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HWCV refce: S.Murphy

23 April 2008

**The General Manager  
Shoalhaven City Council  
PO Box 42, Nowra 2541**

Council refce: 5262  
(Attn: Mr John Britton,  
Development & Environmental Services  
tel: 4429 3432)

Dear Sir,

- **Draft Amendment No.5 (amends DCP 57 – Dual Occupancy Guidelines)**
- **Draft Amendment No.2 , Element DO1 (Dual Occupancy Subdivision - amends DCP 100 – Subdivision Code)**

These are on exhibit for public comment until 24 April 2008.

We thank Mr Britton of Council staff for the meeting to explain the draft amendments. We summarize below some observations and recommendations in regard to the amendments and parent DCP's:

Suggesting a trial period of 18 months, confined to Nowra, Bomaderry and Ulladulla

- The HWCV would prefer to see the amendments applied for a trial period of 18 months to only the larger centres, Nowra, Bomaderry and Ulladulla, before considering spreading to the smaller settlements.

This is both to “debug” their operation, and to observe the effects of what we anticipate will be a speculative rush to dual occupancy subdivision (there is some precedent from events in Sydney in the early 1990's), which we say would be unfair to existing single dwelling home owner lots. The larger settlements have the infrastructure and services better suited to greater urban infill density, but smaller settlements face significant shortfalls in this area.

In support of the above suggestion, we quote from the *Shoalhaven Housing Strategy 2006, Part 7, Actions*, which says on the subject of subdivision of dual occupancies: “Accordingly re-introduction is proposed in Nowra and Ulladulla (only), subject to at least one of the resultant dwellings meeting ‘adaptable’ standards.”

This part of the *Shoalhaven Housing Strategy* does go on to suggest consideration of subdivision of dual occupancies in the Bay and Basin area, subject to at least one of the resultant dwellings meeting ‘adaptable’ standards, but with an important rider: “...AND the adequacy of existing services in this area to meet additional demand from people with disabilities and the aged.”

As already mentioned, the adequacy of existing services and infrastructure for the aged and disabled in Huskisson and the Bay and basin area in general is limited in comparison with the larger urban centres.

From the background of planning documents including the *SCC Jervis Bay Settlement Strategy 2003* and the NSW Department of Planning *South Coast Regional Strategy 2007*, Council has denoted Huskisson as a *Tourism Town*. But the current draft amendments are not helpful in this respect.

Huskisson has a significant area already zoned as 2 (b)2 Medium Density, and in addition to this, we know that there are many high rise apartment blocks either approved or under development application within 3(g) Business zones in Huskisson. Additional to this is the future built density inherent in 3(a) 'Residential over Retail' zones.

An in-progress HWCV analysis is showing preliminary results *in the order of 90% of all dwellings in Huskisson that will be subject to future increased urban consolidation density*, whether in the form of apartment blocks, medium density, residential over retail, or dual occupancy and dual occupancy subdivision.

The HWCV therefore believes that the two current draft amendments would tip the balance too far, by removing another layer of protection for most of the few remaining single dwelling cottage lots. This would further undermine the village charm and heritage appeal of the village, something that underpins the attractiveness of Huskisson to tourism visitors.

#### HWCV historically opposed SPP5 (dual occupancy subdivision) in November 2006

We wish to reiterate that the HWCV opposed in November 2006, SPP5 (dual occupancy subdivision) when the draft was initially exhibited. SPP5 extended the applicability of DCP 57 to the smaller size Huskisson lots indicated by council in late 2006, i.e. lots down to cadastral size minimum 800m<sup>2</sup>. SPP5 also provided a financial incentive to increased built density of settlements by allowing, subject to performance criteria, for subdivision of dual occupancy.

#### Reduce the FSR to 0.4:1 maximum

The staff report found that FSR of 0.4:1 was more than adequate, however in the final draft this has been increased to 0.5:1 (FSR = built floor area : site area). The higher FSR increases built density, while diminishing residential amenity.

- The HWCV would like to see maximum of FSR 0.4:1 reinstated.

