

Direction – An exemption to the minimum size shown on the Lot Size Map may be provided in certain circumstances, for example, in the case of land that is to be used for attached dwellings.

- (4) *This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.*

The minimum lot size map exhibited by SCC proposes a lot size requirement of 500 m² for those lands zoned R1. The proposed residential allotments all exceed the minimum lot size requirements with the smallest lot having an area of 503 m².

Having regard to the E2 zone, the minimum lot size map exhibited by Council specifies a lot size requirement of 40 ha. The proposed large lot residential allotment does not comply with this however it is expected that as the proposed lot contains an existing dwelling, the creation of this allotment will be resolved through the process of Draft LEP 2013 being finalised and a submission was made to SCC during the earlier exhibition of Draft LEP with regard to this matter.

Final approval of this Part 3A Major Project Application is contingent on the completion of Draft Shoalhaven LEP 2013.

4.6 DEVELOPMENT CONTROL PLANS

4.6.1 Development Control Plan No. 91 – Minimum Building Code Requirements

This DCP applies to the construction of dwellings on residential allotments. The aims of this DCP are:

- *to ensure a high standard of residential development and ancillary structures, is achieved throughout the city*
- *to ensure that development is sympathetic to the physical constraints encountered on the site*
- *to encourage innovative design in residential development which reflects the need to preserve the amenity of the area, whilst having due regard to the physical constraints encountered in these areas*
- *to encourage residential development that is ecologically sustainable*
- *to ensure that appropriate levels of amenity are achieved, including privacy, over-shadowing and access to sunlight, noise and open space*
- *to set appropriate environmental criteria for energy efficiency, passive solar design, privacy, and vehicular access*
- *to provide a comprehensive design oriented approach to residential development*
- *to provide clear guidelines for the planning and construction of buildings within the City of Shoalhaven*

- *to provide a document with flexible performance-based criteria to guide development.*

The DCP includes controls relating to overall height, building envelope planes, floor space ratios, and privacy.

The major project does not require consideration against the provisions of this DCP, however it does demonstrate that SCC has appropriate controls over residentially zoned land to be applied in respect of future residential development, and the dwellings to be constructed on the proposed allotments.

4.6.2 Development Control Plan No. 93 – Waste Minimisation and Management

DCP No. 93 is implemented by a requirement to provide a Waste Minimisation and Management Plan (WMMP). Each WMMP is required to outline the amount of waste expected to be generated, its storage, and future re-use or disposal method. It is ordinarily the case that such information is provided before actual construction works commence and a condition of consent can be imposed requiring such plan for further consideration. The provisions of this DCP can be addressed by the future preparation of a WMMP.

4.6.3 Development Control Plan No. 100 – Subdivision Code

The proposal, being for the subdivision of the site into residential allotments, is subject to the provisions of DCP No. 100 – Subdivision Code which applies when the subdivision of land is proposed. The aims of the DCP are:

- *To encourage high quality urban design and residential amenity;*
- *To set appropriate environmental criteria for subdivision development;*
- *To provide a comprehensive design approach for residential, rural, industrial and commercial subdivision;*
- *To provide a user friendly document with flexible performance-based criteria to guide development; and*
- *To provide for the ecologically sustainable subdivision of land.*

DCP No. 100 outlines a number of Performance Criteria with objectives that need to be met in the subdivision of land, along with Acceptable Solutions which are simply examples of what may be considered acceptable in complying with the Performance Criteria. The Acceptable Solutions are generally numerically based, and include requirements relating to minimum allotment size, along with width and depths.

In relation to this subdivision, the following compliance table (**Table 5**) addresses the Acceptable Solutions that are considered to have relevance to this proposal.

