

Objection;

Council have increased the maximum height of buildings across the Shoalhaven through the inclusion of “**11 metres except where**” into Clause 4.3 of the Draft SLEP2009

Consequence;

- Building Heights set on existing DCP’s have been arbitrarily changed without community consultation
- DCP71 controls heights of buildings in 30% of Huskisson. If heights in these areas are increased to 11 meters there will be a significant change in character and lifestyle of the village and a loss of appeal that brings financial sustainability from tourism
- Even if Council does persist with its “Intention” to Map R2 and RU5 zones and height controls set in site specific DCP’s the resultant outcome will be 56% of the residential zones with construction having heights between 11 and 13 meters

Solution;

- **Remove the “optional” statement from Clause 4.3 ... 11 metres except where**

Objection;

Council have inserted into Clause 4.3 an objective that includes “**and desired future character of a**”

Consequence;

- This Objective .. to ensure that buildings are compatible with the height, bulk and scale of the existing **and future desired character of a** locality ... has been determined without any consultation or engagement with the Shoalhaven community and is one of the reasons that there was such a significant change in elected Councillors at the September 2008 election.
- Such a statement is a corollary with the increased maximum height and arbitrary dismissal of height controls in existing DCP’s and together they are intended to pander to a developer lobby
- The community through the Huskisson & Woollamia Community Voice have been pleading with Council for more than 6 years to engage the stakeholders in Huskisson to create a Master Plan for Huskisson rather than permit developers to grab sections of the village to be “banked” for future profit.
- Huskisson has the potential for Year Round Tourism ... provided that the strategy is based on a plan supported by all stake holders

Solution;

- **Remove the following words in the Objective ... and desired future character of a**

Objection;

Council has adopted a motion which states its “intention” to Map R2 and RU5 zones and Map height controls in site specific DCP’s

Consequence;

- The outcome of this motion will result in the R3 and R1 zones in Huskisson having maximum building heights of 11 meters
- 56% of the residential area of Huskisson will have heights of 11 to 13 meters ... very poor Town Planning and totally contrary to the wishes of the local community and those that visit Huskisson of holidays

Solution;

- Council modify its “intention” and Map all zones within the Shoalhaven at heights and FSR that conform to existing DCP’s

Objection;

Rural Lifestyle land currently zoned 1(c) has been grouped with two residential zones (2a2) and 2(a3) and transferred to the Large Lot Residential zone R5

Consequence;

- Under LEP 1985 and the subsequent NSW Government Commission of Enquiry in 2001 into 1(c) Rural Lifestyle Zonings these lots are protected from further subdivision.
- This land is suitable for small scale agriculture that creates JOBS ... and should be zoned RU4 (Primary Production small) , which is what the DoP Template requests
- Rural Lifestyle converted to R5 Large Lot residential will ultimately be subject to Lot Size Averaging ... reducing the minimum lot size and inviting Urban sub-division
- SCC Ground Rules state “There will be on major addition of residential / commercial / Business zoned land unless it is already identified in Structure Plans (eg Nowra – Bomaderry) or similar
- Many areas across the Shoalhaven are suitable for small scale agricultural use and need the protection of rural lots against further subdivision and alienation of valuable agricultural land. Other land currently zoned as 1(c) Rural Lifestyle is adjacent to land of high conservation value and need the protection of Environmental zoning. They will not have such protection in the R5 Large Lot Residential Zoning in LEP 2009.

Solution;

- R5 zone to be limited to **2(a2), 2(a3)**. Primary production land **1(c)** to be included in RU4 (large lots) or E4 (small lots). Loss of this land will reduce food production and jobs
- Adopt zones RU4 Primary Production Small Lots and E4 Environmental Living as outlined in LEP Practice Note PN11-002 in LEP2009 and move land previously zoned as 1(c) Rural Lifestyle in LEP1985 into these zones depending on their current land use, minimum lot sizes and proximity to land of high conservation value.

Objection;

HOB Maps for Huskisson CBD have been increased by 3 meters over the maximum heights set by DCP54.

