
ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 1 FEBRUARY 2011

14. Jerberra Estate Rezoning Investigations

File 2653E (PDR)

Note: Cllr Ward was absent from the meeting.

RESOLVED on a MOTION of Cllr Miller, seconded Cllr Young, that Council:

- a) Acknowledges that there appears to be insufficient support from landowners for "Option B - Land Pooling/Community Title re-subdivision";
- b) Proceeds to finalise details of "Option A - Constrained Development" including:
 - i) Ongoing consultation with landowners as appropriate;
 - ii) Continuing to work constructively with Department of Planning and Department of Environment, Climate Change & Water toward a rezoning outcome for Jerberra Estate which is as far as possible, equitable to landowners; and
- c) Considers the removal of the special rates from those properties identified as having little prospect of supporting development, from 2011/2012 onwards.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Cllrs Soames, Fergusson, Bennett, Guile, Miller, Brumerskyj, Kearney, Proudfoot, Young, Findley, Green.

The following Councillors voted "No";

Nil.

REPORT OF GENERAL MANAGER

DEVELOPMENT COMMITTEE

MONDAY, 17 JANUARY 2011

STRATEGIC PLANNING AND INFRASTRUCTURE

1. Jerberra Estate Rezoning Investigations

File 2653E PDR

Purpose of the Report:

This report was originally submitted to Council's Development Committee on 7 December 2010. The matter was deferred by Council on 21 December 2010 (MIN10.1426) pending a meeting with a legal representative and planning consultant acting on behalf of some Jerberra Estate landowners on 22 December 2010.

The report provides an update on the Jerberra Estate rezoning investigations, including results of the landowner survey and information drop-in day held at Tomerong on 4 September 2010. It has also been updated to reflect outcomes from the subsequent meeting.

RECOMMENDATION

Recommended that Council:

- a) Acknowledges that there appears to be insufficient support from landowners for "Option B - Land Pooling/Community Title re-subdivision";
- b) Proceeds to finalise details of "Option A - Constrained Development" including:
 - i. Ongoing consultation with landowners as appropriate;
 - ii. Continuing to work constructively with Department of Planning and Department of Environment, Climate Change & Water toward a rezoning outcome for Jerberra Estate which is as far as possible, equitable to landowners; and
- c) Considers the removal of the special rates from those properties identified as having little prospect of supporting development, from 2011/2012 onwards.

Community Strategic Plan:

Objective 2.2: Population and urban settlement growth that is ecologically sustainable, carefully planned and managed to meet the needs of the community.

Strategy 2.2.1: Develop and implement land use zones and related strategies for future growth of the City, based on principles of connectivity, ecological sustainability, flexibility and accessibility.

Delivery Program:

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- Activity 1.5.3.2: Implement appropriate land use zones and planning controls that reflect endorsed strategic plans/policies and are responsive to the community's needs.
- Activity 2.1.1.16: Recognise environmental constraints identified in small lot rural subdivision rezoning investigations and facilitate outcomes that balance environmental, social and economic outcomes.
- Activity 2.2.1.11: Resolve the future of Small Lot Rural Subdivisions located in the Jervis Bay and St Georges Basin area consistent with the Jervis Bay Settlement Strategy.

Options and Implications:

Option 1:

Acknowledge that there is insufficient support from landowners for "Option B - Land Pooling/Community Title re-subdivision" and proceed with finalising details of "Option A - Constrained Development" in conjunction with the Department of Planning (DoP) and the Department of Environment, Climate Change and Water (DECCW).

Implications

This would enable special rates to be removed from properties identified as having little or no prospect of being rezoned for development from 2011/2012 onwards. However, this would not rule out exploring options for land pooling and re-subdivision among smaller groups of landowners to facilitate lot amalgamation where required, when more details on the likely minimum lot size requirements are known.

Option 2:

Expend further resources on exploring the land pooling and Community Title/re-subdivision option.

Implications

Special rates would be retained on all properties while this occurs. Findings of the landowner survey suggest there would be little point in proceeding down this path as there is little landowner support for this option.

Option 3:

Suspend the rezoning investigations and retain the current zoning (or its equivalent under the Standard Instrument).

