feature a smoke alarm installed in accordance with the National Construction Code of Australia and Australian Building Codes Board Housing Provisions Standard 2022.
- m. Must be anchored or otherwise secured to the site, as required by the manufacturer's specifications, however must be kept on wheels.

- n. Must not be attached to the principal dwelling on site, with the exception of utility connections extending from the principal dwelling.
- o. Must be structurally adequate as verified from a suitably qualified engineer and provide for comfortable and amenable use as a habitable residential premises.

Note 1: Any structure that is used in accordance with this section is considered a temporary use of land, similar to the provisions of section 2.8 in the Shellharbour Local Environmental Plan 2013. As such, at the end of the temporary use period the land must be, as far as is practicable, restored to the condition in which it was before the commencement of the use. To adhere to this requirement, it will be necessary to either:

- *Remove the structure from the land, or cease use of the structure as a secondary dwelling within 90 days, or*
- *Obtain the relevant approvals required under the Environmental Planning & Assessment act 1979 within 90 days for permanent use of the structure as a secondary dwelling.*

Note 2: A section 68 approval pursuant to the Local Government Act 1993 is required to install a manufactured home, moveable dwelling or associated structure on land.

Section 1.9 - Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies -
 - (a) Chapter 3, Part 1 of the *State Environmental Planning Policy (Housing) 2021* does not apply to development for the temporary use of a structure as a secondary dwelling as specified in Schedule 2 'Exempt Development' within this Plan.

Part 3- Justification of strategic and site-specific merit

A - Need for the planning proposal

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

This planning proposal is a result of the Shellharbour Local Housing Strategy, endorsed by Council on 17 December 2019. The Local Housing Strategy recommended that “*Council consider providing for the development of ‘tiny houses’*”.

The planning proposal is a result of a Council resolution on 23 September 2025, as well as a previous Council resolution on 26 March 2024.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A planning proposal is the only means of amending Schedule 2 of the LEP to achieve the objective of making ‘tiny homes’ exempt development in association with existing residential dwellings within the Shellharbour LGA.

Council has previously considered a Local Approvals Policy to provide a legal framework to facilitate a tiny homes pilot program. However, advice from the Department of Housing, Infrastructure indicated that a Local Approvals Policy in isolation did not turn off the legislative requirements under the Environmental Planning and Assessment Act 1979 for land use approval. Therefore, an amendment is required to the LEP to facilitate the exempt development approval pathway in addition to the Local Approvals Policy which relates to the Local Government Act.

B - Relationship to the strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The provisions in this planning proposal are consistent with the objectives and actions of the Illawarra Shoalhaven Regional Plan 2041 (ISRP 2041). Objectives relevant to this planning proposal include:

Objective 11: Protect important environmental assets

The planning proposal will prohibit Tiny Homes from being located on land that is an environmentally sensitive area. This provision will exclude environmentally sensitive areas as

defined in Section 3.3 of the SLEP 2013, including: coastal wetlands and littoral rainforest areas, high aboriginal cultural or biodiversity significance land, national parks, crown land, and critical habitat area.

The tiny homes program will also only apply to land containing an existing dwelling, meaning environmentally sensitive and protected lands that are not zoned to allow dwelling houses, or do not meet minimum lot size / dwelling entitlement requirements will be excluded from the program.

These provisions will ensure that large sections of land vegetated with valuable ecological vegetation communities such as within the rural sections of Tongarra, Yellow Rock Ridge, Croom and Dunmore remain protected. Protected vegetation habitat nearby new and established urban release areas such as within Calderwood, Tullimbar, Albion Park and Blackbutt will also remain protected.

The planning proposal will prohibit the removal, pruning or other clearing of protected trees, unless these works are exempt. This will ensure that protected trees on established residential allotments are maintained and protected, protecting urban greening of the LGA.

These planning provisions effectively avoid adverse effects on the important environmental assets in the Shellharbour LGA. This reflects the following strategies within the ISRP 2041:

- Strategy 11.1 – protect, maintain or restore important environmental assets,
- Strategy 11.2 – protect and enhance the function and resilience of biodiversity corridors in strategic planning and local environmental plans,
- Strategy 11.4 – protect biodiversity values in urban release areas, and
- Strategy 11.5 – protect coastal lakes and estuaries.