Table 5
DCP No. 100 - Subdivision Code

<i>Issue</i>	<i>Compliance</i>	<i>Comments</i>
Lot Size <i>Minimum lot size of 500 m²</i>	Yes	The application proposes 312 allotments, all of which exceed the 500 m ² minimum with the smallest lot being 503 m ² and increasing up to 1101 m ² .
Dimensions <ul style="list-style-type: none"> Rectangular non-corner lots <i>Minimum width of 16 m and depth of 30 m.</i> Rectangular corner lots <i>Square width of 20 m depth of 30 m</i> Battle-axe Lots <i>Minimum lot size of 650m² (excluding access handle) with right of way width of 4.0 m with rectangular building envelope of 15 m x 15 m and 5 m setbacks to adjoining property boundaries.</i> Irregular shaped lots <i>Square width of 12 m Width at building line of 16 m Mean width 18 m Depth of 30 metres</i> Corner Splays <i>4 metres</i> 	<p>Yes (with exceptions)</p> <p>Yes (with exceptions)</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>	<p>The proposed regular shaped allotments generally have a minimum width of 16 m or wider, and a minimum depth exceeding 30 m.</p> <p>An exception to this is a small number (5) of allotments which front Road No. 4 which have a width of between 15.8m and 15.9 m. This represents a 0.1 to 0.2 m, or approximately up to 1% departure to that outlined.</p> <p>Further, 2 lots fronting Road No. 1 propose widths at the street of approximately 15m, however this increases at the building line. Justification of this is provided below.</p> <p>The proposed corner allotments are all of a reasonable shape with width and depth that comply with the minimum requirements. There are however some exceptions where the width of the proposed allotments is less than that specified in DCP 100 by up to 2.5 m. This is further discussed below.</p> <p>No battle-axe shaped allotments are proposed.</p> <p>All irregular shaped allotments are of a size and shape that exceed the minimum requirements.</p> <p>Splays are provided to all corner allotments.</p>
Energy efficiency Allotments Design to achieve 5 star rating in accordance with Council's Energy Efficiency Policy	Yes	<p>The allotments are orientated mostly on an east-west axis which maximise opportunities of achieving good levels of solar access to future dwelling houses. Where an east west axis is not possible, the allotments are provided with a north south axis.</p> <p>The only exception to the above is where the curvature of the proposed spine road servicing the subdivision requires departure to the general grid pattern. These allotments are relatively generous in area considerably exceeding the minimum lot size requirements to compensate for this and will provide acceptable direct solar access.</p>

For the most part, the subdivision layout complies with the Acceptable Solution requirements of DCP No. 100. In this regard, the proposal is entirely compliant with the minimum lot size requirements and orientation. The subdivision layout does depart from the requirements of Council's Subdivision Code in respect of a number of allotments due to the following:

- Regular shaped lots with widths less than 16 m,
- Corner shaped lots with width less than 20 metres,

As outlined above, compliance with the Acceptable Solutions is only an example of achieving compliance, and alternatives can be proposed provided that it is demonstrated that the alternative will satisfy the design objective and criteria. The objectives of Council's Subdivision Code as it relates to Allotment Layout are contained within Element RE 14 as follows:

Objectives

- 01** *To provide a range and mix of lot sizes to suit a variety of dwellings and household types, with areas and dimensions to meet user requirements.*
- 02** *To provide lots that are oriented where practicable to enable the application of energy conservation principles.*
- 03** *To provide lots of sufficient size to protect environmental features and take into account site constraints.*
- 04** *To provide for smaller lots in locations adjacent to neighbourhood centres, public transport stops and adjacent to higher amenity areas.*

The Performance Criteria applying to the Allotment Layout (and minimum lot size) is as follows:

- P1** *Lots have the appropriate area and dimensions for the siting and construction of a dwelling and ancillary outbuildings, the provision of private outdoor space, convenient vehicle access and parking.*
- P2** *Lot areas and dimensions take into account the slope of the land and the desirability of minimising earthworks / retaining walls associated with dwelling construction.*
- P3** *Lot areas and dimensions enable dwellings to be sited to:*
 - *Protect natural or cultural features*
 - *Acknowledge site constraints including soil erosion and bushfire risk*
 - *Retain special features such as trees and views*
- P4** *Lot frontages are oriented to streets and open spaces so that personal and property security, deterrence of crime and vandalism and surveillance of footpaths and open spaces are facilitated.*

- P5** *Lot design precludes the need to reverse onto a major or minor distributor road.*
- P6** *Lots to provide appropriate dimensions for the siting and construction of residential development and ancillary outbuildings or facilities*
- P7** *Adequate provision to be made for access to the property.*
- P8** *Suitable building envelope, of relatively flat land that can be developed.*
- P9** *Minimise overshadowing and privacy impacts on adjoining residents.*
- P10** *Provide opportunity for future dwellings to have good solar access.*
- P11** *Retain character of location by preserving existing mature trees or provide opportunities for future planting.*