Implications

Not considered in the best interests of Council, the landowners or the broader community. Council would continue to not have the legal ability to regularise any of the existing unauthorised structures. As such, this option is not recommended.

Report Details:

Introduction:

Detailed studies undertaken since 2005 on a range of issues, including flora and fauna, bushfire and onsite effluent disposal, have shown that not every lot in the Estate can be developed due to the need to protect sensitive environmental areas, manage bushfire

risk and provide services and infrastructure. These findings have not met the expectations of many of the Estate's landowners.

A survey of landowners was recently undertaken to provide feedback on two rezoning options that were outlined in an information brochure. Background information on the rezoning options and the landowner survey is provided below followed by a summary of the results.

Background:

After a lengthy and ultimately unsuccessful process of attempting to obtain State Government support to rezone Jerberra Estate to allow up to one dwelling per lot generally outside of the areas protected under the Environment Protection and Biodiversity Conservation Act (EPBC Act) in May 2009, Council resolved to explore a compromise option with the Department of Planning (DoP) and the Department of Environment, Climate Change and Water (DECCW) (MIN09.586).

Two variations of a compromise option were reported to Council in October 2009:

- A Torrens Title option whereby the retained environmentally sensitive land is held in separate private ownerships; and
- A Community Title option whereby most of the retained environmentally sensitive land is collectively owned.

Council resolved to pursue the Torrens Title option (MIN09.1382).

A joint letter from Department of Planning (DoP) and Department of Environment, Climate Change and Water (DECCW) dated 31 May 2010, recommended that Council investigate biocertification and/or re-subdivision/land pooling so that all landowners could potentially benefit. Prior to receiving this letter, it was proposed to remove the special rates from those properties that are located within or are effectively sterilised by the EPBC constraints and to consider whether to redistribute the costs to either the remaining properties in the Estate or the broader rate base. After receiving the joint letter from DoP and DECCW, Council resolved to retain the special rates on all properties for 2010/2011 and to expedite investigations into the feasibility of land pooling and re-subdivision (MIN10.763).

On 22 June 2010, Council resolved that the Mayor seek an urgent concurrent meeting with the Minister for the Environment and the Minister for Planning concerning the rezoning of Jerberra Estate and also seek to allow a landowner deputation to attend (MIN10.754). The Mayor and Director of Strategic Planning & Infrastructure, Peter Adams, met with The Hon Tony Kelly, NSW Planning Minister on 13 July 2010. Council requested several outcomes from the Minister including recognition that a whole-of-Government solution is needed in respect of the rezoning process. At the meeting, the Mayor and the Minister agreed that:

- The working party between Council, the NSW Department of Planning (DoP) and the NSW Department of Environment, Climate Change and Water (DECCW) would be reconvened as a matter of priority; and

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- The Minister and the Mayor would meet again in approximately three months to review the working party's progress and to ensure that momentum continues.
Note: Subsequent meeting was held with the Minister on 1 November 2010.

Key Issues:

Information brochure outlining two rezoning options

- # The concept and relative merits of two possible rezoning options were explained in an information brochure that was sent to Jerberra Estate landowners on 20 August 2010. A copy of the brochure is provided in Attachment 'A'. As stated in the brochure, not every lot can have a house due to the need to protect sensitive environmental areas, manage bushfire risk and provide services and infrastructure.

Both options aim to balance development and environmental outcomes by:

1. Protecting high conservation value lands (including NSW and Commonwealth threatened species constraints); and
2. Allowing development in the least constrained part of the Estate.

Option A – Constrained Development

In this Option, the potential dwelling yield is limited by the existing subdivision pattern; in the "environmental living area" there would be a maximum of one dwelling per lot and some of the smaller lots would need to be consolidated. Some development would be allowed in the "environmental conservation area" but not one dwelling per lot and consolidation of lots would be required, enabling retention of important areas of habitat.

Option B - Land Pooling/Community Title

Under this option, a new subdivision plan would be prepared, enabling more lots to be created in the "potential living area". Most of the high conservation value land would be retained in a single lot collectively owned and managed by the Community Association. This option could only be progressed if there is a large majority of landowner support.