Consequence;

- DCP54 will award a bonus storey to a development that is based on consolidation of 2 or more lots fronting Owen Street in Huskisson
- The Draft SLEP2009 has automatically awarded these heights through the increase of maximum heights by 3 meters over those set by DCP54
- Rather than use the City Wide DCP to award an additional Storey for lot consolidation the award has been included in the LEP maximum heights .. this will result in a development claiming the increased height irrespective of the requirements of the City Wide DCP ... or the issue will be the subject of a Land and Environment court challenge ...with a very high likelihood of the court finding in favour of the SLEP2009 over the DCP

Solution;

- Reduce the Max Height in HOB Map for Huskisson CBD, to levels in DCP54. Bonus height for Lot Consolidation to be applied as a Storey in the City Wide DCP, NOT in the LEP.

Objection;

Loss of Public Recreation land along Berry Street, currently zoned 6(c), transferred to B4 mixed Development in the Draft SLEP2009, whereas the correct and equivalent zone is RE1

- There is correspondence with the Council Senior Planner responsible for the Draft SLEP2009 acknowledging that the zoning of the two lots into the B4 zone was incorrect
- It is unreasonable that public recreation land be absorbed into B4 mixed business zone where the beneficiary will solely be a developer
- Currently the land, zones 6(c) is Crown land and should NOT be seconded for private development
- The lots, zoned 6(c) along Berry Street are a buffer separating the 2(a1) = R2 low density residential zone from high risk bush fire prone land.

Solution;

- 6(c) zoned land off Berry St is incorrectly zoned B4, it should be RE1.
- Correct the zoning error

Objection;

Flood Prone land 1(g) located at the 'extension' to Currambene Street has been put into B4 mixed Development .. rather than E2 Environmental Conservation

Consequence;

- Inclusion of flood prone land in B4 (mixed development) zone is very misleading to a developer as the land will impose extreme cost penalties
- Similar land 200 meters to the north has been zones E2 as part of a Crown lands assessment ... this land at the southern end of Currambene street should also be zones E2
- The general area zoned B4 along Berry Street ... adjacent to the Murdoch Street – DCP99 development area is not suitable for development due to the incidence of endangered flora and fauna and the potential of flooding and high risk of bush fires. It is unreasonable and deceptive that this Crown land be proposed as suitable for mixed development.

Solution;

- 1(g) flood prone land at the end of Currambene St should be E2 .. NOT B4 .. as per equivalent flood prone land 200 meters to the north as approved by Crown Lands

Objection;

Changed Land Uses in R2 low density residential zones are NOT in accord with existing Uses .. and not in accord with the Objectives for the zone.

Consequence;

- Objectives set by DoP
 - To provide for the housing needs of the community within a low density residential environment.
 - To enable other land uses that provide facilities or services to meet the day to day needs of residents.

- Objectives set by SCC
 - To provide an environment primarily for detached housing and to ensure that other development is compatible with that environment.
 - This objective seeks to dilute the intent of the Objectives set in the Standard Instrument permitting a range of land uses that are inconsistent with the needs of a low residential zone
- The following Land Use categories have been added to existing permitted uses and are contrary to the Objectives as set by DoP
 - Exhibition homes and Exhibition Villages (**not previously a permitted use**)
 - Home industry and Home industries (**not previously a permitted use**)
 - Boat repair facilities, boat launching ramps, boat sheds, jetties (**not previously a permitted use**)
 - SEWERAGE SYSTEMS (**not previously a permitted use**)
 - Emergency service facilities (**not previously a permitted use**)
 - Building identification signs, Business identification signs (**not previously a permitted use**)
- In general the number of permissible land uses has increased quite significantly, those listed above are inappropriate in an Administrative Changeover on the basis that they were (**not previously a permitted use**).

Solution;

- Remove all land uses that were NOT previously stated as permissible
- Remove all land uses that are not subservient to a family life style in a low density residential area

Objection;

Changed Land Uses in R3 medium density residential zones are NOT in accord with existing Uses .. and not in accord with the Objectives for the zone.

