

21st July, 2016

Linda Davis
Acting General Manager
Department of Planning & Environment, Southern Region
PO Box 5475
WOLLONGONG NSW 2520

**RE: PRE-GATEWAY APPLICATION PGR_2015_QUEAN_001_00
3R KAVANAGH STREET JERRABOMBERRA – REQUEST TO DEFER DECISION**

Dear Madam,

We refer to the Department's letter of the 18th December, 2015 and subsequent correspondence concerning the request from the Department for additional information to assist in the assessment of the Pre-Gateway review application.

In addition to the matters raised by the Department, we would take this opportunity to note and confirm that the Planning Proposal is supportable and justified in terms of its strategic merit. We note that satisfying the test of satisfactory strategic merit is a threshold matter in the determination of Pre-Gateway requests.

We take the opportunity to confirm that the Planning Proposal will result in a better environmental and planning outcome for the land compared to its current degraded condition and for which there is little likelihood of the land being properly managed for its conservation values. The Planning Proposal is entirely consistent with the conservation of those parts of the land identified as having ecological values while still providing for a limited form of housing adjacent to an existing urban area.

The proposed planning and development outcome is intended to be an innovative approach to the setting aside and funding of conservation values and in this regard has a tangible and practical public benefit. Unlike the current zoning for which there is no likelihood of long term conservation, the proposed approach will secure the ongoing conservation of those parts of the land with ecological values.

Based on the ecological review recently completed by Ecological, it is reasonable and appropriately concluded that in fact the current zoning of the land as E2 Environmental Conservation is not in itself justifiable or inherently the appropriate planning response to the land. The E2 Environmental Conservation zoning of any land should only be where there is the highest conservation value to protect when considering the extent to which the zone prohibits uses including dwellings despite the land being held in private ownership. There is no incentive for a private land owner to manage land so burdened by such a prohibitive zone, particularly considering that the recently completed ecological

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review confirms that the parts of the land proposed to be set aside for limited housing have no specific ecological values.

Given the considerable environmental improvements arising from the planned approach and with the benefit of the now current and more reliable site specific knowledge on the ecological values of the land, there is a compelling and justifiable basis for supporting the Planning Proposal despite the Queanbeyan Local Environmental Plan being made in 2012.

Accordingly we remain of the view as mentioned that the Planning Proposal has significant strategic merit and is worthy of consideration by the Joint Regional Planning Panel. In terms of site specific merit, there are no planning or development issues that cannot be properly and adequately addressed in the normal design and siting of any proposal on the land.

In addition to the updated Ecological and Bushfire Assessment and Access Report already received by the Department, a supplementary planning report is also provided specifically addressing those matters raised by the Department and Council.

Thank you for the opportunity to make further comment and happy to discuss further should you wish.

Yours faithfully,



David Workman
Manager, Planning NSW
Knight Frank Town Planning

- APPENDIX 1:** Supplementary Planning Information by Knight Frank Town Planning (July 2016)
- APPENDIX 2:** *Eco Logical Australia 2016. North Terrace ecological and Bushfire Assessment – Constraints Report* (June 2016)
- APPENDIX 3:** *North Terrace Rezoning – Access Report* (June 2016) by Calibre Consulting