

EXPLANATORY STATEMENT

Lot 4 DP 834254 (510 Beach Road, Berry) – Public Exhibition: Planning Proposal; Draft Development Control Plan Chapter N28; and Draft Planning Agreement



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Shoalhaven
City Council

Public Exhibition 17 July to 16 August 2019

Overview

Council is seeking feedback on a Planning Proposal (PP018) and related documents concerning Lot 4 DP 834254 (No. 510 Beach Road), Berry.

- PP018 seeks to amend Shoalhaven Local Environment Plan (LEP) 2014, to rezone the land to a mix of large lot residential and environmental protection zones. The proposed LEP changes are consistent with adjoining zones and the land's environmental and cultural heritage values.
- A new chapter (Chapter N28) in Shoalhaven Development Control Plan (DCP) 2014 is proposed to provide additional site-specific objectives and controls to ensure that buildings are located north of the ridgeline and that development is sympathetic to the land's environmental and cultural heritage values.
- A draft Planning Agreement seeks to facilitate the transfer of the southern part of the subject land that forms part of Coomonderry Swamp to the NSW Government for inclusion in Seven Mile Beach National Park.

Further explanation of the above documents is provided below.

Planning Proposal (PP018)

PP018 seeks to rezone the land from a mix of RU2 – Rural Landscape and E2 – Environmental Conservation to the following four zones (refer to Figure 1 on page 2):

E1 - National Parks and Nature Reserves is proposed for land within and adjacent Coomonderry Swamp that is to become an extension to Seven Mile Beach National Park.

E2 - Environmental Conservation for land that is within the surface water catchment of Coomonderry Swamp that will not become part of Seven Mile Beach National Park.

E3 - Environmental Management for land that is outside of the surface water catchment of Coomonderry Swamp that is otherwise constrained by environmental factors.

R5 - Large Lot Residential for the remainder of the site that is relatively unconstrained.

