

FREQUENTLY ASKED QUESTIONS – PLANNING PROPOSAL



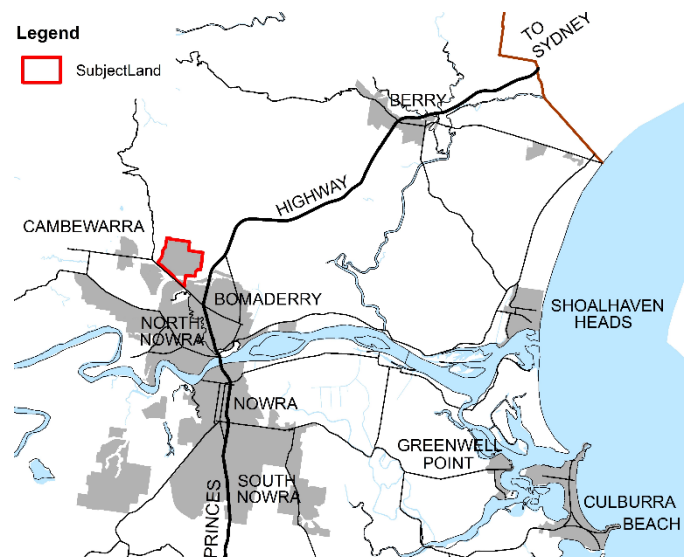
Moss Vale Road North Urban Release Area

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What is the Moss Vale Road North Urban Release Area?

The Moss Vale Road North (MVRN) Urban Release Area (URA) is an area of approximately 266 ha to the north of Moss Vale Road, west of the Princes Highway and south-east of the Cambewarra Range Nature Reserve (shown in the map below).



When was the land identified as a new living area?

The land was first identified as one of several new living areas in the [Nowra-Bomaderry Structure Plan](#) in 2008. In 2014 the area was rezoned and confirmed as an Urban Release Area (URA).

Although the land is zoned for development, requirements in Shoalhaven Local Environmental Plan (LEP) 2014 require satisfactory arrangements for State Infrastructure, Public Utility Infrastructure, and a site-specific Development Control Plan before

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the land can be fully ‘released’ and subdivision and development occur.

Why was the timing for the URA brought forward?

The [Nowra-Bomaderry Structure Plan](#) (NBSP) originally set the timing for the urban release area (URA) to be within Phase 5.

The timing was brought forward to Phase 2 on 28 March 2017 following a Councillor Notice of Motion.

The reasons for the URA being brought forward were due to concerns over increasing scarcity of zoned developable land within the Shoalhaven LGA leading to a lack of affordability for the local housing market, as well as an opportunity for economic stimulus to the local economy.

Council resolved to formally commence the process required under Part 6 of Shoalhaven LEP 2014 for the MVRN URA on 22 August 2017.

As part of this process a Planning Proposal (PP) has been prepared to amend and add provisions to Shoalhaven LEP 2014 to facilitate the intended development outcome of the release area.

What is a Planning Proposal?

A Planning Proposal (PP) is a document which explains proposed changes to a *Local Environmental Plan* (LEP).

A Local Environmental Plan (LEP) is the planning legislation that applies to a Local Government Area (LGA). For Shoalhaven, the primary LEP is Shoalhaven Local Environmental Plan (LEP) 2014. It contains provisions such as zoning, what land uses are permitted in each zone, when development consent is required, etc.

A PP is not the same as a Development Application (DA). A DA is a more detailed process to consider the specific impacts of a particular development including supporting technical reports and detailed plans.

What is a Gateway determination?

The Gateway process is administered by the NSW Department of Planning and provides a checkpoint for Planning Proposals before they can proceed any further.

Once a Planning Proposal has been endorsed by a Council, the PP needs to be submitted to the Department of Planning for their consideration/assessment – this is known as the ‘Gateway’ process. More information on the Gateway process can be found here:

<https://www.planning.nsw.gov.au/gateway-process>

A Gateway determination is a formal document issued by the Minister for Planning and Environment (or delegate) to indicate whether a Planning Proposal should proceed (with or without variation); whether any additional studies are required, the requirements for community consultation, any consultation with public authorities/ organisations, and the timeframe for completion of the LEP amendment.

The Gateway determination for the MVRN PP was issued on 21 December 2020.

What public authorities/organisation have been consulted on the PP?