Objective 12: Build resilient places and communities

The planning proposal will give effect to this objective in two key ways by responding to both episodic shocks and chronic stresses, ensuring the tiny home programme is resilient by nature. The following strategies reflect resilience planning that has been embedded within the planning proposal:

- a. Minimise Environmental Risk to Property and Life: the planning proposal will exclude bushfire-prone land, flood-prone land, contaminated land, and land in a foreshore area. The proposal will exclude land in environmentally sensitive areas, which includes land within 100m of coastal lakes and waters. These exclusions minimise the risk of bushfire, flooding, storms, pollutants, future sea-level rise and infrastructure failure affecting the tiny homes and their occupants. The planning proposal also contains requirements for adequate stormwater, sewage, and site topography, which minimises the risk of damage

to the environment. These exclusions and design requirements ensure any tiny homes installed through the planning proposal are resilient to environmental risks which present both episodic shocks and chronic stresses, and are designed to be sustainable in their location.

- b. Enabling a more resilient housing mix: a key objective of the planning proposal is to promote housing diversity and affordability. New South Wales is experiencing acute pressure from the nation's housing crisis. There have been substantial increases in house and rental prices, decreases in rental vacancies, increases in social housing waitlists, and increases in rental and purchase stress. The planning proposal will not provide a silver-bullet solution, however will facilitate increased supply of small, affordable housing options. The tiny homes will promote sustainable living opportunities, provide an affordable rental housing option, and promote multi-generational living and diversified housing mix in the LGA. This is considered to build a more resilient housing mix that will assist the community to cope with the pressures of the housing crisis.

The planning proposal is considered consistent with the following strategies within the ISRP 2041:

- Strategy 12.2 – reduce exposure to bushfire and natural hazards,
- Strategy 12.3 – reduce the region's exposure to natural coastal hazards.

Objective 18: Provide housing supply in the right locations

The planning proposal will give effect to this objective as it will provide additional housing supply on lots with an existing residential dwelling. The pathway will not be available on lots which are identified as environmentally sensitive land and it is intended that only one tiny home will be permissible on each lot.

The planning proposal is considered consistent with the following strategies of the ISRP 2041:

- Strategy 18.1 – identify urban growth boundaries and facilitate opportunities to support supply of housing in appropriate locations,
- Strategy 18.2 – facilitate housing opportunities in existing urban areas, particularly within strategic centres.

Objective 19: Deliver housing that is more diverse and affordable

The Tiny Homes Pilot Programme will provide a different form of housing type, giving effect to this objective by providing more diverse mix of housing and affordable housing using an innovative solution. The tiny homes are anticipated to increase supply of affordable, small residential accommodation mix, particularly in rental tenure forms. The tiny homes also promote socio-economic diversity and multi-generational living, for instance, providing a

cheaper 'granny flat' option for older children or grandparents to live on the same allotment as a family home.

The planning proposal is considered consistent with the following strategies of the ISRP 2041:

- Strategy 19.1 – Continue to provide for and encourage a range of housing choices. Strategic planning and local plans should consider opportunities to:
 - provide a mix of housing types and lot sizes including small lots in urban release areas
 - provide a mix of housing sizes including studios and one-bedroom dwellings
 - consider incentives to increase the supply of housing that is appropriate for seniors, including low-care accommodation
 - consider whether development standards, including minimum lot sizes, minimum frontage and floor space ratio are inadvertently inhibiting opportunities for diverse housing options
 - explore innovative solutions in housing to cater for a range of community needs, including those of older people, multi-generation families, people living in group housing, people with special needs or people from different cultural backgrounds

Objective 22: Embrace and respect the region's local character

The planning proposal will give effect to this objective primarily by adhering to established setback controls for residential areas. These have been embedded within the exempt development provisions of the planning proposal, and will protect the established character of residential streetscapes. Varying setbacks are applied, ensuring the character of larger lots in rural / transition areas is also protected. The setbacks avoid designs that adversely affect residential amenity, appear bulky, or are incongruent with the streetscape pattern.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The provisions in this planning proposal are consistent with the objectives and actions of the *Shellharbour Local Strategic Planning Statement* and *Shellharbour Local Housing Strategy*.