The brochure was sent to landowners on 20 August 2010 and placed on Council's website. Landowners were advised that an information drop-in day would be held on Saturday 4 September 2010 at Tomerong Hall and that a survey would be prepared for them to subsequently complete and return to Council.

Information drop-in day held at Tomerong on 4 September 2010

A drop-in information day was held at the Tomerong School of Arts on Saturday 4 September 2010. The purpose of the information day was to give landowners the opportunity to individually discuss the options with staff from Council, DoP and DECCW in an informal setting. Approximately 107 landowners attended.

Landowner Survey of Rezoning Options

- # A survey on two rezoning options was prepared by Council, DoP and DECCW. The survey was prepared to enable landowners to provide formal feedback on which of the two rezoning options should be pursued and in particular to determine whether there is sufficient landowner interest to justify allocating further resources to explore the land pooling/community title option. A copy of the landowner questionnaire is provided in Attachment 'B'.

The survey was sent to all landowners to complete and return to Council by 1 October 2010. This was subsequently extended to 11 October 2010 and landowners who had not already done so were encouraged to complete and return the survey to maximise the response rate.

A total of 47 surveys were received out of a maximum of 140, giving a response rate of 33%. The key findings from these responses are summarised below.

Survey Findings

Completed surveys were received from less than a third of the 140 landowners. The highest response rate was from owners in the environmental living area (least constrained area).

In summary, the main findings of the survey were:

- The landowners are generally reluctant to accept that all of the lots in the Estate cannot be developed;
- 70% of respondents indicated they do not support the land pooling/community title option (Option B). If this is extrapolated, Option B would not be viable due to insufficient landowner support (as it would not be eligible for the provisions for resolving paper subdivisions under schedule 5 of the EP&A Amendment Act, 2008);
- The highest proportion of support for the land pooling/community title option (Option B) was from owners of land with no apparent development potential (i.e. in the 'environmental conservation area' in 'Option A');
- 57% of respondents from the environmental living area only favour 'Option A'; and
- 32% of respondents from the environmental living area indicated that they support either option although most of these prefer Option A.

A more detailed analysis of the survey results has been provided on Council's website at: <http://shoalhaven.nsw.gov.au/council/pubdocs/communityissues/heritage/jerberranew/default.htm>

A copy of the survey results summary is provided in the Councillors' Information Folder.

No alternative options have been suggested, as part of the consultation, that are considered capable of addressing the key legislative requirements and satisfying the requirements of the relevant State and Federal Government Agencies.

Meeting with JBA Planning on 22 December 2010

A very productive meeting was held with Terry Wetherall, JBA Planning and Tom Ellicott, Access Law Group, on 22 December 2010 at DoP's Wollongong office. Council was represented by Peter Adams and Eric Hollinger (Strategic Planning & Infrastructure Group). DoP was represented by Brett Whitworth and DECCW was represented by Miles Boak via telephone. The meeting was arranged by DoP at Mr Wetherall's request. JBA Planning was about to finalise a planning report for the Jerberra Resident's Action Group and sought the opportunity to discuss JBA's draft recommendations before finalising the report.

Mr Wetherall outlined his key recommendations to his client landowners, including the following:

- Given the constraints, one dwelling per lot is not viable;
- Owners should work with the existing subdivision pattern and facilitate amalgamation and boundary adjustments to achieve dwelling entitlements (and an economic return);
- While landowners question the constraints identified in Council's planning studies, the constraints "stand out";
- There is a divergence between the priorities of the landowners and those of Council and the State Government Agencies;
- Option B does not have the landowner support necessary for it to be viable;
- Amalgamation of lots would allow an appropriate level of development to proceed based on the constraints and to provide a financial return for as many lots as possible;
- A process of mediation should facilitate consolidation of lots and allow landowners to question the constraints mapping and proposed planning controls (see comments below);
- Option A is generally supported, subject to detail; and
- Consideration should be given to allowing dual occupancy in the proposed 'environmental living' area. Mr Wetherall suggested that this would facilitate consolidation of smaller lots where this may be necessary due to effluent disposal and bushfire constraints.