It is considered that the proposed allotments are reasonable and comply with the Performance Criteria and objectives, for the following reasons:

- Those allotments which depart from the Acceptable Solutions are of regular shape which maximises the extent of land available for the construction of a dwelling, ancillary outbuildings and private outdoor space, along with access and parking;
- The land is relatively level, again maximising the extent of land available for residential development on each lot;
- The general subdivision layout is one that facilitates efficient land use by maximising extent of developable land;
- The subdivision design is mindful of relevant constraints with the result being that the proposed residential allotments themselves are generally unconstrained and do not contain any natural or cultural features requiring protection;
- Each allotment is provided with frontage to a public road thus providing suitable access;
- Each allotment is sited on land having suitable grades which will not constrain further development;
- The typical grid pattern and orientation of the allotments is such that good exposure to direct sunlight will be available; and
- The generally level nature of the site is such that substantial changes in grade are unlikely, thus maximising privacy between allotments.

Consequently, it is considered that the proposal is compliant with the Objectives and Performance Criteria, and therefore the requirements of DCP No. 100.

4.6.4 Area Specific Development Control Plans

The site is not subject to any specific area based DCP adopted by Council. The area is however the subject of a Masterplan which has been addressed in Section 3.4.3.3.

4.7 COUNCIL POLICIES

4.7.1 Nowra Bomaderry Structure Plan

The provisions of the NBSP have been addressed in detail above in Section 3.4.3.2.

4.7.2 Masterplan – Mundamia

The provisions of the Mundamia Masterplan have been addressed above in Section 3.4.3.3.

4.7.3 Shoalhaven Cycleway Strategy

SCC adopted a Cycleway Strategy on 16th December 1997 in order to recognise the needs of cyclists, to ensure that the Shoalhaven is a 'cycle friendly' city and to identify a realistic network of cycleways for implementation. A series of maps accompanies the strategy in order to identify appropriate routes for cycleways, and the nature of the facility to be provided. These apply to developed areas only and as such, do not affect the site the subject of this major project.

Notwithstanding this, the subdivision does include a series of formal and informal opportunities for cyclists within the property and the goal of a 'cycle friendly' city is enhanced by the proposal.

4.7.4 Reflective Building Materials - Use in Coastal and Rural Areas

SCC has adopted a policy to control the use of reflective materials in locations where the natural landscape is of such quality it should be pre-eminent, structures should not strongly contrast with the background and highly reflective materials are not permitted in such locations. The Draft Design Guidelines discourage the use of highly reflective materials such as galvanised iron and as such, compliance with this policy can be implemented in future residential development.

Visual impact matters are further addressed in Section 5.1.

5.0 ENVIRONMENTAL ASSESSMENT

5.1 VISUAL IMPACT

5.1.1 Introduction

The subject site is located within the NSW Coastal Zone due to its proximity to the Shoalhaven River which meanders to the coast generally to the north of the site. The site is also relatively close to the western edge of the Nowra township, which is 0.6 km away (direct line), separated by land vegetated with native forest.

The proposal has the potential to result in visual impacts due to the removal of vegetation and the conversion of existing pasture to a residential land use and the resulting physical works that would follow including earthworks, road and other infrastructure construction, and ultimately the construction of dwellings on each proposed lot.

This section of the EA will address the visual impacts associated with the proposal, and address any mitigation measures required in order to minimise visual impacts associated with the development of the land.

5.1.2 Existing Environment

Local Context

The immediate locality predominantly has a rural and rural residential character and contains a variety of land uses including rural residential allotments having a variety of lot sizes and an educational facility (Shoalhaven Campus of the University of Wollongong and TAFE). The site itself is principally fringed with vegetation along all boundaries. The road network in the immediate locality is not extensive which significantly restricts opportunities to view the site.

In a local context, the site is not considered to be prominent from public places due to the gentle topography, extent of existing vegetation surrounding the site, and the limited road network providing few opportunities to view the site.

The site is visible from private lands which adjoin the site. For the most part, these lands are of a large size which reduces impacts where visual amenity is provided for within those sites themselves, however an exception to this exists in the form of two smaller allotments (1115 m²) sited in the north-western corner of the site and these are shown in **Plates 5 and 6** in Section 2.0.

Although the site is visible from other lands in the locality, it is not considered to be prominent as it does not contain any particular topographic features or the like to heighten its visibility.