Relevant strategic objectives from the LSPS include:

- Planning Priority 1: Provide Housing supply in the right locations

- Planning Priority 2: Encourage housing that is more diverse and affordable

The proposal is consistent with the above planning priorities as it will enable additional housing supply and diversity. The trial and local approvals policy will enable Council to monitor and review the location of tiny homes to ensure they are provided in the right locations and provide an alternative form of housing to meet the populations needs.

Relevant strategic objectives from the LHS include:

- Objective 2: Housing within Shellharbour meets the needs of its changing population through provision of dwelling diversity and choice, including opportunities for multi-generation housing and a range of other different dwelling types to meet the demand over time
- Objective 4: The Shellharbour LEP and associated planning controls continues to provide opportunities for new residential development through already committed greenfield estates and redevelopment opportunities within established communities, to meet the needs of its residents. No new land release areas are required.
- Objective 5: Affordable housing is encouraged within Shellharbour through provision of a range of different dwelling types to cater for the needs of its residents.

The planning proposal is consistent with the strategic objectives of the LHS as it will provide for the provision of dwelling diversity in existing residential areas. Tiny homes offer the opportunity for multi generational living and flexibility to respond to demand.

The objective of the planning proposal also aligns with feedback received through community consultation that Council should consider providing for the development of 'tiny houses, responding to the needs of the changing population.

The provisions in this planning proposal are consistent with the objectives and actions of the *Shellharbour Community Strategic Plan*.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

There are no other applicable state or regional studies or plans that are relevant to the planning proposal.

6. Is the planning proposal consistent with applicable State Environmental Planning Policies? (SEPPs)

The following table identifies the applicable State Environmental Planning Policies (SEPPs) and outlines this planning proposals consistency with these:

Relevant SEPP	Consistency Statement
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>The planning proposal is consistent with this SEPP.</p> <p>To be exempt development, the development must not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval – clause 3.1(5)(b) of the LEP.</p> <p>It also minimises impact on biodiversity value through excluding environmentally sensitive land and by only allowing this extension on land with a pre-existing dwelling.</p>
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<p>The planning proposal is consistent with this SEPP. The planning proposal seeks to include a local exemption without being inconsistent with the SEPP.</p>
State Environmental Planning Policy (Housing) 2021	<p>The planning proposal is consistent with this SEPP. It facilitates more affordable and diverse in-fill housing options within the LGA. The proposal closely aligns with the principles of the aims of the SEPP.</p> <p>The planning proposal will include a s1.9 amendment within the SLEP 2013 to explicitly state that the HSEPP does not apply to the temporary use of a structure as a secondary dwelling, to avoid any conflicts with the provisions of the HSEPP.</p>
State Environmental Planning Policy (Industry and Employment) 2021	<p>The planning proposal is not inconsistent with this SEPP.</p>
State Environmental Planning Policy (Planning Systems) 2021	<p>The planning proposal is consistent with this SEPP.</p>
State Environmental Planning Policy (Precincts—Central River City) 2021	<p>Not relevant to the proposal.</p>
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	<p>Not relevant to the proposal.</p>

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State Environmental Planning Policy (Precincts—Regional) 2021	The planning proposal is not inconsistent with this SEPP.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not relevant to the proposal.
State Environmental Planning Policy (Primary Production) 2021	The planning proposal is not inconsistent with this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	The planning proposal is consistent with this SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	The planning proposal is not inconsistent with this SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	The planning proposal is not inconsistent with this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	This planning proposal is consistent with this SEPP.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The following table provides a brief assessment of consistency against each Section 9.1 Direction relevant to the planning proposal.