Consequence;

- There is little land zoned R3 in the Shoalhaven ...
 - Berry 5%, Shoalhaven Heads 15%, Greenwell Pt 5%, Huskisson 30%, St Georges Basin 5%, Hyams Beach 8%, Sussex Inlet 10%, Cudmirrah 2%, Milton/ Mollykmook 20%, Ulladulla 13%, Burrill Lake 3% and Bomaderry (percentages stated are approximate proportion of residential land in a specific location)
- The impact of any change in land use of max height in this zone will have the greatest detrimental impact of small rural and coastal villages .. adversely impacting tourism through over-development
- Objectives set by DoP
 - To provide for the housing needs of the community within a medium density residential environment.
 - To provide a variety of housing types within a medium density residential environment.
 - To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- Objectives set by SCC
 - To provide opportunities for the development of tourist and visitor accommodation where this does not conflict with the residential environment.
 - To provide for dwelling houses that form an integral part of a medium density development and maintain or enhance the residential amenity of the street.

- The following Land Use categories have been added to existing permitted uses and are contrary to the Objectives as set by DoP
 - Dual Occupancies (**not previously a permitted use**)
 - Hostels & Residential Flat buildings (**not previously a permitted use**)
 - Shop Top Housing ... (**not previously a permitted use**) Neighbourhood Shops are a mandated use, however Shop Top housing creates a gross impost on the surrounding area
 - TOURIST & Visitor Accom .. (**previously a prohibited land use**)
 - Home industry and Home industries (**not previously a permitted use**)
 - SEWERAGE SYSTEMS (**not previously a permitted use**)
 - Registered Clubs (**not previously a permitted use**) a source of noise inappropriate to a residential area
 - Veterinary hospitals (**not previously a permitted use**), a source of noise inappropriate to a residential area
 - Water Supply Systems (**not previously a permitted use**)
 - Boat Repair facilities, boat launching ramps, boat sheds, jetties (**not previously a permitted use**)
 - Building & Business Identification signs (**not previously a permitted use**)
- The imposition of Hostels, Residential Flat buildings, Shop Top Housing, Tourist & Visitor Accommodation, Sewerage systems, Registered Clubs, Veterinary Hospitals, Water Supply systems, Boat Repair facilities, boat launching ramps, boat sheds, jetties are totally anathema to a medium density residential zone in a small rural or coastal community

Solution;

- Remove all land uses as listed above that were previously stated as prohibited or NOT stated as permissible
- Remove all land uses that are not subservient to a family life style in a medium density residential area located in a small rural or coastal environment

Objection;

Increased Land Uses in RU2 Rural Landscape zone to allow Airport Facilities

Consequence;

- While Naval air space will likely preclude a week day airport near Huskisson, a weekend tourist airport facility would be detrimental to the amenity of the Jervis Bay.
- From a Shoalhaven wide perspective the inclusion of a range of previously prohibited or not permissible land uses suggests that there are too few rural zones and that there is an inappropriate strategy by Council to mandate maximum flexibility of land use to be able to capitalise on “opportunities” as they arise, rather than create a considered plan for the future
- Objectives set by DoP
 - To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
 - To maintain the rural landscape character of the land.
 - To provide for a range of compatible land uses, including extensive agriculture.
 - To provide for land uses and other development which by virtue of their character require siting away from urban areas.
- The following Land Use categories have been added to existing permitted uses and are inconsistent with the Objectives as set by DoP

- **previously a prohibited land use**
 - Group Homes
 - Offensive Industries
 - Hazardous Industries ... 1(d) prohibits Industries
 - Extractive Industries
- **not previously a permitted use**
 - Hazardous Industries
 - Boat Repair facilities, boat launching ramps, boat sheds, jetties, marinas, moorings
 - AIR TRANSPORT FACILITIES
 - Tourist & Visitor Accommodation ... **incl caravan parks**
 - Entertainment facilities, Markets,
 - Food and Drink Premises
- For some time there has been inappropriate excavation of an old and informal landing strip just to the west of Huskisson. The site is within the Naval air space and if permitted to develop would create a nuisance for Huskisson that would be to the ultimate detriment of the coastal village community and the many visitors who come for peace and quiet.

Solution;

- Remove all land uses as listed above that were previously stated as prohibited or NOT stated as permissible
- Remove all land uses that are not subservient to rural activities and primary production where the potential for food production and rural employment is a reality.