



PWG001803

Shoalhaven
City Council

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COUNCIL REFERENCE: 1422E (D14/21768)
CONTACT PERSON: Eric Hollinger
YOUR REFERENCE: PP-2013_SHOAL-001-00

30 January 2014

Department of Planning & Infrastructure - Southern Region
PO Box 5475
WOLLONGONG NSW 2520

Attention: Brett Whitworth

Dear Brett

Department of Planning
& Infrastructure
RECEIVED

3 - FEB 2014

Southern Region-Wollongong

**Request to finalise Planning Proposal for Verons Estate under Section 59
of the Environmental Planning and Assessment Act 1979**

I am writing to formally request finalisation of the Verons Estate Planning Proposal pursuant to Section 59 of the Environmental Planning and Assessment Act 1979.

The Verons Estate Planning Proposal was publicly exhibited from 21 August to 20 September 2013. The outcomes of the Planning Proposal exhibition were reported to Council's Development Committee on 20 January 2014. The report can be accessed online at:

<http://doc.shoalhaven.nsw.gov.au/Displaydoc.aspx?Record=D14/12168>

On 20 January 2014, Council's Development Committee resolved under delegated authority (D14/15941) to:

- a) *Write to the NSW Department of Planning and Infrastructure (DP&I) requesting that the Verons Estate Planning Proposal be finalised.*
- b) *Commence preparation of a draft Development Control Plan (DCP) for Verons Estate to facilitate the development, bushfire risk mitigation and environmental outcomes outlined in the Planning Proposal and this report in accordance with the Environmental Planning and Assessment Act 1979 and associated statutory requirements.*

Clarification of matters to be addressed in the amending LEP

Zoning: E2, E3 and E4, as exhibited

Minimum lot sizes: as exhibited

Land use tables: as per Draft Shoalhaven LEP 2014

Permissibility of extensive agriculture: Under Shoalhaven LEP 2014 (when it is made) 'extensive agriculture' will be permissible in E3 but not E2 or E4.

.2.

In relation to Verons Estate, Council's intention (see page 15 of the exhibited Planning Proposal) is to make "extensive agriculture" permissible in the proposed E4 area via Schedule 1 - Additional Permitted Uses. The net result of this will be that extensive agriculture will remain permissible in all of Verons Estate except for those areas that will be zoned E2. This may need to be discussed further.

Biodiversity overlay: On 26 June 2012, Council resolved not to include a biodiversity overlay consistent with its approach to E zones for the draft Citywide LEP. However, since then Council has applied the biodiversity overlay to E2 and E4 zones but not E3.

Clause 5.9 Preservation of trees or vegetation: Consistent with Council's resolution on 14 December 2012 and the approach taken with Jerberra Estate, clause 5.9(9) of the Standard Instrument LEP should be applied to the entire Estate. On 28 January 2014, Council resolved to prepare a 'Tree Removal and Amenity' Development Control Plan (DCP) and include paper estates. That is, when the tree removal DCP is completed and adopted, clause 5.9 will apply to Verons Estate in accordance with subclause (2).

Development areas to be identified in a Development Control Plan (DCP)

The exhibited Planning Proposal discussed the possibility that the development areas may need to be mapped on the LEP (similar to the approach used for Jerberra). However, the approach adopted by Council on 20 January 2014, is to prepare a DCP to help achieve outcomes in terms of bushfire risk, biodiversity and water quality. Performance-based approach to the location of the developments is considered appropriate given the relatively large size of the properties. Hence, it will not be necessary to map the development areas as part of the LEP.

Timing of the LEP and DCP for Verons Estate

It is strongly preferred that the LEP and DCP commence at the same time. Council will aim to complete the DCP as soon as possible and will liaise with the Department in respect of a commencement date for the DCP and LEP.

Council looks forward to working collaboratively with DP&I and other relevant Government agencies in finalising the Verons Estate Planning Proposal and preparing the supporting DCP.

If you need further information about this matter, please contact Eric Hollinger, Strategic Planning & Infrastructure Group on (02) 4429 3320. Please quote Council's reference 1422E (D14/21768) in any correspondence.

Yours faithfully



Jessica Rippon
Acting Strategic Planning Manager