Comments

Both Mr Wetherall and Mr Ellicott agreed with the key recommendation in the report to Council on 21 December 2010 and which is reproduced in this report, that Option B (land pooling and community title subdivision) is not viable.

Options for facilitating consolidation of lots would be considered as part of the planning process if Council adopts the recommendations in this report.

Mr Wetherall and Mr Ellicott commented that they were not opposed to progressing Option A and that the Estate's zoning needs to be resolved as soon as possible. Furthermore, JBA's suggestion of dual occupancy and any other recommendations would be considered if Council adopts the recommendation in this report to progress with Option A.

Landowners will have further opportunities to review and question the constraints mapping and proposed planning controls and to have input into the draft proposal as part of the rezoning process and will be encouraged to do so.

Resourcing Implications - Financial, Assets, Workforce:

In 2005, Council borrowed \$350,000 to fund the Jerberra Estate rezoning investigations. In 2006/2007, a rezoning investigations special rate was introduced to repay this loan over a period of 10 years. As at 30 September 2010, \$169,108 remained unspent. There is a strong financial imperative to promptly and decisively act on the findings of the landowner survey and make any necessary adjustments to the special rates in time for 2011/12.

Community, Environment (ESD), Economic and Governance Impact:

The recommendations in this report attempt to balance environment and development outcomes in a manner which is, as far as possible, fair and equitable to landowners, whilst potentially allowing at least some of the existing unauthorised structures to be regularised. Significant constraint applies through environmental and land use planning legislation that needs to be recognised and addressed.

Conclusion:

Even though all landowners in the Estate would potentially benefit from Option B, there does not appear to be enough support from landowners to justify further work on an overall land pooling option. This view was also expressed by JBA Planning, which at the time of preparing this report, was about to finalise a planning report for the Jerberra Resident's Action Group. The suggestions discussed with JBA Planning on 22 December 2010 are considered to be compatible with Option A.

Council has written to Jerberra Estate landowners and advised them of the main survey findings and subject to the recommendations of this report, further consultation would be undertaken with landowners as part of the rezoning process. It will also be important to continue to constructively involve DoP and DECCW in finalising details of a planning proposal based on Option A.

P Adams
DIRECTOR, STRATEGIC PLANNING & INFRASTRUCTURE

R. Donaldson
ACTING GENERAL MANAGER

Jerberra Estate

Rezoning and Development Options

History

The Jerberra Estate subdivision was registered in 1922 but was largely undeveloped and held in two ownerships until 1986. Since Shoalhaven's first planning controls were introduced in 1984, the Estate has had a non-urban or rural zoning that effectively prohibits dwellings on the individual lots. The lots within Jerberra Estate range from less than 1,000 m² up to 1.7 hectares. Despite the fact that dwellings were unable to be approved on individual lots, many of the lots were sold separately from 1986. After repeated requests from landowners, in 1992 Shoalhaven City Council resolved to investigate rezoning 152 lots in Jerberra Estate to allow residential development.

Rezoning and development options

Detailed studies undertaken since 2005 on a range of issues, including flora and fauna, bushfire and Aboriginal archaeology, have identified high conservation value lands that need to be set aside for protection and cannot be developed. The remaining land in the Estate has some potential for housing. However the investigations have shown that not every lot can have a house due to the need to protect sensitive environmental areas, manage bushfire risk, and provide services and infrastructure.

A decision now needs to be made on which of the two remaining rezoning options to pursue to completion. Both options protect the high conservation value land and identify a potential living area of similar size.

Option A - Constrained Development - In this option the number of dwellings would be limited by the existing subdivision pattern. Landowners within the potential environmental living area would benefit. The remaining lands would be zoned for environment protection, although a limited number of dwellings would be potentially allowed.

Option B - Land Pooling/Community Title - This option involves pooling all the lots together and re-subdividing the potential living area to increase the overall number of dwellings. The high conservation value land would be protected as a single consolidated lot managed under a community title scheme. All landowners would potentially benefit in some way. A variation to this option would be to allow a limited number of dwellings in the conservation area, but fewer dwellings in the living area.

