

Jerberra Estates, Tomerong - Paper Subdivision

July 2020

A “paper subdivision” describes land containing lots that only have recognition on paper and, in many cases, have no formed roads, reticulated water, sewer or electricity. This factsheet provides information on the Jerberra Estate Paper Subdivision at Tomerong (refer to Map at the end of this fact sheet).

New Planning Controls Commenced in 2014

The Jerberra Estate LEP (*Shoalhaven Local Environmental Plan (Jerberra Estate) 2014*) legally commenced on 22 February 2014. (The Estate has a stand-alone LEP for the time being but will be incorporated into the city-wide LEP at some stage in the future.) A site-specific chapter for Jerberra Estate is in the overall Shoalhaven Development Control Plan (DCP) that became effective on 22 October 2014.

Development applications can only be considered if the proposal meets the relevant planning requirements, including the minimum lot size and development area maps in the LEP, and the detailed controls contained in the DCP. Links to the Jerberra LEP and DCP are provided below.

- [Shoalhaven Local Environmental Plan \(Jerberra Estate\) 2014](#) (written instrument & maps)
- [Development Control Plan Chapter N20 \(Jerberra Estate\)](#) & Supporting Information
 - [Figure 2 - Bushfire Management Information](#), DCP Chapter N20 (pdf - 0.5 mb)
 - [Figure 3 - Development & Biodiversity Conservation Areas](#), DCP Chapter N20 (pdf - 0.3 mb)
 - [Figure 6 - Types and locations of acceptable fencing](#), DCP Chapter N20 (pdf - 250 kb)
 - [Figure 11 - Building and development area dimensions](#) (with corrections in blue text. These corrections have not yet been incorporated into DCP Chapter N20) (pdf - 0.4 mb)
 - N20 Supporting Doc. 1 - [Development opportunities for existing lots](#) (pdf - 0.5 mb)
 - N20 Supporting Doc. 2 - [Consolidation options](#) (pdf - 0.4 mb)
 - N20 Supporting Doc. 4 - [Jerberra Estate Environmental Management Plan](#) (pdf - 5.1 mb)
 - [List of native plants in Jerberra Estate](#) (pdf)
- [Information for buyers and sellers](#) (pdf - 0.3 mb)
- [Information for owners of E2 - Environmental Conservation land](#) (pdf - 0.5 mb)
- [Forms of development that are not 'exempt' in Jerberra Estate](#) (pdf - 0.2 mb)
- [Register of orders issued by Council](#) to date (opens in separate window). Contact Council's Compliance Unit for enquiries.
- [EPBC referral for Jerberra Estate](#) (EPBC Reference Number: 2012/6415) (22 kb)

Biodiversity Certification - Implications for development

In 2019 the State Government certified the Jerberra Estate planning controls as a 'relevant planning arrangement' under cl. 34A of the Biodiversity Conservation (Savings & Transitional) Regulation 2017. As a result, applications for development in the Estate that comply with the biodiversity conservation provisions in the Estate's LEP and DCP (Chapter N20) will be assessed under the legislation that applied prior to commencement of the *Biodiversity Conservation Act, 2016*. [Click here](#) to see a copy of the certification and [here](#) to see a copy of a letter to landowners dated 29/4/19 explaining what this means. For further information, contact Council's Environmental Assessment Unit.

A report on the above matter was considered by Council on 4 June 2019. Council resolved to adopt a policy position for Jerberra Estate that requires appropriate covenants to be registered on property titles as part of the development approval process to ensure the BMA, BAC and OMA areas are managed for conservation into the future; and to commence to amend the Shoalhaven Development Control Plan (DCP) 2014 to update Chapter N20 (Jerberra Estate) and S1 (Verons Estate) because of the Clause 34A certification for each Estate.

The proposed amendment to DCP Chapters N20 and S1 will be publicly exhibited in coming weeks.

Jerberra Estate Development Application Information

- [Jerberra DA checklist](#) (PDF 124 kb) must be completed and submitted with your development application.
- [Link to all development forms](#) page

Before you submit your application, it is recommended that you contact Council's Building and Compliance section prior to lodging your application to ensure your application contains all the necessary information and is consistent with the Estate's planning controls, thereby avoiding unnecessary processing delays.

Jerberra Estate Essential Infrastructure and Special Rates

Essential infrastructure includes roads and perimeter fire trails, road drainage, electricity, and minimal street lighting. Properties must be self-reliant in respect of water and on-site effluent management in accordance with the DCP. [Click here](#) to open the Frequently Asked Questions (FAQ) updated in May 2015.

The Estate's essential infrastructure has been funded by special rates which commenced in 2015/2016 and will generally be in place for a period of 10 years, as approved by the Independent Pricing and Regulatory Tribunal (IPART).

History of the Estate's planning controls

Documentation associated with the Planning Proposal (rezoning) process can be accessed on the State Government's [LEP Tracking System](#). Other background planning information is provided below.

