

Attachment 13 - Draft Development Control Plan

Draft Chapter N28: Berry – Beach Road

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Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1			Draft
2			

1 Purpose

The purpose of this Chapter is to provide guidance in responding to the constraints of the subject land in its development for rural residential purposes.

2 Application

This Chapter applies to land off Beach Road, Berry as shown in **Figure 1** below.

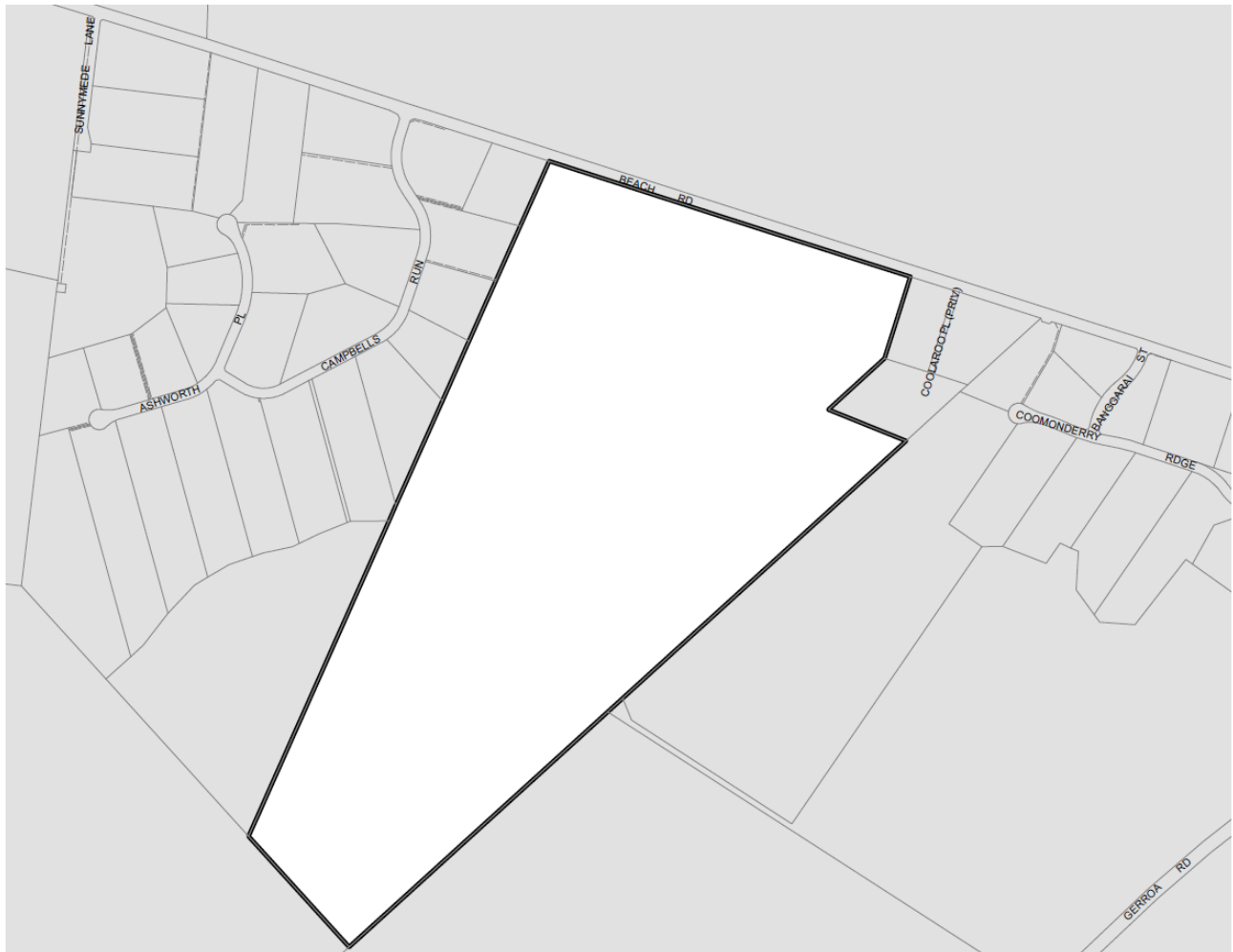


Figure 1: Subject Land Map

3 Context

The subject land was rezoned as part of a planning proposal in 2019 to enable rural residential subdivision within appropriate parts of the subject land. Refer to Shoalhaven Local Environmental Plan 2014 (Amendment No. XXXXX).

During the process of preparing and assessing this planning proposal, Aboriginal cultural heritage values and environmental constraints were identified. Any development of the land needs to be responsive to these values and constraints to ensure the protection of significant native vegetation, water quality and Aboriginal cultural heritage.

The most appropriate way to recognise these constraints was to zone the constrained land with an environmental zoning and to provide site specific **Development Control Plan** provisions.

4 Objectives

The objectives are to:

- i. Protect surface water and groundwater from environmental harm.
- ii. Protect significant **native vegetation** from environmental harm.
- iii. Protect the Aboriginal cultural heritage values of the land.

5 Controls

Performance Criteria	Acceptable Solutions
P1 Onsite effluent application areas are located to prevent contamination of surface water and groundwater.	A1.1 All effluent application areas are located outside of the exclusion area shown in Figure 2 .
P2 Buildings are located to: <ul style="list-style-type: none"> Prevent contamination of surface water and groundwater. Ensure that bushfire asset protection zones can be accommodated without the need to remove significant native vegetation. 	A2.1 All buildings are located outside of the exclusion area shown in Figure 3 .
P3 Areas that are likely to have Aboriginal objects are appropriately assessed and managed.	A3.1 Development on land within the investigation area shown in Figure 4 only occurs after: <ul style="list-style-type: none"> Satisfactory completion of an Aboriginal Cultural Heritage Assessment; and If necessary, the issue of an Aboriginal Heritage Impact Permit.



Figure 2: Waste Water Exclusion Map



Figure 3: Building Exclusion Map



Figure 4: Aboriginal Heritage Investigation Area Map

6 Advisory Information

6.1 Other legislation you may need to check

Council Policies & Guidelines	<ul style="list-style-type: none">• Nil
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External Policies & Guidelines	<ul style="list-style-type: none">• On-site Sewage Management for Single Households, Environmental and Health Protection Guidelines, 1998• Planning for Bushfire Protection, 2018• The Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW, 2010
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Legislation	<ul style="list-style-type: none">• Shoalhaven Local Environmental Plan 2014
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