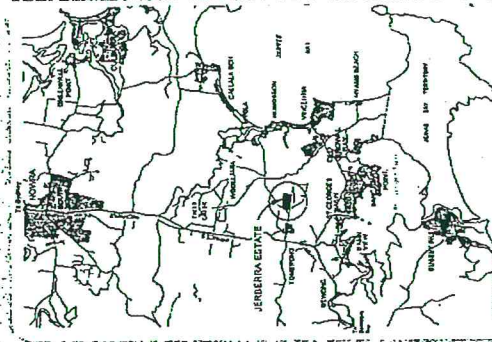
Future character
Whichever option is pursued, there will be a significant change to the existing 'bush' character of the Estate. Within the potential living area, native bushland would be removed to make way for housing and associated improvements. Infrastructure and services such as electricity, effluent disposal, bushfire trails and roads would need to be provided to the relevant standards.

Rezoning process

Once one of the two rezoning options is selected, Council will prepare a draft local environmental plan (LEP) to rezone the Estate to identify separate residential and conservation areas and also specify lot sizes for a dwelling house. The draft LEP will be placed on public exhibition after which Council will consider submissions, make any necessary changes and forward it to the NSW Minister for Planning who will then consider whether to make the LEP. A contributions plan or equivalent will also be prepared and exhibited at this stage to outline how landowners will fund required infrastructure. This process could take around 12 months.

Rezoning process

Once one of the two rezoning options is selected, Council will prepare a draft local environmental plan (LEP) to rezone the Estate to identify separate residential and conservation areas and also specify lot sizes for a dwelling house. The draft LEP will be placed on public exhibition after which Council will consider submissions, make any necessary changes and forward it to the NSW Minister for Planning who will then consider whether to make the LEP. A contributions plan or equivalent will also be prepared and exhibited at this stage to outline how landowners will fund required infrastructure. This process could take around 12 months.



Questions & Answers

Why can't the land simply be developed as it is?

The current land zoning does not allow dwellings to be built on the existing lots. Environmental studies have identified threatened species that are protected under both NSW and Commonwealth laws and need to be excluded from development. The existing subdivision layout does not comply with the requirements for bushfire protection, particularly in respect of bushfire asset protection zones (APZ) and perimeter access. Some of the lots are too small to safely allow onsite effluent disposal.

People already co-exist with threatened species in the Estate. Why can't each lot be developed provided no threatened species are harmed?

Limited residential development may not have a significant impact on threatened species in the Estate however, it is clear that even if strict environmental conditions were in place, building on every lot in the Estate would have significant cumulative environmental impacts, arising from, amongst others:

- Clearing of trees and vegetation for each dwelling, bushfire Asset Protection Zones, provision of services such as power and telephone, and effluent disposal facilities;
- Erection of fences along boundaries of each lot, and associated clearing;
- Keeping grazing animals (such as horses, goats, or sheep) which can remove some species of plants and prevent the regeneration of others;
- Keeping of cats, which are predators of some of the threatened species found in the Estate;
- Introduction of plants which may become 'environmental weeds' in surrounding bushland; and
- Water quality impacts, particularly as a result of onsite effluent disposal.

All of these activities, if occurring on each lot in the Estate, would result in significant impacts on the range of flora and fauna in the area, including threatened species. Both options attempt to balance development outcomes and conservation of the most environmentally sensitive areas.

Is Jerberra Estate being treated the same as other developments?

Yes. Development of other nearby residential areas in Tomerong and Vincentia has had to make sure that the environmental values of the sites were protected and managed as conservation areas. Some parts of these lands have been rezoned from residential development to environmental protection.

Why are buffer areas of native vegetation required between watercourses and developed areas?

Buffer areas of native vegetation can help to maintain water quality by capturing nutrients and sediments that come from developed areas and preventing these from entering low-lying areas and watercourses. The vegetated buffer acts like a water quality filter. At Jerberra, state and nationally listed threatened species including Blonvex Paperbark and Swamp Sclerophyll Forest also occur in low-lying areas and along watercourses. This vegetation is sensitive to weeds and to changes in nutrients and water quality. Buffers will protect these areas from weeds and from the impacts of clearing, earthworks and effluent disposal that will need to occur for residential development at Jerberra.

