

17/09/2020

NSW Department of Planning, Industry & Environment - Southern Region
PO Box 5475
WOLLONGONG NSW 2500

By email only: wollongong@planning.nsw.gov.au

Attention: Ben Muller

Dear Sir/Madam

**Planning Proposal PP029 Hitchcocks Lane Berry Residential Investigation Area -
Technical Studies for Review and Request For Amended Gateway Determination
and Extension**

I am writing to provide a copy of the updated Planning Proposal (PP029) for the Hitchcocks Lane Residential Investigation Area Berry for review prior to public exhibition, and to seek an amendment to the Gateway determination.

This PP relates to land legally described as Part Lots 762 & 763 DP 1224932 and part of Hitchcocks Lane Road Reserve UPN 96829, Berry.

The PP seeks to amend Shoalhaven Local Environmental Plan (LEP) 2014 as follows:

- Amend the Land Zoning Map to rezone the land to R2 Low Density Residential,
- Amend the Height of Buildings Map to allow a maximum permissible building height of 8.5 metres, and
- Amend the Minimum Lot Size Map to allow the land to be subdivided into lots measuring a minimum of 350 m², 500 m² and 700 m².

Council, at its Development Committee meeting of 1 September 2020, resolved to place PP029 on public exhibition (MIN20.610). Please find attached a copy of the Council report and resolution. Please also find attached a revised PP document submitted in accordance with the requirements of part (2) of the Gateway Determination dated 3 April 2018 and updated on 22 October 2019.

The PP has been prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979 (EP&A Act)* and sets out the objectives, intended outcomes and justification for the proposal. The PP has been revised based on the findings of a range of technical studies as required by part (1) of the Gateway Determination. These technical studies are provided within the PP document as hyperlinks in Attachment 2. The PP

exhibition package will also include a draft revision of Chapter N3 (Berry Residential Subdivision) in the Shoalhaven Development Control Plan (DCP) 2014, which includes detailed objectives and controls to guide subdivision and development of the land. This draft DCP Chapter is also attached for your information.

Firstly, endorsement from your Department to formally exhibit this PP is requested, allowing Council to gather feedback on the proposal from the community, state agencies and relevant stakeholders.

Secondly, an amended Gateway Determination is requested, to include part of the Hitchcocks Lane Road Reserve (legally described as UPN 96829) in the subject land. This road reserve was not included in the original PP. This amendment is considered minor in nature and will improve map consistency and readability, avoiding a future possible mapping anomaly as shown in **Figure 1** overleaf. This change to the subject land was endorsed by Council at the Development Committee meeting of 1 September 2020 (MIN20.610).

Thirdly, the concurrence of the Secretary is sought in relation to the PP's minor inconsistency with the Section 9.1 Direction 4.3 Flood Prone Land. The Secretary's concurrence for minor inconsistencies with the Section 9.1 Directions 1.2 Rural Zones and 1.5 Rural Lands were previously issued in the Gateway Determination of 3 April 2018.

Finally, an extension to the timeframe for completion of the PP is requested. The current deadline for completion of the proposal is 3 October 2020. The PP/DCP package will be publicly exhibited for 60 days minimum (consistent with the Gateway Determination) in recognition of the volume and breadth of information, complexity of the proposal, and the expected high level of community interest.

The updated PP includes a revised timeframe which aims to finalise the project by 30 June 2021, acknowledging the time required to consider submissions on the PP and DCP; however, the 12 month extension is considered prudent and will avoid the need for any further extensions. This extension will provide ample time to publicly exhibit the proposal for an extended 60 days, consider the expected high number of community submissions and accommodate for the Christmas shutdown period, together with any required refinements to the proposal and the finalisation process of the PP.

If you need further information about this matter, please contact Rebecca Jardim, City Futures at Rebecca.Jardim@shoalhaven.nsw.gov.au. Please quote Council's reference 56367E (D20/416257).