- Report on the outcomes of the Planning Proposal exhibition to Council's [Development Committee on 4 December 2012](#) (PDF 2 mb)
- Resolution to adopt minor changes to the exhibited Planning Proposal and submit it to DP&I for finalisation. ([MIN12.1348](#)).
- **Adopted Planning Proposal maps:**
 - [Planning Proposal Map 1 - Proposed zones](#) (PDF 257 kb)
 - [Planning Proposal Map 2 - Proposed minimum lot sizes](#) (PDF 311 kb)

- [Planning Proposal Map 3 - Bushfire risk management](#) (PDF 420 kb)
- [Planning Proposal Map 4 - Conservation management](#) (PDF 887 kb)
- [Planning Proposal Map 5 - Bushfire & conservation management](#) (PDF 377 kb)
- Exhibited [Jerberra Estate Planning Proposal](#) (PDF 5 mb)
- Exhibited Appendices
 - [Council reports & resolutions on the rezoning investigations 2010-2012](#) (PDF 5 mb)
 - [Integrated water cycle & stormwater assessment](#) (PDF 5 mb)
 - [Strategic onsite effluent disposal assessment](#) (PDF 7 mb)
 - [Flora & fauna assessment report \(BES, 2007\)](#) (PDF 2 mb)
 - [EPBC Referral](#)
 - [Preliminary bushfire assessment](#) (PDF 6 mb)
 - [NSW RFS letter dated 22 December 2011](#) (PDF 52 kb)
 - [Aboriginal archaeological and cultural heritage assessment](#) (PDF 2 mb)
 - [NSW Heritage Council letter dated 6 November 2006](#) (PDF 383 kb)
 - [Preliminary electricity design & report](#) (PDF 2 mb)
 - [Traffic assessment](#) (PDF 1 mb)

Historical Information

The Jerberra Estate subdivision (DP11629) to the east of the village of Tomerong was registered in 1922 but was largely undeveloped and held in two ownerships until 1986. From when the first planning controls were introduced in 1964 until 22 February 2014, the Estate had a rural zoning that effectively prohibited dwellings on the individual lots. However many of the lots were sold separately from 1986 onward on the presumption that the land would be rezoned to allow dwellings. After repeated requests from landowners, in 1992 Council resolved to investigate rezoning the lots in Jerberra Estate to allow residential development.

Old rezoning reports & Council resolutions

[Property & Planning Committee report - 2 April 1996](#) (PDF 547 kb) [MIN96.604](#) (PDF 20 kb)

[Property & Planning Committee report - 8 December 2003](#) (PDF 136 kb)

[Development Committee report - 5 October 2004](#) (PDF 253 kb) [MIN04.1330](#) (PDF 22 kb)

[Rates Working Party report - 18 December 2006](#) (PDF 5 kb) [MIN07.44](#) (PDF 22 kb)

[Policy & Planning Committee report - 12 June 2007](#) (PDF 277 kb) [MIN07.846](#) (PDF 26 kb)

[Presentation to Jerberra landowners 21 June 2007](#) (PDF 1 mb)

[Policy & Planning Committee report - 22 January 2008](#) (PDF 193 kb) [MIN08.19](#) (PDF 22 kb)

[Ordinary Meeting report - 13 May 2008](#) (PDF 124 kb) [MIN08.641](#) (PDF 24 kb)

[Development Committee report - 3 February 2009](#) (PDF 38 kb) [MIN09.173](#) (PDF 27 kb)

[Development Committee report - 5 May 2009](#) (PDF 477 kb) [MIN09.586](#) (PDF 23 kb)

[Development Committee report - 6 October 2009](#) (PDF 253 kb) [MIN09.1382](#) (PDF 16 kb) [MIN10.754](#) (PDF 53 kb)

Special rates - Old reports

[Report to Rates Working Party 24 January 2005](#) (PDF 180 kb)

[Report to Policy & Planning Committee 8 February 2005](#) (PDF 56 kb) [MIN05.125](#) (PDF 20 kb)

[Report to Rates Working Party 16 December 2005](#) (PDF 121 kb) [Minute](#) (PDF 55 kb)

[Report to Ordinary Meeting 20 December 2005](#) (PDF 56 kb)

[Report to Extra Ordinary Meeting 24 January 2006](#) (PDF 1 mb) [MIN06.04](#) (PDF 99 kb)

[Presentation to landowners 1 March 2006](#) (PDF 4 mb) [MIN08.590](#) (PDF 24 kb)

[Report to Extra Ordinary Meeting 17 June 2008](#) (PDF 108 kb)
[Report to Extra Ordinary Meeting 29 June 2010](#) (PDF 1 mb) [MIN10.763](#) (PDF 16 kb)
[Presentation, removal of special rate 16 June 2010](#) (PDF 21 mb)
[Report to Budget Working Party 12 April 2011](#) (PDF 31 kb) [MIN11.401](#) (PDF 16 kb)