District Context

The broader (district) locality includes the Nowra urban area, surrounding rural and rural residential areas and the Shoalhaven River.

To the north, the site is not visible from the Shoalhaven River due to the siting of the property well above the level of the River, and the existence of a sandstone escarpment with substantial vegetation atop this which further blocks and restricts views to the site.

The site would be visible from Mount Cambewarra which contains a well utilised public lookout and café which provides extensive views over the entire northern and central Shoalhaven, including the Nowra urban area.

To the south, the property may be visible from Nowra Hill, a relative high point which contains a public lookout and provides views to the north towards Nowra, and also to the east towards Jervis Bay and the central Shoalhaven.

The gentle nature of the topography to the east and west of the subject site is such that no particular vantage points or high points allow views into the Mundamia area.

To the east is a property identified in Shoalhaven LEP as an item of environmental heritage and some consideration is required as to the prominence of the site from this location.

5.1.3 Methodology

The assessment of visual impact has been undertaken by:

- examining the locational context of the site,
- identify its prominence and determining places from where the site is visible, and
- consider existing controls that will affect further development along with the consideration of mitigation measures.

In the consideration of this issue, resources relied upon and assessment included relevant topographic maps, various aerial photographs, site inspections and photography undertaken specifically for the purposes of this assessment. In addition, a series of cross-sections have been prepared by Allen Price and Associates (APA) to review potential view lines to assist in determining actual impacts and this is shown in a plan titled “Lines of Sight to Proposed Subdivision” in **Figure 11**.