No.	Direction	Comment
Focus Area 1: Planning Systems		
1.1	Implementation of Regional Plans	The planning proposal is not inconsistent with this direction. See 3B 4. & 5 for detail
1.3	Approval and Referral Requirements	The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.
Focus Area 3: Biodiversity and Conservation		
3.1	Conservation zones	The proposed LEP amendments excludes land in an environmentally sensitive area, and any secondary dwellings that require the removal, pruning or other clearing of protected trees (unless exempt).
3.2	Heritage Conservation	The proposed LEP amendments excludes land which contains Heritage items or draft Heritage items.
3.5	Recreation Vehicle Areas	This proposal does not involve land developed for the purpose of a recreation vehicle area.
3.10	Water Catchment Protection	The proposal is consistent with this Direction as it will not apply within a regulated catchment.
Focus Area 4: Resilience and Hazards		
4.1	Flooding	The proposed LEP amendments excludes flood-prone land.
4.2	Coastal Management	The proposed LEP amendments excludes land in a foreshore area and environmentally sensitive land.
4.3	Planning for Bushfire Protection	The proposed LEP amendments excludes bushfire-prone land.
4.4	Remediation of Contaminated Land	The proposed LEP amendments excludes contaminated land.
4.5	Acid Sulfate Soils	This applies to this planning proposal, however as it is a LGA wide proposal it is consistent. The installation of tiny homes requires minimal disturbance of soil.
4.6	Mine Subsidence and Unstable Land	Shellharbour LGA does not contain any mine subsidence districts identified in the <i>Coal Mine</i>

		<i>Subsidence Compensation Regulation 2017 and Coal Mine Subsidence Compensation Act 2017.</i>
Focus Area 5: Transport and Infrastructure		
5.1	Integrating Land Use and Transport	The planning proposal is consistent with the objectives of this Direction. Mobile Tiny Homes will be applicable on land with a pre-existing residential structure, promoting infill development and reducing infrastructure needs. Infrastructure and service usage, including transport, will be monitored and reported on as a measure of success for the trial program.
5.2	Reserving Land for Public Purpose	The planning proposal does not include development on public land.
5.3	Development Near Regulated Airports and Defence Airfields	The proposal is not inconsistent with this Direction
5.4	Shooting Ranges	There is one existing shooting range with residential land (R2 zoned) adjacent. The planning proposal is consistent with the direction within the Direction.
5.5	High pressure dangerous goods pipelines	The proposal is consistent with this Direction. The proposal does not permit a sensitive land use or development that may result in a significant population increase.
Focus Area 6: Housing		
6.1	Residential Zones	The planning proposal is consistent with the objectives of this Direction. It increases housing diversity through facilitating more types of rental housing. It utilises connection to pre-existing residential dwellings, ensuring access to infrastructure and services as well as increasing efficiency. The proposed amendments minimise environmental burdens due to the number, size and site exclusion limitations.
6.2	Caravan Parks and Manufactured Home Estates	The planning proposal is consistent with the objectives of this Direction.
Focus Area 7: Industry and Employment		
7.1	Employment Zones	The proposal is not inconsistent with this Direction. The proposal would only enable a tiny home as exempt development in association with an existing residential dwelling.
Focus Area 8: Resources and Energy		
Direction not applicable with planning proposal		
Focus Area 9: Primary Production		

9.1(a)	Rural Zones	The planning proposal is consistent with this Direction- does not require rezoning.
9.2	Rural Lands	The planning proposal is not inconsistent with this Direction.

C - Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

No, as the proposed draft LEP amendments prohibit Tiny Homes from existing on land that is in an environmentally sensitive area (section 1cv) and must not require the removal, pruning or other clearing of protected trees unless these works are exempt (section 1f).

The Tiny Homes program also only extends to land containing an existing dwelling, meaning environmentally sensitive and protected lands that are not zoned to allow home occupations would be inherently excluded from the program.

9. Are there any other likely environmental effects of the planning proposal and how they proposed to be managed?

This planning proposal contains a minor amendment to the LEP for a two year pilot period. The criteria to be considered exempt development specified within the proposed draft provision seek to limit any adverse environmental impacts of the proposal. The following environmental effects are considered:

- Environmental Risks to Property and Life:** the planning proposal demonstrates limited risk of environmental hazards affecting the tiny homes, by specifying that the exempt development provisions will not apply to bushfire-prone land, flood-prone land, contaminated land, and land in a foreshore area. There is also a requirement for tiny homes to be distanced a minimum of 3m from the trunk of any protected trees, which mitigates the risk of branch failure damaging the tiny homes (and vice versa tree damage).
- Runoff and Erosion:** the tiny homes are required to connect to existing stormwater drainage systems, limiting the risk of informal drainage, ponding, and erosion.
- Improper management of sewage:** the tiny homes are required to connect to reticulated sewer systems and potable water connections on site.
- Site Topography:** the tiny homes are required to be sited on a maximum 5% gradient and appropriately anchored/secured. This minimises the risk of the tiny homes being unstable and damaging property or environment on the site topography.