Transfer of land in lieu of unpaid rates

Under this policy Council will, if requested, accept the transfer of land in full satisfaction of rates and charges. See [the policy for transfer of land in lieu of unpaid rates](#) (PDF 71 kb)

Roads - Old reports & information

[Report to Policy & Planning Committee 8 March 2005](#) (PDF 190 kb) [MIN05.273](#) - Roads (PDF 25 kb)
[Report to Policy & Planning Committee 6 September 2005](#) (PDF 230 kb) [MIN05.1250](#) (PDF 22 kb)
[Report to Ordinary Meeting 2 November 2005](#) (PDF 142 kb) [MIN05.1555](#) (PDF 22 kb)

Other documents & information

[Counselling services](#) (PDF 178 kb)

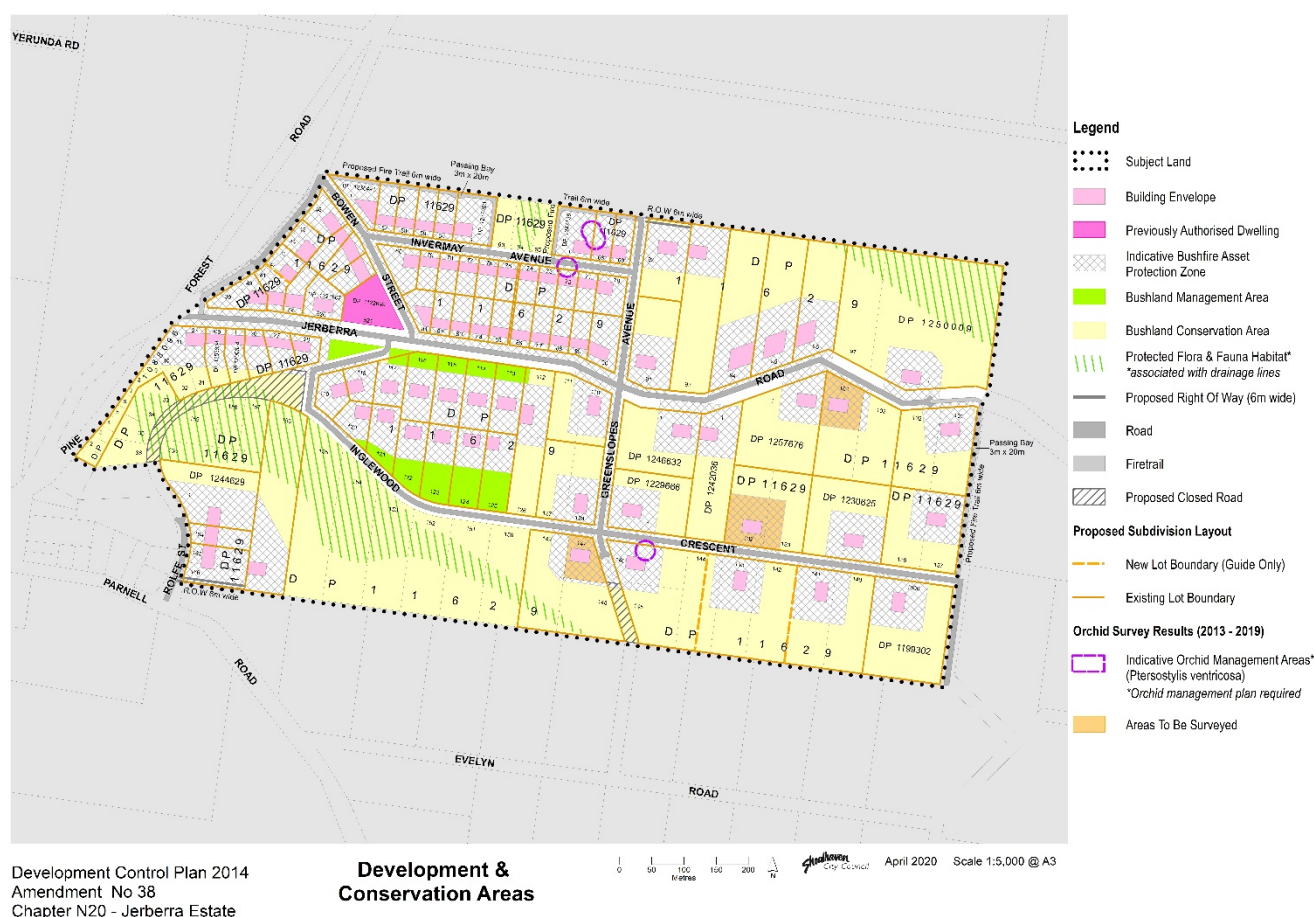


Figure 1 - Excerpt from Draft DCP Chapter N20 (Amendment 38 to SDCP 2014)