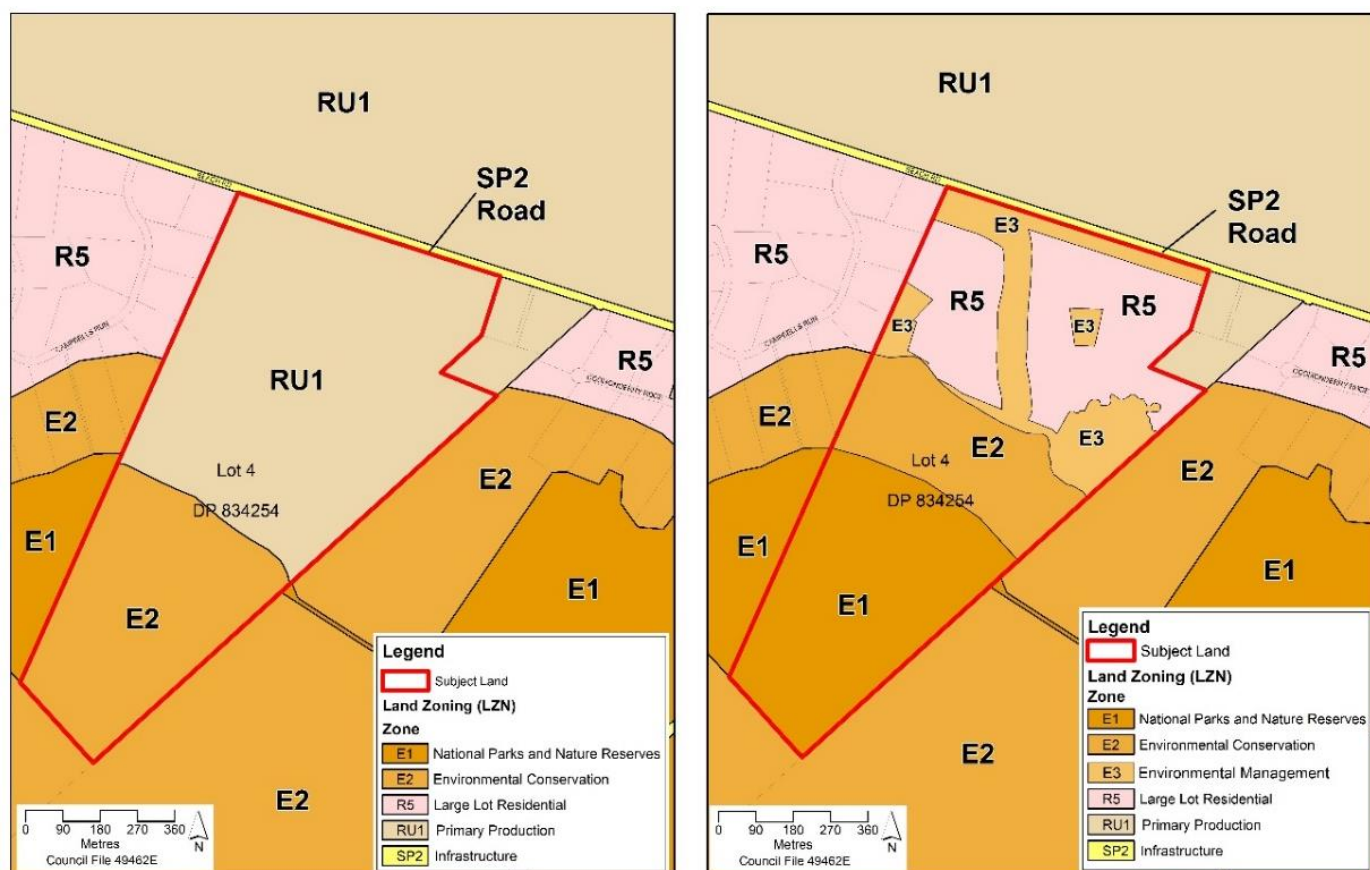


Figure 1 - Existing (left) and proposed (right) land use zoning

Other proposed changes to the LEP are described in Table 1 below.

Table 1 - Explanation of other proposed LEP changes including minimum lot size and heritage listing of Aboriginal scar tree

Proposed Change	Explanation
Apply no minimum lot size to part of the subject land to be zoned E1.	The part to be zoned E1 does not require a 'minimum lot size' in the LEP and so none is proposed.
Apply a 4 ha minimum lot size to part of the subject land known as "Jim's Forest".	To ensure that "Jim's Forest" is not subdivided.
Apply a 1 ha minimum lot size to land north of the ridge line, excluding "Jim's Forest".	This will enable development that is generally consistent with the existing rural residential developments on either side of the site.
Apply a 2 ha minimum lot size to land between the ridge line and the E1 zone.	To ensure the subdivision responds to the site constraints and environmental values, and to ensure that the resulting lots that extend onto the southern side of the ridge have an appropriate width and a development area for future dwellings, buildings etc outside of the catchment of the Coomonderry Swamp catchment.
Apply an Aboriginal Item listing to part of the site on the Heritage Map	An Aboriginal Scarred Tree was found within the part of the subject land identified for development. The assessment report recommended that this tree be listed in the LEP as a heritage item because of its heritage significance.

Proposed new chapter in Shoalhaven DCP 2014: Chapter N28

The aim of DCP Chapter N28 is to provide additional objectives and controls relating to land's environmental and cultural heritage values including:

- Locating buildings on the northern side of the ridgeline
- Aboriginal Cultural Heritage and the potential for artefact discoveries
- Water quality and the risk of effluent management areas contaminating surface and groundwater
- The protection of significant vegetation
- The protection of a riparian and wildlife corridor through the site

Planning Agreement

The draft Planning Agreement seeks to provide arrangements for transfer of the proposed E1 land along with Lot 7 DP 6123 and Lot 1 DP 571614 (both of which are under the same ownership as the subject land) The transfer of these lots to the NSW Government is unrelated to the PP.

Public Authority Consultation

NSW Office of Environment and Heritage (OEH)

Council has worked with OEH throughout this process and is conducting the draft Planning Agreement exhibition on their behalf. As noted above, the inclusion of Lot 7 DP 6123 and Lot 1 DP 571614 in the Agreement is not directly related to the PP.

NSW Rural Fire Service (RFS)

Council referred the PP to RFS as required and the RFS advised that it *“raises no objections to the proposal subject to a requirement that the future subdivision of the land complies with Planning for Bushfire Protection 2006.”*

Exhibition Documents

The exhibition documents can be viewed online at getinvolved.shoalhaven.nsw.gov.au or at Council's Administration Centre at Bridge Road Nowra.

Have Your Say

You are encouraged to view the documents and provide written submissions during the exhibition period. Submissions should be made in writing and include Council's reference 52163E/1. All submissions must be received in writing by **5pm Friday 16 August 2019**.

Post: The General Manager, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

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

Website: via the form on Council's Get Involved Page getinvolved.shoalhaven.nsw.gov.au

Further information

For further information, contact Eric Hollinger of Council's Planning Environment and Development Group on (02) 4429 3320.