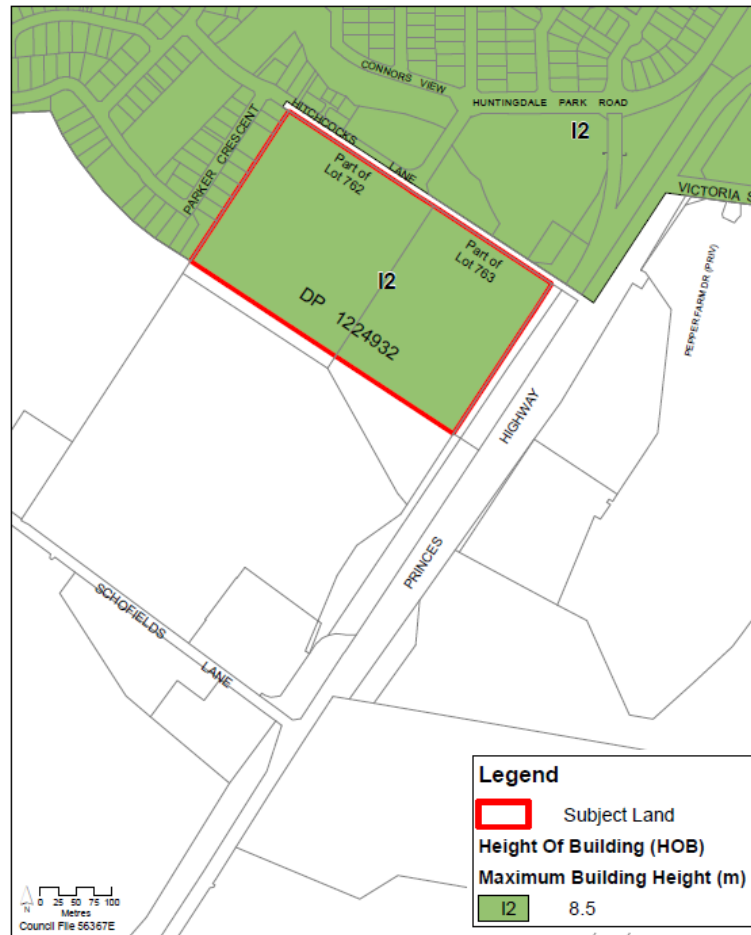
Yours faithfully

A handwritten signature in black ink, appearing to read 'Eric Hollinger', with a long, sweeping horizontal line extending to the right.

Eric Hollinger
Coordinator - Special Projects Team

Encl: Planning Proposal and supporting documents

PP029
Planning Proposal
Proposed SLEP2014 HOB



PP029
Planning Proposal
Proposed SLEP2014 HOB

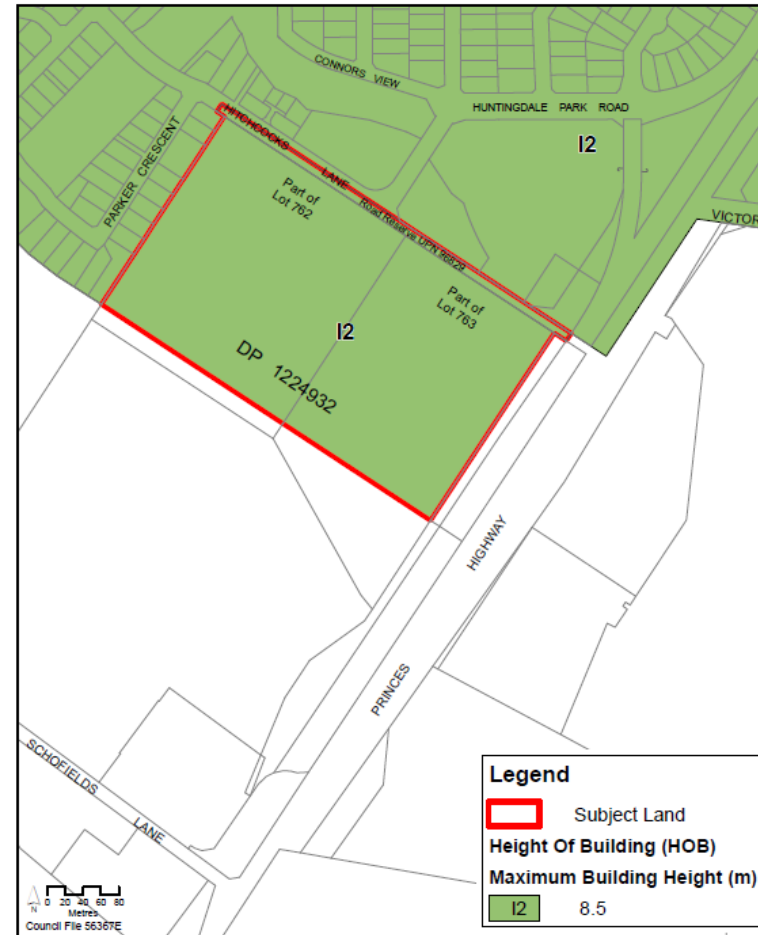


Figure 1: Example of mapping changes – potential mapping anomaly to be resolved with changes to extent of subject land in PP029

Current subject land extent on the left, and the expanded subject land area on the right