

10.5 Small Lot Rural Subdivision

There are several small lot rural ("old paper") subdivisions in the Jervis Bay Region. Whilst a number were acquired by the National Parks and Wildlife Service and incorporated into the Jervis Bay National Park, these subdivisions represent one of the greatest unresolved planning issues in the Region.

Small lot rural subdivisions are characterised as areas that contain residential sized allotments (generally less than 1,000m²) with a rural zoning that does not allow for the building of a dwelling under the existing planning controls. These subdivisions have a long and complicated history, having been created and registered in the early part of the 20th century. Some subdivisions are held in single ownership, whilst others are held by multiple owners. Those held by multiple owners are problematic because they were purchased with an expectation that the land would be rezoned for residential development in the future. In many cases, however, allotments were bought in full knowledge that a dwelling entitlement did not exist.

There is a need to identify clear options for these subdivisions, and to identify procedures to be followed to resolve their future. This Strategy identifies four broad options to address small lot rural subdivisions in the Region, namely:

- Option 1: retain the current zoning;
- Option 2: investigate rezoning in accordance with this Strategy and, where appropriate, allow each lot to have a dwelling built on it;
- Option 3: investigate rezoning in accordance with this Strategy and, where appropriate, amalgamate lots to a minimum size in order to accommodate on-site effluent disposal; or
- Option 4: public purchase of the land for a public use such as addition to the National Park.

The first and last options identified above are not considered to be viable for all of the small lot rural subdivisions in the Region. The subdivisions are a longstanding problem which must be resolved, and it is not considered appropriate or feasible to use public funds to acquire those that are held by multiple owners.

Resolution of small lot rural subdivisions in the Region will be pursued in accordance with this Strategy, which provides strategic direction for planning outcomes at both the local and regional level.

Existing small lot rural subdivisions in the Jervis Bay Region

The names, location, and details of the remaining small lot rural subdivisions in the Region are as follows:

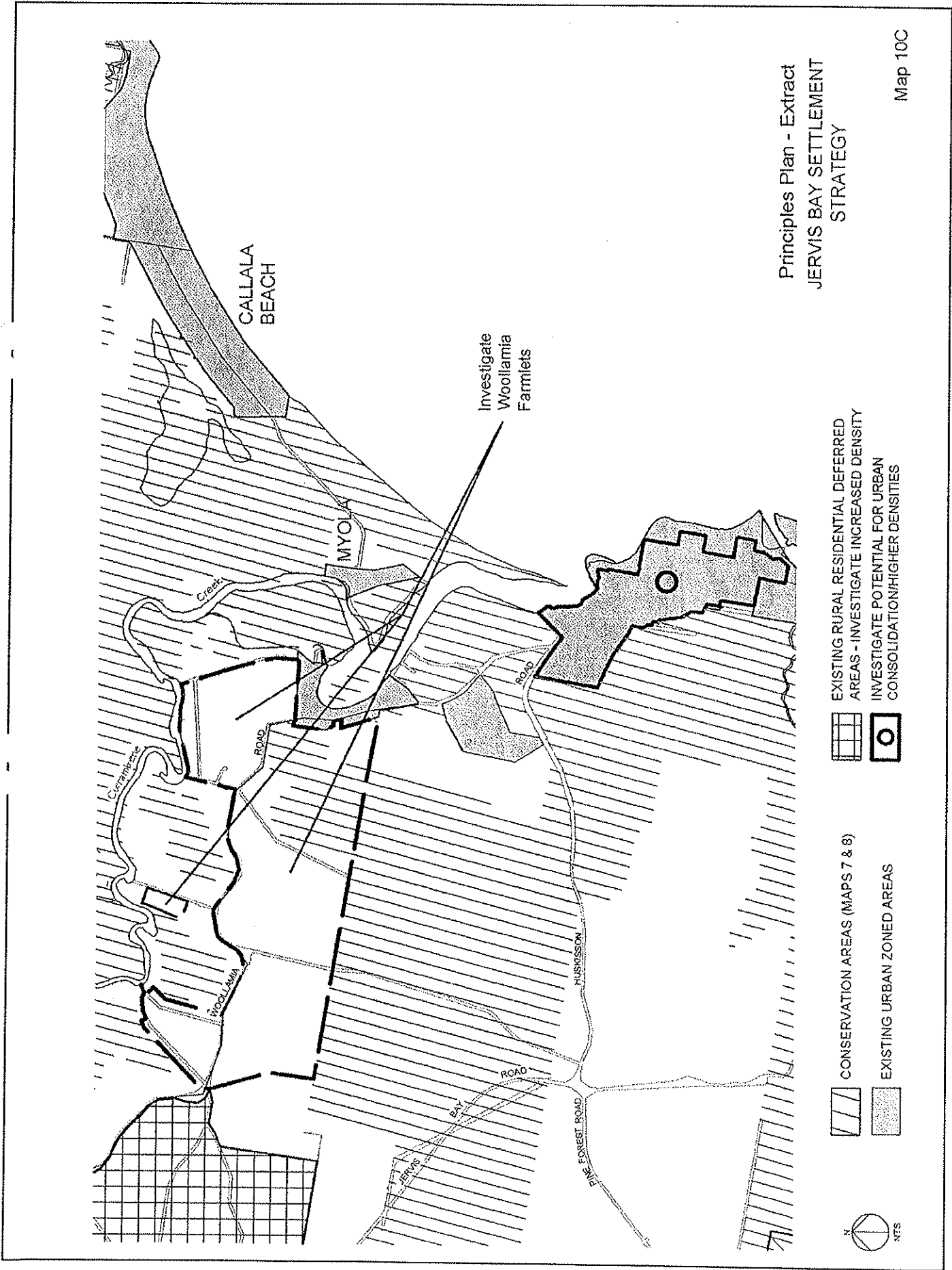
- **Kinghorn Point:** located on the southern shores of Lake Wollumboola and north of Currarong Road. Total number of lots is 920, and is currently held in one ownership.
- **North Callala Bay:** located south of Currarong Road on the east and west side of Callala Bay Road extending to Callala Beach road and 300 metres south. It is approximately 1 km north of the Callala Bay settlement. Total number of lots is 685, and is currently held in one ownership.
- **Jerberra Estate:** located south of Pine Forest Road and north of Parnell Road, approximately 1.5 km to the east of Tomerong. Total number of lots is 160 and is currently held in 121 ownerships. Council has commenced investigations into the potential for rezoning.
- **Nebraska Estate:** located immediately northeast of the urban area of Basin View. Total number of lots is 120, currently held by 45 owners. Council has commenced investigations into the potential for rezoning.
- **Woollamia Farmlets:** consists of a number of small lots (ranging from less than 2000m² to 8 ha) in the Woollamia area around Woollamia Road. Total number of lots is 98, held by 53 owners.
- **Heritage Estates:** located north east of Erowal Bay, on land bounded by The Wool Road, Naval College Road, Erowal Bay Road and Worrowing Creek to the south of the proposed District Centre. Total number of lots is 1,200 currently held in 1,100 ownerships. The possible rezoning of this subdivision was the subject of a Commission of Inquiry in 1999.
- **North Erowal Bay:** located immediately north of the Erowal Bay township to Erowal Bay Road, and extending to the eastern limits of the township. Total number of lots is 300, held predominantly in one ownership.
- **Lusitania Avenue, Basin View.** Total number of lots is approximately 60, with each around 1,500 square metres in size and currently zoned Rural Residential 1(c1). The minimum lot size is 1 hectare, and opportunity exists for consolidation and re-subdivision.

Framework for resolving small lot rural subdivisions in the Jervis Bay Region

In accordance with the options detailed above, this Strategy identifies a number of recommendations to resolve the small lot rural residential subdivisions in the Region. Where relevant, these proposals are illustrated on the Strategy Principles Plan (Map 10) and the accompanying detailed Maps 10A-I, and discussed below:

- **Kinghorn Point.** Kinghorn Point is not identified in this Strategy as an area that is capable for future residential development in light of environmental and cultural heritage constraints. Detailed investigation will be required to determine its use in the long term. Further comment in regard to this site is provided in Section 10.9 - Economic Development.
- **North Callala Bay.** The North Callala Bay small lot rural subdivision (Map 10A) should be resolved in connection with the proposed rezoning of land adjacent to Callala Bay, as discussed in Section 10.2 of this Strategy. Any future rezoning of the proposed Callala Bay urban expansion area should seek to consolidate this existing small lot rural subdivision, as part of the urban development outcomes associated with the Callala Bay township.
- **Jerberra Estate.** As discussed in Section 10.4, Jerberra Estate (see Map 10D) will be investigated to provide for rural residential living opportunities. In order to achieve this, it will be necessary to finalise detailed environmental investigations that have commenced into the appropriate size and configuration of allotments and their ability to accommodate on-site effluent disposal.
- **Nebraska Estate.** Resolution of outcomes for Nebraska Estate are currently being considered in two stages:
 - Park Road Section: this comprises twenty (20) existing lots adjoining Park Road. Detailed investigation work has been undertaken and the area was rezoned to Residential 2(a3) in June 2001 to provide for thirteen dwellings, which were connected to the reticulated sewerage scheme serving the adjoining urban area; and
 - Remainder of the estate (see Map 10I): as discussed in Section 10.4 the remainder of Nebraska Estate will be investigated to provide for rural residential living opportunities. In order to achieve this, it will be necessary to finalise detailed investigations to determine the actual development potential, having particular regard to flooding risk and native vegetation. It is likely given known information that investigations into Nebraska Estate could ultimately result in rural residential development.
- **Woollamia Farmlets.** There are a number of lots (possibly only 15) larger than 2 hectares generally located on the northern side of Woollamia Road that cannot currently be built on. The possible rezoning of these lots to enable a dwelling to be built on each should be investigated (see Map 10C). There are 57 smaller lots along Woollamia Road and Goodlands Road that range in size from 800 to 2,900 square metres. Detailed environmental studies will be undertaken to determine the actual development potential for both areas. Land that is identified as being flood liable will generally not be considered for development, and some of the smaller lots may need to be consolidated to an appropriate size to accommodate on-site effluent disposal. The following issues in particular will also require consideration in the detailed assessment: wetlands and setbacks; water courses and setbacks; habitat corridor issues; flooding; and impacts on cultural heritage.
- **North Erowal Bay.** The North Erowal Bay small lot rural subdivision will be retained in its existing rural zoning.
- **Lusitania Avenue, Basin View.** The Lusitania Ave small lot rural residential subdivision will be retained in its current rural residential zoning, with a minimum lot size of 1 hectare. The owners should be encouraged to pursue the option of consolidation and resubdivision.
- **Heritage Estates (Worworing Heights).** As outlined above, the Heritage Estates small lot rural subdivision was the subject of a Commission of Inquiry to determine the suitability of the land for residential development. The Commissioner made 12 recommendations and indicated that approximately 730 of the 1,200 lots were suitable for residential development subject to there being a staged development of the land. The recommendations of the Commissioner are contained hereunder.
 1. Council give appropriate consideration to including the Heritage Estate land in the draft Jervis Bay Settlement Strategy subject to the findings and recommendations of this report.

Detail Map 10C -Woollamia Farmlets and Huskisson



SMALL LOT RURAL SUBDIVISIONS

Objective - To ensure that a process is established for resolving the development potential of existing small lot rural zoned subdivisions in accordance with this Strategy.

Actions

- i. Heritage Estates - Consideration of development potential in the Heritage Estates will be undertaken in accordance with the findings and recommendations of the Commission of Inquiry, and the outcomes of any relevant environmental investigations completed in accordance with this Strategy.
- ii. Jerberra Estate - The development potential for rural residential development will be investigated through a review of lot sizes and configuration in order to accommodate on site effluent management and meet the guiding principles and policy actions of this Strategy.
- iii. Nebraska Estate - Park Road Section rezoned to Residential 2(a3) in June 2001 to provide for 13 dwellings in accordance with the detailed environmental investigations. The development potential of the remainder of the estate will be investigated through: a review of lot sizes and configuration in order to accommodate on site effluent management; having considered the performance and success or otherwise of environment measures at Park Road; and in accordance with the guiding principles and policy actions of this Strategy.
- iv. Woollamia Farmlets - The development potential of the Woollamia Farmlets, including Goodlands Road, will be investigated through a review of lot sizes and configuration in order to accommodate on site effluent management and meet the guiding principles and policy actions of this Strategy. Lots larger than 2 hectares may be able to provide for one dwelling to be built on each lot, provided the guiding principles and policy actions of this Strategy can be achieved.

Implementation Responsibility

Council, DIPNR, and relevant State Government Agencies

Timeframes for Action

- i. Short Term
- ii. Short Term
- iii. Short Term
- iv. Short Term

Jervis Bay

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development potential, having particular regard to flooding risk and native vegetation. It is likely given known information that investigations into Nebraska Estate could ultimately result in rural residential development.

- **Woollamia Farmlets.** There are a number of lots (possibly only 15) larger than 2 hectares generally located on the northern side of Woollamia Road that cannot currently be built on. The possible rezoning of these lots to enable a dwelling to be built on each should be investigated (see Map 10C). There are 57 smaller lots along Woollamia Road and Goodlands Road that range in size from 800 to 2,900 square metres. Detailed environmental studies will be undertaken to determine the actual development potential for both areas. Land that is identified as being flood liable will generally not be considered for development, and some of the smaller lots may need to be consolidated to an appropriate size to accommodate on-site effluent disposal. The following issues in particular will also require consideration in the detailed assessment: wetlands and setbacks; water courses and setbacks; habitat corridor issues; flooding; and impacts on cultural heritage.
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Map 7 - Constraints Planning Controls