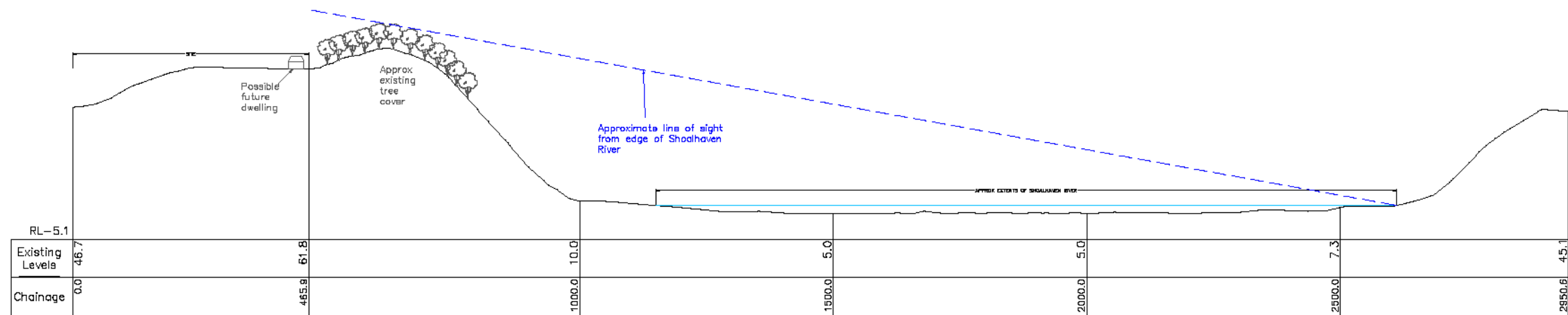
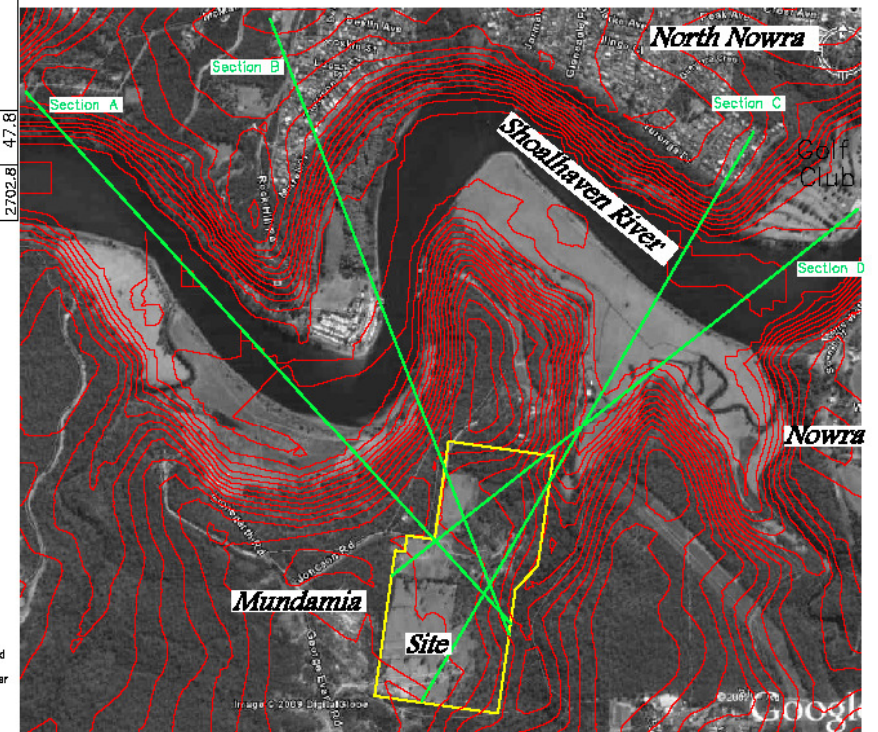
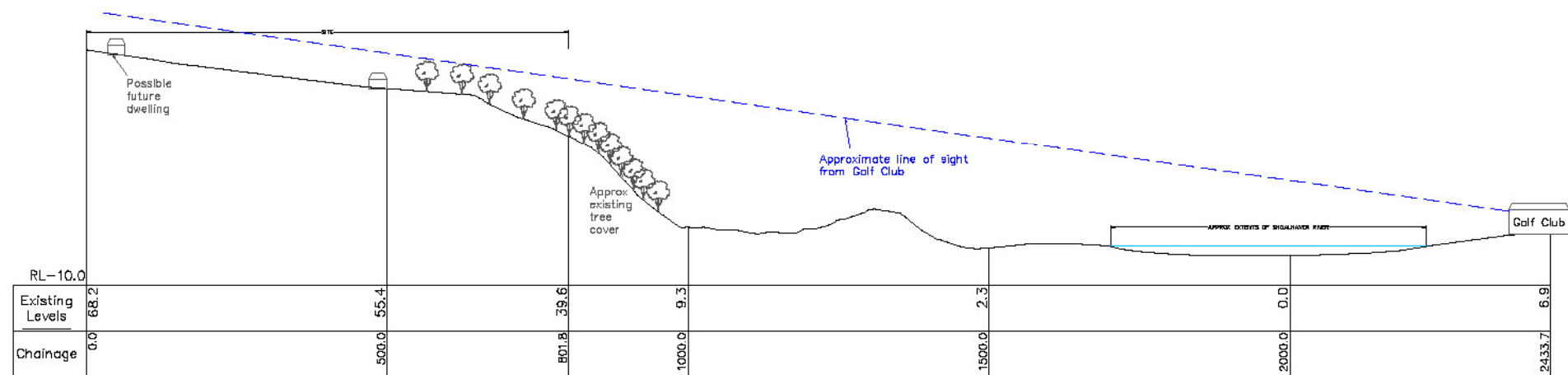
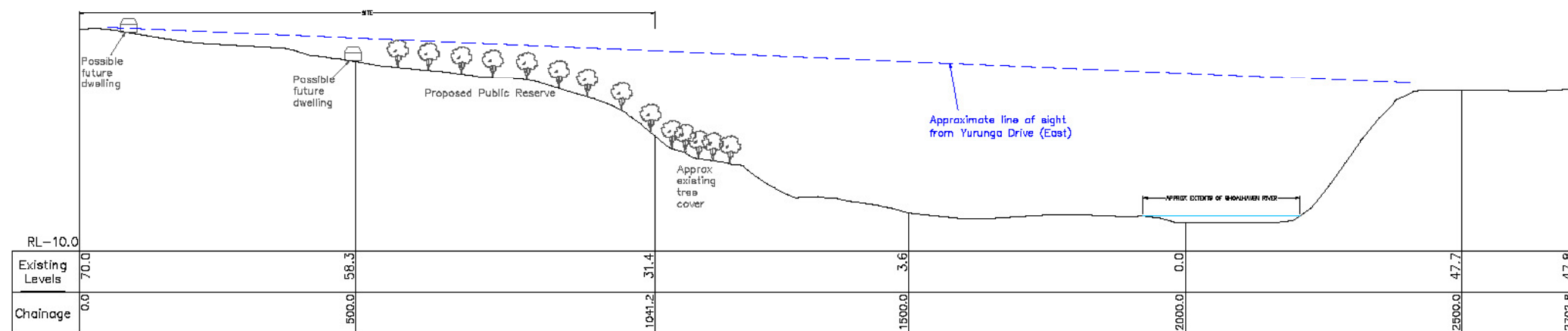
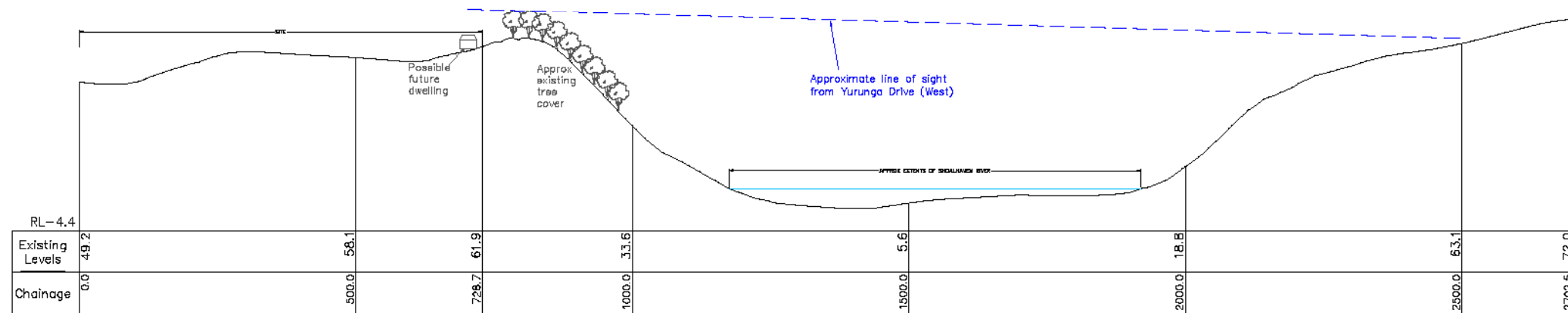


