

Planning Proposal

LOCAL GOVERNMENT AREA: Shoalhaven

ADDRESS OF LAND: Jerberra Estate, Nebraska Estate, Verons Estate and Goodland Road, Woollamia (Part of Woollamia Farmlets)

MAPS

- Location map showing the land affected by the proposed draft plan in the context of the LGA (titled "Location Map")
- Existing zoning map showing the existing zoning of the site and surrounding land (titled "Zoning Map")

Part 1: OBJECTIVES OR INTENDED OUTCOMES OF PROPOSED LEP:

- To resolve the development potential and zoning of Jerberra Estate, Nebraska Estate, Verons Estate and Goodland Road (part of Woollamia Farmlets) under Shoalhaven Local Environmental Plan 1985 (or depending on timing, the new Citywide LEP) as identified in the Jervis Bay Settlement Strategy and the Sussex Inlet Settlement Strategy
- To resolve the potential of the investigation areas to accommodate residential development
- To protect sensitive environmental areas.
- To ensure risks to health and the downstream environment are minimised.
- To ensure that the risk to life and property from bushfire and flooding is minimised.

Part 2: EXPLANATION OF THE PROVISIONS OF PROPOSED LEP:

- Amendment to Shoalhaven Local Environmental Plan 1985 (or depending on timing, the new Citywide LEP) to allow residential or rural residential development to occur where appropriate.
- Rezone identified environmentally sensitive land to an appropriate environmental zone
- To use minimum lot size and other appropriate provisions (including overlay maps) to resolve incompatibility between existing subdivision configurations, development potential and environmental constraints
- To consider incentives for landowners to enter private conservation and/or planning agreements if required.

Part 3: JUSTIFICATION OF OBJECTIVES, OUTCOMES AND PROVISIONS AND PROCESSES FOR THEIR IMPLEMENTATION:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?	Jerbbera Estate, Nebraska Estate and Goodland Road are specifically identified for investigation and resolution in the Jervis Bay Settlement Strategy 2003 (JBSS). Verons Estate is identified for investigation and resolution in the Sussex Inlet Settlement Strategy 2007 (SISS)
IF YES • Briefly explain the nature of the study or report and its key terms of explaining the rationale for the proposal	

• Submit a copy of the study or report with the planning proposal	Both the JBSS and SISS are recognised by the South Coast Regional Strategy.
2. Is the planning proposal the best means of achieving the intended outcomes, or is there a better way? (alternatives to changing controls on development might include community education and new administrative processes such as pre application meetings).	The current zoning of these paper subdivisions needs to be amended to resolve their development potential and achieve environmental outcomes. To date various land capability studies have been undertaken and significant progress has been made on reaching agreement with the relevant Government agencies on appropriate development and environmental outcomes.
3. Is there net community benefit? The Net Community Benefit Test: an assessment should be prepared by the proponent to be submitted to Council for endorsement prior to submitting of DoP as part of the Gateway process. The level of detail and analysis should be proportionate to the size and likely impact of the rezoning	A Net Community Benefit Test has not been undertaken for this draft plan and is not considered appropriate as this planning proposal is being prepared to ensure the continuation of the rezoning complex processes that commenced in the early 1990's. Significant progress has been made in the past 12-18 months and there is a clear need and expectation among the community and the landowners that the process be allowed to continue and reach a conclusion

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy (including the Sydney metropolitan strategy and exhibited plan? • Describe regional or sub regional strategy outcomes or actions directly relevant to the planning proposal. • Where is the case, include reasons why the planning proposal is either explicitly consistent with, or explicitly inconsistent with, or outline or actions contained in the regional or sub regional strategy. • Sustainability criteria included in regional strategies should be addressed in the planning proposal.	Yes, as indicated above, Jerberra Estate, Nebraska Estate and Goodland Road are specifically identified in the JBSS for investigation and Verons Estate is identified in the SISS for investigation. Council has been working closely with DECCW and DoP to ensure consistency with the South Coast Regional Strategy's requirements in relation to avoiding removal of "high value conservation land" and incorporating appropriate planning controls into the draft plans to protect important biodiversity values. This will continue and other relevant requirements of the SCRS will be addressed as the draft plans are developed
5. Is the Planning Proposal consistent with the local Councils Community Strategic Plan or other local Strategic Plan?	The proposal is consistent with Council's Community Strategic Plan. The key objectives are attached.

6. Is the planning proposal consistent with applicable state environmental policies?	The draft Plans are consistent with State Environmental Planning Policies
7. Is the planning proposal consistent with applicable Ministerial directions? • Each Planning proposal must identify, if any; Section 117 Directions are relevant to the Planning Proposal • Where the Planning Proposal inconsistent, those inconsistencies must be specifically justified. • Certain directions require consultation with Government agencies – if such a direction is relevant, this should be identified however should not take place until the gateway determination is issued, confirming the public authorities to be consulted.	The Draft Plans are not inconsistent with Ministerial Directions: 1. 2 Rural Zones 2. 1 Environment Protection Zones 2. 2 Coastal Protection 2. 3 Heritage Conservation 4. 1 Acid Sulphate Soils 4. 3 Flood Prone Land 4. 4 Planning for Bushfire Protection - Appropriate assessments will be undertaken in regard to relevant Directions as part of the rezoning process

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or habitats that will be adversely affected as a result of the proposal? IF Yes: it will be necessary to carry out an assessment of significance accordance with Section 5A of the EP&A act and the "Threatened Species Assessment Guidelines" issued by the Department of Climate Change. Any adverse impact will trigger the requirement under section 34A to consult with the Director General of the Department of Climate Change – such consultation if required does not take place until after the issuing of the initial gateway determination.	Environmental studies into the potential impact of residential development on the existing environment are being undertaken. Proposed zone boundaries will be delineated through consultation with DECCW and other relevant stakeholders.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	The study areas have been disturbed to varying levels. In some cases bushland will need to be cleared to allow residential development, infrastructure and provision of bushfire asset protection zones. Broader environmental impacts, including water quality and catchment planning and amelioration of such impacts will be considered as part of the environmental studies.

10. How has the planning proposal adequately addressed any social and economic effects?	Resolution of the zoning and development potential of these paper subdivisions would provide significant social and economic benefits including, but not limited to, the resolution of the status of numerous unauthorised structures. It will also provide certainty for the landowners and the broader community on the future use of land in the Estates.
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Section D – State and Commonwealth Interests

11. Is there adequate public infrastructure for the planning proposal?	Provision of infrastructure and services will be evaluated as part of this process. In accordance with Council policy, costs associated with the rezoning and development of land will be borne by the benefitting landowners.
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	There has been considerable consultation with relevant State and Commonwealth Authorities over many years and this will continue as these draft plans are prepared and refined In the case of Goodland Road, Jerberra and Nebraska Estates "in principle" agreement on constraints and opportunities has been reached with DECCW and DoP. Council is in the process of considering advice jointly provided by DoP, DECCW and NSW Industry and Investment on Verons Estate

Part 4: COMMUNITY CONSULTATION

To date there has been considerable consultation with affected landowners. Community consultation will continue to be undertaken in due course as these planning proposals progress.

Key actions from 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

Strategies

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

2.4.1 Promote and advocate for ecologically sustainable living through a range of projects, initiatives and incentives.

Delivery Program

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

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

2.2.1.11 Resolve the future of Small Lot Rural Subdivisions located in Jervis Bay and St Georges Basin are consistent with the Jervis Bay Settlement Strategy