The Gateway determination issued by the Department of Planning required consultation with the following public authorities/organisations:

- NSW RFS
- Natural Resources Access Regulator (NRAR)
- DPIE (Environment, Energy and Science)
- NSW Fisheries
- Heritage NSW
- Relevant Local Aboriginal Land Council/s
- Transport for NSW
- Endeavour Energy
- Jemena

Comments from authorities/organisations are included in Attachment 6 of the Planning Proposal document.

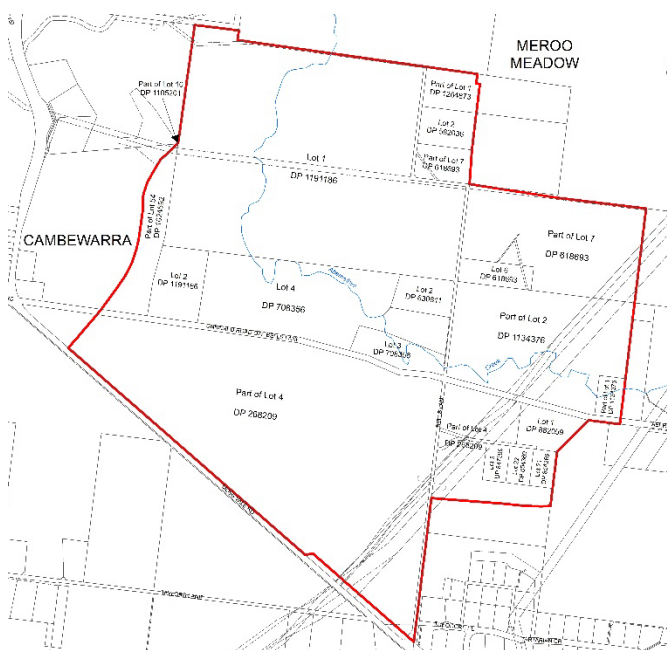
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What land does this Planning Proposal apply to?

The Planning Proposal specifically applies to:

- Part of Lot 54 DP 1024592
- Part of Lot 1 DP 1134376
- Part of Lot 2 DP 1134376
- Lot 1 & Lot 2 DP 1191186
- Part of Lot 4 DP 268209
- Part of Lot 10 DP 1105201
- Part of Lot 1 DP 1264873
- Part of Lot 7 DP 618693
- Lots 21 & 22 DP 86495
- Lots 3 & 4 DP 708356
- Lot 2 DP 582036
- Lot 6 DP 618693
- Lot 2 DP 630811
- Lot 3 DP 847399
- Lot 1 DP 882059

The subject land for the Planning Proposal is shown in the map below:



What are the key elements of the URA?

The urban release area (URA) includes a mix of residential, commercial, recreational and environmental zoned land that will deliver and support a range of housing types, a town centre, and a connected network of riparian corridors and public open space.

What changes are proposed as part of this Planning Proposal?

The Planning Proposal includes the following changes to Shoalhaven Local Environmental Plan (LEP) 2014:

Land Zoning Map	Adjustment to zones to match the Indicative Layout Plan.
Height of Building Map	• Apply an 8.5m height to land zoned R5 Large Lot Residential. • No mapped height for other zones – defaulting to 11m.
Minimum Lot Size Map	Apply the following lot sizes to corresponding zones: • R1 General Residential: 500m² • R5 Large Lot Residential: 1,000m² • E2 Environmental Conservation: 40 hectares • E3 Environmental Management: 40 hectares • E4 Environment Living: 2 hectares • RU1 Primary Production: 40 hectares No minimum lot size for land zoned B2 Local Centre, R3 Medium Density Residential, or RE1 Public Open Space.
Clause 4.1H Exceptions to minimum subdivision lot sizes for dual occupancies and dwelling houses (<i>Enabling clause for small lots</i>)	Apply Clause 4.1H to residential zoned land in identified locations close to the retail centre, open space, and main roads to permit subdivision into 300-499m ² lots.
Scenic Protection Area Map	Remove the application of this map from land zoned B7 Business Park.
Urban Release Area Map	Amend the current map to apply to all residential and business zoned land in the adjusted development outcome.

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Clauses Map	Amend the current map to apply to all residential and business zoned land in the adjusted development outcome.
Riparian Lands and Watercourses Map	Amend the current map to apply to the watercourses proposed to be zoned E2 Environmental Conservation.
Terrestrial Biodiversity Map	Apply a biodiversity overlay (significant vegetation) for three areas of moderate-high condition vegetation.

