

EXPLANATORY STATEMENT

Planning Proposal (PP029)

Part Lots 762 and 763 DP 1224932 and part of the Hitchcocks Lane Road Reserve (UPN 96829)



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Shoalhaven
City Council

Background

Planning Proposal PP029 seeks to rezone rural land south of Hitchcocks Lane in Berry to enable residential subdivision and development. The land is currently zoned RU1 Primary Production under Shoalhaven Local Environmental Plan (LEP) 2014 but is identified as a residential investigation area in the Shoalhaven Growth Management Strategy 2013 (Version 1).

The Planning Proposal (rezoning) was initiated by Cowman Stoddart Pty Ltd on behalf of the landowner in 2017. Council resolved on 14 November 2017 (MIN17.953) to progress the proposal. A Gateway Determination authorising the PP to proceed was issued by the then NSW Department of Planning and Environment on 3 April 2018, subject to completion of several technical studies. These studies have been completed and the findings incorporated into the updated Planning Proposal, which is now being exhibited with the NSW Department of Planning, Industry & Environment's endorsement¹.

The subject land is legally described as Part Lots 762 and 763 DP 1224932 and part of the Hitchcocks Lane Road Reserve (UPN 96829) and measures 11.02 ha in area.

Feedback is also sought on proposed changes to Chapter N3 (Berry Residential Subdivision) of Shoalhaven Development Control Plan (DCP) 2014. This draft Chapter includes proposed detailed planning controls to support the proposed LEP changes and help guide future development outcomes.

On 1 September 2020, Council resolved to exhibit PP029 and the draft DCP chapter to enable stakeholder and community feedback (MIN20.619).

Proposed LEP Changes

The following amendments are proposed to Shoalhaven LEP 2014:

- Rezone the subject land from RU1 Primary Production to R2 Low Density Residential. A low density residential zone is considered appropriate for the location on the urban edge of Berry. Refer to Figure 1.
- Amend the minimum lot size for subdivision from 40 ha to allow a mix of urban lot sizes. The majority of the land is proposed to have a minimum allowable lot size of 500 m², consistent with the general minimum allowable lot size in Berry. A row of larger lots is proposed along the southern boundary and perimeter road, with this area having a minimum lot size 700 m². One quarter (25%) of the subject land area is proposed to have a minimum

¹ DPIE issued two extensions to the original Gateway determination but declined to issue a third extension on 2/10/20, instead encouraging "...Council to finalise this planning proposal as soon as practicable."

lot size of 350 m², allowing for smaller lots sizes to be considered to provide greater housing choice. See Figure 2.

- Reduce the building height limit from 11 m to of 8.5 m. This height reflects the height limit of surrounding residential land and the citywide approach to heights in this context.