- **Sustainable Living Opportunity:** the smaller size and lower servicing requirements of tiny homes presents a more sustainable environmental impact compared to larger dwelling types.

10. Has the planning proposal adequately addressed any social and economic effects?

Yes. The primary purpose of the planning proposal is to expand housing diversity and affordability in the LGA, providing both social and economic community benefits.

Social Benefits

- **Promotes greater socio-economic diversity:** more housing options support more members of the community with differing needs and phases of life
- **Facilitates multi-generational living:** Tiny Homes allow an additional family member, such as an adult child or senior, to continue living in their community and receive support without sacrificing the privacy separate dwellings afford.
- **Protects Established Residential Character and Amenity:** the tiny homes are required to adhere to minimum setback requirements depending on the size and configuration of their site. This ensures the tiny homes do not present 'out of character' within the streetscape, and are sited with appropriate separation from neighbouring sites, to preserve residential amenity.
- **Assistance to Vulnerable Peoples:** tiny homes provide opportunities for affordable housing to socially vulnerable peoples experiencing housing insecurity.
- **Protects Heritage Sites:** the tiny homes will not be permitted on heritage sites; this avoids any adverse impacts on heritage sites, protecting the rich heritage values of the LGA.
- **Short-term housing relief:** the pilot policy is intended to provide additional housing supply in the short-term, to ease pressure on housing demand in the LGA. If successful, the pilot policy may develop into a long-term housing relief strategy.

Economic Benefits

- **Lower energy and servicing demands:** due to the small nature of the structures, as well as the inherent connection to the pre-existing dwellings, Tiny Homes have significantly lower servicing costs than other forms of rental housing.
- **Enables additional passive revenue:** mobile Tiny Homes allow a potential income stream for homeowners through the provision of an additional rental space.
- **Affordable Rental Housing Option:** tiny homes present both an affordable construction option, and an affordable rental housing option amid a housing and cost of living crisis, increasing opportunities for economic relief to landowners and renters.

D - Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The planning proposal utilises pre-existing infrastructure, and is projected to have minimal impact on infrastructure service within the LGA. This outcome will be continually monitored as a measure of success of the two-year pilot program.

E - State and Commonwealth Interests

12. What are the views of the State and Commonwealth public authorities in accordance with the Gateway Determination?

Consultation will occur with any public authorities identified in the Gateway Determination.

Part 4- Maps

The planning proposal does not propose any changes to LEP Mapping.

Part 5- Community consultation

Council suggests that the planning proposal be exhibited for a period of 30 working days and include:

- Information available on the NSW Planning Portal
- A link to the NSW Planning Portal from Council's Your Say website
- Notification letters to identified State agencies and as required by the Gateway Determination

Part 6- Project timeline

It is estimated that the amendments to the LEP will be completed by December 2026.

Council requests delegation to be the Local Plan-Making Authority (LPMA) in relation to this proposal. Delegation will be exercised by Council's Chief Executive Officer or Executive Director of Planning and Environment.

The planning proposal is a complex planning proposal.

Indicative project timeline

Stage	Timeframe and/or date (based on LEP Making Guideline- Maximum Benchmark Timeframes (working days))
Consideration and decision by Council	23 September 2025
Submitted to Department for Gateway determination	November 2025
Department issue of Gateway determination	February 2026
Pre-exhibition (Post-Gateway)	April 2026
Commencement and completion of public exhibition period	September 2026
Consideration of submissions	October 2026
Post-Exhibition review and additional studies	October 2026
Submission to the Department for finalisation (where applicable)	November 2026
Gazettal of LEP Amendments	December 2026



Enquiries and feedback should be made to:
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Dharawal Country
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Shellharbour City Centre NSW 2529

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