Will any alternative options be considered?

Yes, provided environmental and equity issues can be addressed. The two rezoning options presented in this brochure attempt to balance development and environmental outcomes.

Drop-in information day

Saturday 4th September 2010

Tomerong School of Arts from 10am to 3pm

Further information

Shoalhaven City Council's website:

<http://www.shoalhaven.nsw.gov.au/council/publicdocs/communityissues/default.htm>

Contact: Eric Hollinger - Senior Project Planner, Shoalhaven City Council (02) 4429 3320



Planning

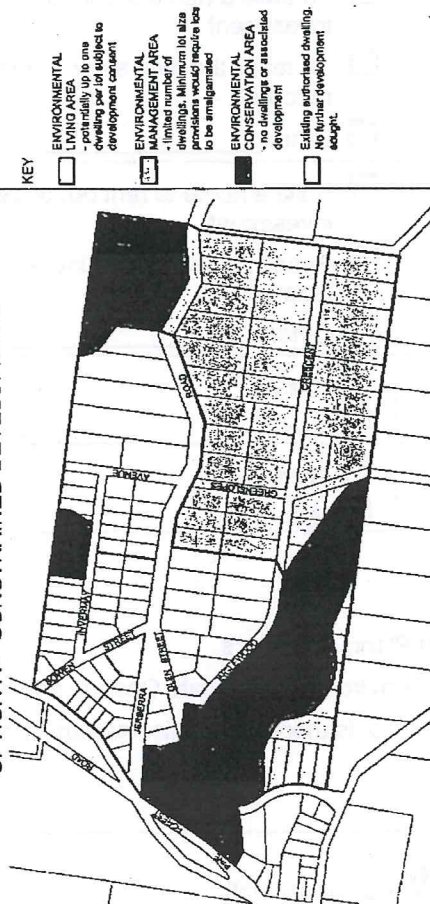


Environment,
Climate Change
& Water

Option A - Constrained Development

The number of dwellings would be limited to the existing subdivision pattern. Only some of the landowners would potentially benefit due to the need to protect sensitive environmental areas, manage bushfire risk and provide services and infrastructure.

OPTION A - CONSTRAINED DEVELOPMENT



Existing lots would fall into one of three categories:

1. Environmental Living Area — Could be developed subject to a development consent for each house. Some lots may still need to be consolidated to have sufficient area for onsite effluent disposal and bushfire management. Native vegetation would need to be retained on larger lots.
2. Environmental Management Area — Could not be developed for a dwelling on their own but would need to be amalgamated with one or more other lots to create up to 10 larger developable lots. These lots would contain high conservation value vegetation and be zoned and managed for conservation.
3. Environmental Conservation Area — Lots where development is not proposed or supported. This area contains Commonwealth and NSW threatened species and associated buffers.

Once the land is rezoned, a development application would need to be prepared for each proposed dwelling, as is normally the case. Each application would need to address potential environmental impacts, bushfire protection and servicing.