FIGURE 11: LINE OF SIGHT PLAN
prepared by Allen Price & Associates



RATIO: AS SHOWN (AT A1 SIZE)	DATUM: GOOGLE EARTH	SURVEY	REVISION		BY	DATE
	ORIGIN:	DESIGN				
		DRAWN: CEG				
	DATE OF PLAN: APRIL 2012	CHECK'D				

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PLAN SHOWING LINES OF SIGHT TO PROPOSED SUBDIVISION
OF LOT 3 DP 568613 & LOT 384 DP 755952
AT MUNDAMIA
FOR TWYNAM MUNDAMIA PTY LTD

REF. No.	25489-02	
SHEET	1	OF 1 SHEETS
REVISION	0	

5.1.4 Assessment

The assessment considers firstly the localities from where the subject site may be visible, and secondly, considers the potential impacts of the development from those areas.

The section analysis undertaken by APA (**Figure 11**) has considered the potential views taken at four different areas where it has been identified that the site may be visible, to determine actual sight lines available in the locality. The identification of sight lines requiring further analysis was undertaken following inspection of the locality, review of topographic mapping and aerial photography. The analysis has resulted in 4 sections as follows:

- Shoalhaven River to the west of the site (Section A);
- Public Reserve along western end of Yurunga Drive at North Nowra (Section B);
- Public Reserve at eastern end of Yurunga Drive at North Nowra (Section C); and
- Clubhouse at the Nowra Golf Course (Section D).

Section A

Section A clearly shows that the site is not visible from the upper reaches of the Shoalhaven River to the west of Nowra as the topography of the valley walls along the southern banks of the escarpment prevent viewing into the site.

Section B and C

Sections B and C address potential views to the north towards Yurunga Drive. The public reserve to the south along Yurunga Drive contains an area known as the Grotto Walk. This area descends the northern escarpment which separates Yurunga Road from the Shoalhaven floodplain and Nowra Golf Course. The Grotto contains native vegetation and has a variable width however the extent of vegetation effectively screens the River valley itself, and provides very limited views at best. **Plates 7 and 8** depict attempts to view the site from the escarpment edge of the Grotto looking towards Mundamia and these show that vegetation along the edge of the southern banks of the prevent views to the site.