What supporting studies have informed the Planning Proposal?

The Planning Proposal (PP) is supported by a number of technical studies, including (but not limited to):

- Bushfire
- Visual Impact
- Flora/Fauna
- Flood
- Aboriginal Archaeology
- Traffic
- Community Infrastructure Needs

The supporting studies are included in Attachment 1 of the PP document.

Why are further changes being considered to the riparian zones?

To assist with consultation with the Natural Resources Access Regulator (NRAR) (a requirement of the Gateway determination), Council engaged an ecological consultant to assess the proposed changes to the riparian zones/watercourses against NRAR's guidelines under the Water Management Act 2000.

This additional work identified several encroachments into watercourses physically present on the site. In order to not delay the exhibition of the package of plans further, the Riparian Analysis is included as an addendum to the package of plans. The changes required are

considered minor and will be made following the formal public exhibition period and prior to finalisation of the PP.

What will the range of lot sizes be?

The release area will deliver a range of lot sizes to provide an increased range of housing opportunities close to existing services, jobs and infrastructure.

Most of the release area will be zoned R1 General Residential with a minimum lot size of 500m². In certain circumstances, an exception to the 500m² minimum lot size may allow lots as small as 300m² (in identified locations close to the retail centre, open space, main roads and future public transport routes). Larger lots with a minimum size of 1,000m² will also be provided in some locations.

Will the URA deliver affordable housing?

The release area will deliver over 2,200 residential lots to the market in a staged and continuous manner over the next several years. Affordability and prices are ultimately market driven so Council has no direct control over the price point of lots delivered to the market by developers.

The introduction of controls encouraging the delivery of small lots will help facilitate a mix of housing types and lot sizes to meet the community's housing needs. Small lots are also more likely to be priced more affordably than larger lots and may contribute to increased housing affordability in the area.

What are the requirements for small lots and where will they be located?

Small lots will be permitted in certain locations close to the retail centre, open space and main roads as shown on the Lot Size Map in the Planning Proposal, and must meet the following requirements:

- Have a primary street frontage;
- Be at least 300m²; and
- If the size of the lot is less than 400m², the lot is accessed by vehicle using a rear lane or shared driveway.

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How was the location of the town centre decided?

An independent report was commissioned to identify the optimal location for the commercial/retail centre, which is included in the PP.

The report recommended:

- a centre location,
- an activation precinct of flexible planning controls around the centre to encourage the early delivery of the centre,
- consequential adjustments to the application area of the proposed controls,
- encouraging small lot housing to reflect the walkable catchment of the retail centre, and
- realignment of indicative roads and open space adjacent to the centre location.

Where can I get further information?

If you need any further information, please contact Strategic Planning on 4429 5377.

Further background information can also be found on the Get Involved Page, 'Planning for Growth in Nowra-Bomaderry':

<https://getinvolved.shoalhaven.nsw.gov.au/planning-for-growth-nowra-and-bomaderry>

Have Your Say

Submissions are invited during the exhibition period and should be made in writing, and 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 form on the Exhibition page at:
<http://shoalhaven.nsw.gov.au/My-Council/Publicexhibition/Documents-on-exhibition>

Submissions must be received in writing by **5pm Friday 1 July 2022**, quoting Council's reference **55387E/4**.

Council staff are available via phone or email to answer your enquiries on the exhibition material. Please contact the project team on 4229 5377 or via email council@shoalhaven.nsw.gov.au for more information.

Community 'Drop-in' Session

To support the public exhibition, Council is holding a community 'drop-in' information session.

This is an opportunity for interested members of the community to find out more about the Planning Proposal, draft DCP Chapter NB4 and supporting documents for Moss Vale Road North URA.

When: Thursday 2 June 2022

Time: 4:00pm – 7:00pm

Where: Mezzanine meeting room, Shoalhaven Indoor Sports Centre, 90 Cambewarra Road, Bomaderry.

Council staff will be in attendance to discuss and answer questions about the exhibition documents.

To register your interest in attending please contact Council's Senior Administration Officer, Kerrie Mackey on 02 4429 3426 or at Kerrie.Mackey@shoalhaven.nsw.gov.au.

Alternatively, you can register online using [Council's Get Involved website](#).

Please register by 5:00pm, Monday 30 May 2022.

Document Control:

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