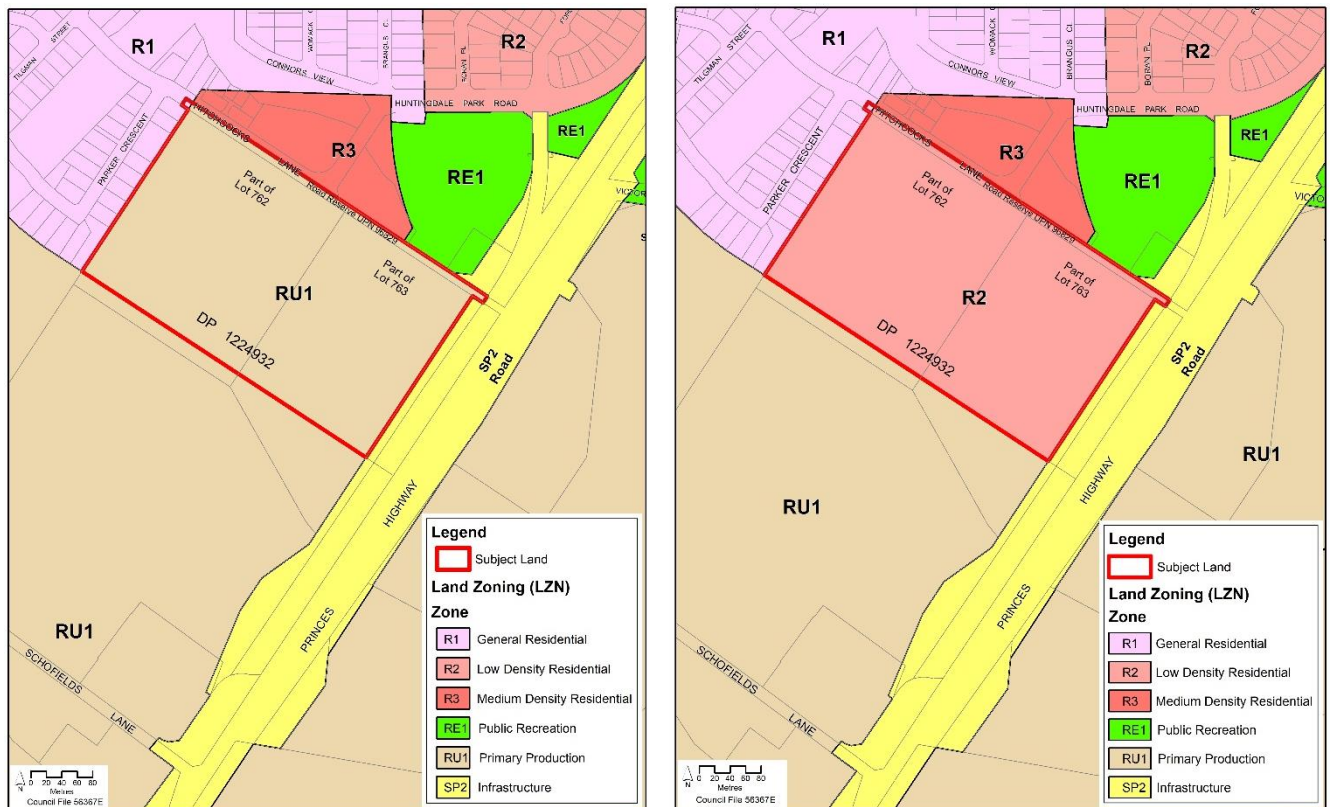


Figure 1: Existing Land Use Zone Map (left) and proposed Land Use Zone Map (right)