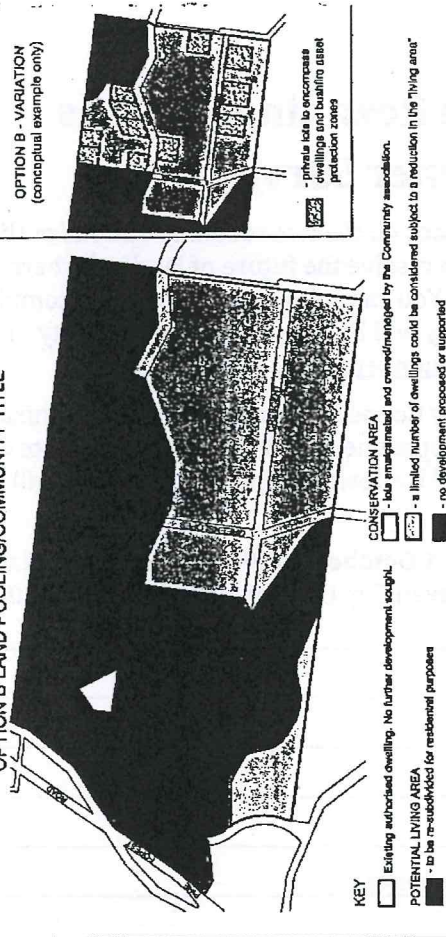
	Comments on Option A - Constrained Development
Equity	Some landowners will benefit, some will not.
Approval process	The environmental living area and lot size will be identified. Some lots would need to be amalgamated with others so that a development application could be lodged. Approval of each house will require a development application addressing environmental and other issues.
Resolution of zoning and tenure	Zoning uncertainty would be resolved. Future tenure of lots outside the potential living area would depend on negotiations between landowners.
Development Outcomes	About 70 houses in the environmental living area (maximum one dwelling per lot) and up to 10 houses in the environmental management area.
Development Cost	Servicing costs per house are likely to be higher as there would be fewer lots to share the costs.
Environmental outcomes	Conservation areas in fragmented ownership which could result in diminished conservation value over time. Individual land owners would be responsible for conservation management.
Effluent Management	Individual existing lots may be too small for effluent disposal. Lots may need to be amalgamated to comply with a minimum lot size requirement.

Option B - Land Pooling/Community Title

Community title is a form of land subdivision that enables individual freehold lots to be created and allows shared ownership of a common area.

Under this option the number of houses in the potential living area can be increased while the conservation areas are protected. The lots within the living area would be privately owned and all landowners would jointly own the conservation area.

OPTION B LAND POOLING/COMMUNITY TITLE



To achieve this option all the current lots would be pooled together and a new subdivision layout designed. Landowners would need to be involved in designing the new subdivision. It would assist if there was a landowner representative with development expertise to help drive and co-ordinate the process.

A variation to this option, where some dwellings are allowed within the conservation area could be considered. However, the loss of additional high conservation value vegetation would need to be offset by a reduction in the potential living area (see conceptual example in inset map - Option B Variation).

	Comments on Option B - Land Pooling/Community Title
Equity	All landowners potentially benefit. Owners would need to collectively agree on how equity in the new subdivision would be allocated. This could be complex and would require the establishment of a landowner entity (e.g. a body corporate).
Approval process	Needs to be supported by a large majority of owners. There would be a step-by-step process in designing the new subdivision. Approvals for housing in the potential living area could be simplified.
Resolution of zoning and tenure	Zoning uncertainty and future tenure of all lots within the estate would be resolved.
Development Outcomes	About 110 houses could be accommodated in the potential living area if effluent is treated on each lot. For the variation of this option where some houses would be allowed in the conservation area, the overall number of houses in the potential living area would be less (because the potential living area would need to be reduced to offset vegetation losses in the conservation area).
Development Cost	Servicing costs per house are likely to be lower as there would be more lots to share the costs.
Environmental outcomes	The conservation area would be owned and maintained by the community association with greater certainty for protection than if held in fragmented private ownership. All land owners would, through the Community Association, collectively manage the conservation area.
Effluent Management	A common effluent system (CES) could be possible and would allow smaller lot size than if effluent is treated on individual lots.

Jerberra Estate Rezoning Options Landowner Survey

This survey has been prepared to get your feedback on the two rezoning options outlined in the information brochure. Your feedback will help to resolve the future of land in Jerberra Estate and the survey will only take a few minutes to complete. You can submit more than one completed survey, however, only the most recently submitted survey will be considered per property. The survey can also be completed online at: <http://www.surveymonkey.com/s/GV9V6KW>

The survey has been prepared by Shoalhaven City Council's Strategic Planning & Infrastructure Group, the NSW Department of Planning and the NSW Department of Environment, Climate Change & Water. Replies to the survey will remain confidential and landowners' individual details will not be divulged in any reports.

Please submit your completed survey by **Friday, 1 October 2010**. If you need assistance completing the survey, please contact Eric Hollinger, Shoalhaven City Council, on (02) 4429 3320.