#### Emphasis on landscaped area

In combination with greater FSR, reduced % of landscaped area would lead to increased rainfall run-off, and greater "McMansionization", i.e. increased built density of settlements, whilst diminishing residential amenity.

In the case of settlements around Jervis Bay, the volume and turbidity of drainage run-off are a particular issue in protection of water quality and habitat values of the Jervis Bay Marine Park.

- The HWCV believes that a guideline minimum of 40% landscaped area (suitable for deep soil plantings) is desirable. However where an application provides for less than this, say in the range 30% - 39%, then Council should seek further information on the proposed alternative drainage measures, such as building design modifications or on-site water storage.

More specific quantification of the term “25% of lots in a localized streetscape”

*Performance Criteria* within Element DO1: the occurrence of grouped dual occupancy subdivisions are minimized in a localised streetscape. *Acceptable Solution*: the development types in a localised streetscape result in no more than 25% of lots containing a dual occupancy subdivision, and no more than two adjoining dual occupancy subdivision developments facing the same street frontage.

It is expected that the above *Performance Criteria* and *Acceptable Solution* will be cause for considerable future dispute, eg an applicant claiming their proposal will only lead to 24.9% of dual occupancy subdivisions.

- The HWCV recommends attaching a detailed definition of what constitutes the maximum 25%. For example whether it refers to one or both sides of the street, and what about lots over the back, and so on it goes.

Reinstate minimum 900m<sup>2</sup> lot size for cul-de-sacs

For cul-de-sacs, staff recommended a larger minimum lot size for permissible dual occupancy of 900m<sup>2</sup>, due to the greater difficulty for roadside parking spaces, and the need for traffic turning circle. However the final draft reduced this to 800m<sup>2</sup>.

- The HWCV recommends reinstatement of a minimum 900 m<sup>2</sup> for dual occupancy subdivision cul-de-sac lots.

Adaptable housing - strengthen the wording to encourage more

*Adaptable housing (AS4299)* for the aged and disabled has been something of a Trojan horse in the push for more dual occupancy. Under the current draft amendments, adaptable housing while *encouraged*, is nonetheless not mandated, i.e. for lots less than 800m<sup>2</sup> area, and within 400m of a commercial centre, adaptable housing will be *encouraged* under draft Amendment No.5 to DCP 57.

The *Shoalhaven Housing Strategy 2006* says that meeting AS4299 will add less than \$5,000 to dwelling construction cost, and that the appearance is little different to conventional dwellings. We know demographically that the population of over 55 year olds will grow rapidly.

The HWCV recommends strengthening the wording to encourage more adaptable housing.

- The HWCV recommends for all parts of Huskisson and Woollamia, that at least one of the resultant dual occupancy dwellings should meet adaptable housing standards, in accordance with the *Shoalhaven Housing Strategy 2006, Part 7, Actions*.

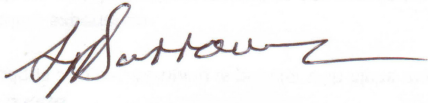
Clarify the definition of “within 400m of a commercial or service centre”

The definition of a “commercial or service centre” needs to be firmed up, as this term is also contained within draft Element DO1, to DCP 100, as an *Acceptable Solution*: that dual occupancy subdivisions are to be within 400m of a commercial or service centre. The staff report to council on 12 February 2008 mentioned that a “..‘commercial centre’ is considered as lots within a business zone.”

Given the existing discontinuous coastal strip of 3(g) business zoning in Huskisson, this definition would open up almost all of Huskisson to dual occupancy subdivision, subject to the *Acceptable Solutions* within draft Element DO1 and DCP 100. Along with the term “25% of lots in a localized streetscape”, mentioned above, the HWCV believes the term “within 400m of a commercial or service centre” is fertile ground for future dispute and should be tightly defined.

- The HWCV believes that the term “commercial or service centre” should be taken to mean the main street (Owen St) and shops, and the 400m distance be defined as traversed by normal pedestrian walk.

Sincerely

A handwritten signature in black ink, appearing to read 'A. Sutton', written over a faint, illegible printed name.

Co-Chair  
Huskisson Woollamia Community Voice

23 April 2008