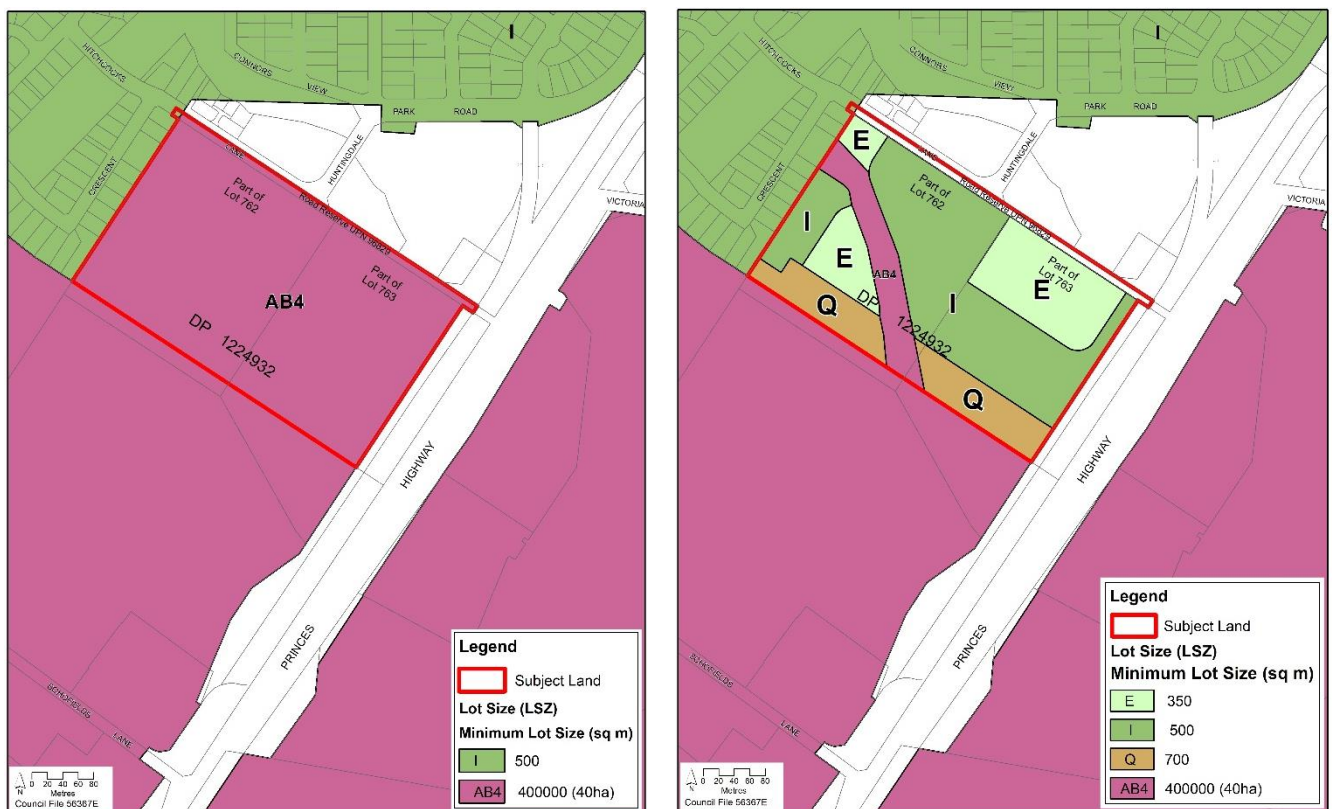


Figure 2: Existing Lot Size Map (left) and Proposed Lot Size Map (right)

Proposed Changes to Shoalhaven DCP 2014, Chapter N3 - Berry Residential Subdivision

The existing Chapter N3 currently covers the now established Huntingdale Estate subdivision. The draft Chapter N3 Berry Residential Subdivision that is being exhibited with the Planning Proposal includes new detailed planning controls to help guide the design of any future subdivision and housing development on the land proposed to be rezoned. Key aspects of the draft DCP include:

- Updated Masterplan for certain land west of the Princes Highway at Berry.
- Requirements to establish a Landscape Screen adjacent to the southern boundary of land proposed to be rezoned as part of the Planning Proposal (to mitigate any visual impacts of development).
- Increased landscaping opportunities: wide road verges (nature strips) and generous street tree plantings to reflect Berry's character.
- Requirements for safe and efficient road design and provision of shared user paths (for pedestrians and cyclists).
- Controls requiring house size to be proportionate to lot size (i.e. gross floor area of homes not to exceed 50% of lot area), to reduce bulk and scale impacts and provide variety in house sizes.
- Generous landscaped area requirements, requiring 35% of a lot to be landscaped (i.e. capable of growing turf or plants) to reflect the existing character of Berry and provide residents with outdoor space and space around dwellings.

Please refer to the Planning Proposal document and draft DCP Chapter for more information.

Further Information

The Planning Proposal and accompanying draft DCP Chapter is on public exhibition for an extended period from **Wednesday 28 October 2020 – Friday 8 January 2021**. Written comments are invited and should be addressed to:

Post: The Chief Executive Officer, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

E-mail: council@shoalhaven.nsw.gov.au

Website: Via the Feedback form function on the project web page at <https://getinvolved.shoalhaven.nsw.gov.au/>

All submissions must be received in writing by **5pm Friday 8 January 2021**.

Please note that correspondence submitted to Council on this matter may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a submission are required to declare any relevant political, donations and/or gifts in accordance with Section 10.4(5) of the *Environmental Planning and Assessment Act 1979*.

Enquiries should be directed to Rebecca Jardim, Strategic Planner, on (02) 4429 3426 or Rebecca.Jardim@shoalhaven.nsw.gov.au

The project webpage has a voluntary “stay informed” button that can be used to subscribe to project updates.

Exhibition Documents

The Planning Proposal is available for viewing online at:

<https://getinvolved.shoalhaven.nsw.gov.au/>

The exhibition package includes:

1. Planning Proposal (PP029), accompanying technical studies and Gateway Determination documentation
2. Draft DCP Chapter N3 Berry Residential Subdivision
3. Explanatory Statement
4. FAQs / Factsheet
5. Public Notice