1. Names of owners:		
2. Property details (Lot number/s of your land at Jerberra):		
3. Contact details:	Phone:	
	Email:	
4. What was the MAIN reason for buying your block(s) of land?	☐ To build a home to live in ☐ To build a home to retire to ☐ To build a holiday home for you/your family ☐ To build a home to rent out or sell as an investment ☐ To resell the land as an investment when rezoned ☐ Other: _____	
5. If the land is rezoned for development, what would you plan to do with your block?	☐ Build a home to live in ☐ Build a home to retire to ☐ Build a holiday home for you/your family ☐ Build a home to rent out or sell as an investment ☐ Resell the land as an investment when rezoned ☐ Other: _____	
6. Have you read the <u>information brochure</u> on the available rezoning options?	☐ Yes ☐ No	
7. Did you attend the information drop-in day at the Tomerong School of Arts on 4 September?	☐ Yes ☐ No	
8. Have you discussed the rezoning options outlined in the brochure with Council or State agency representatives?	☐ Council staff ☐ Councillors ☐ NSW Department of Planning officers ☐ NSW Department of Environment, Climate Change and Water officers ☐ None of the above. If so, is there any particular reason why?	

Jerberra Estate Rezoning Options – Landowner Survey

9. Who else have you discussed the rezoning options with?	☐ Other owners of your land and/or family members ☐ Owners of other lots in the Estate ☐ Planning consultant ☐ Solicitor ☐ No one ☐ Other - please qualify:
10. Do you understand the rezoning options sufficiently to make a decision about which one(s) you support?	☐ Yes ☐ No
If no to above, what additional information would you need to make a decision?	
11. Do you agree that not all of the lots in the Estate can be rezoned to allow each to be developed?	☐ Strongly agree ☐ Agree ☐ Undecided ☐ Disagree ☐ Strongly disagree
Comments:	
12. Under Option A - Constrained Development - which one of the following categories would your lot fall into? If unsure, please contact Eric Hollinger, Shoalhaven City Council, on (02) 4429 3320 or hollingere@shoalhaven.nsw.gov.au	☐ environmental living area ☐ environmental management area ☐ environmental conservation area
13. Which rezoning option(s) do you support? (tick the box that applies to you)	☐ Only support Option A – Constrained Development ☐ Only support Option B – Land Pooling / Community Title ☐ Support <i>either</i> option ☐ Support <i>either</i> option but <i>prefer Option A</i> ☐ Support <i>either</i> option but <i>prefer Option B</i> ☐ <i>Neither</i> option is acceptable

Jerberra Estate Rezoning Options – Landowner Survey

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14. Are there any important advantages or disadvantages in respect of Option A Constrained Development that influenced your decision to support/not support it?	
15. Are there any important advantages or disadvantages in respect of Option B Land Pooling / Community Title that influenced your decision to support/not support it?	
16. Do you have an alternative rezoning option which balances environmental and development outcomes?	☐ Yes – if yes please send details in the pre-paid envelope provided ☐ No
17. Which of the following measures would you be prepared to take to look after the bushland environment on your land (excluding the area around the house required for bushfire asset protection zones and onsite effluent disposal)? Please select options that you consider appropriate	☐ Not clearing native plants and trees ☐ Deciding not to keep cat(s) ☐ Deciding not to graze domestic animals ☐ Fencing that allows wildlife movement and involves minimal clearing ☐ Other - please specify:
18. Private conservation agreements ensure landowners are committed to conserving native flora and fauna on their land. Some private conservation agreements may also provide financial assistance to landowners. A useful guide to the range of agreement types is available online: " A Guide to Private Conservation in NSW ". Hard copies will be available at the information day and can also be obtained by contacting the Environmental Defender's Office on (02) 9262 6989 or 1300 369 791.	
Would you consider entering into such an agreement?	
☐ Yes ☐ No ☐ Unsure (add comment below)	

Thank you for taking the time to complete this survey. If you are completing a hard copy, please return it in the pre-paid envelope by **Friday, 1 October 2010**. The address for completed returns is:

Jerberra Estate Landowner Survey (Council ref 2653E)
 The General Manager
 Shoalhaven City Council
 PO Box 42
 NOWRA NSW 2541



Planning



Environment,
Climate Change
& Water