

Ref: 191116 LDoP

16 September 2019

Department of Planning
Wollongong Regional Office
84 Crown Street
Wollongong NSW 2520

Planning Proposal 01/2019 – 95 – 105 Cooby Road, Tullimbar

Request for Rezoning Review

To Whom it May Concern:

1. Introduction

On behalf of the landowners we request the Department of Planning (Southern Region Planning Panel) undertake a Rezoning Review of Planning Proposal 1/2018, relating 95 – 105 Cooby Road, Tullimbar.

The Planning Proposal was lodged with Shellharbour Council on the 8th January 2019.

The Proposal has now been under consideration for 250 days, and Council has failed to advise whether or not they will support the Planning Proposal.

As part of the finalisation of the Standard Template SLEP 2013, Council resolved that the subject land would be deferred to allow further investigations for increased housing densities.

The Council resolution of Tuesday, 3 July 2012 stated as follows:

That the land identified in Map 1.4 in the Urban Fringe Local Environmental Study be deferred from the Draft Shellharbour Local Environmental Plan 2011 so that potential increases in residential densities can be studied/assessed.

As a result, the land remains a Deferred Matter under the Shellharbour Local Environmental Plan (SLEP) 2013. The subject land remains zoned part 2 (e) Mixed Use Residential E and part 1 (a) Rural A under Shellharbour LEP 2000.

This Planning Proposal seeks to resolve the land use arrangement and re-zone the land under the SLEP 2013, consistent with the long term planning outcomes intended for the site under the adopted Tullimbar DCP and previous *Charette* process endorsed by Council.

The timeframes for consideration of the Proposal to date as follows:

- Planning Proposal 01/2019 was lodged with Shellharbour Council on 8 January 2019.
 - Shellharbour Council provided correspondence outlining matters to be addressed in further detail dated 5 July 2019.
 - Modified Planning Proposal addressing Council's correspondence submitted to Council on 30 July 2019.
 - Meeting held with Council staff to discuss modified Proposal 2 August 2019.
- (Note – Council staff indicated 3 week timeframe for review of modified proposal and provision of any further comments)
- Final Planning Proposal Lodged with Council addressing minor matters raised during meeting with Council 13 September 2019.

We have provided below a brief summary of the Planning Proposal, site history and a Strategic and Site Specific Merit test as required.

The Planning Proposal as lodged with Council is wholly consistent with the long term planning vision for the site and has demonstrated it is appropriate from an environmental and urban design perspective.

2. Planning Proposal Summary

The objective of this Planning Proposal is to amend the Shellharbour Local Environmental Plan 2013 (SLEP 2013) to rezone the land for residential development consistent with the long term planning outcomes for the land and the adjoining Tullimbar Village project.

The land is currently listed as a Deferred Matter under the SLEP 2013. As such, the Shellharbour Local Environmental Plan 2000 is currently the applicable Principal Planning Instrument regarding land use zoning and permissible land uses for the site.

The land is currently zoned Part 1 (a) (the Rural A zone) and Part Zone 2 (e) (the Mixed Use Residential E zone) under the historic LEP.

It is now appropriate that the land be rezoned under the SLEP 2013 to reflect the more detailed environmental studies undertaken in association with this proposal.

In this regard, the Planning Proposal adopts the following land use zone outcomes.

- Adoption of the R2 Low Density Zone for cleared land on the lower areas adjoining the Tullimbar Village residential lands.
- Adoption of the R5 Large Lot Zone for the large lot area adjoining the southern boundary of the site.

- Adoption of an E4 Environmental Living Zone for larger lot areas and land along the western boundary adjoining Cooby Road.
- Implement and E3 Environmental Management Zone over the identified vegetation areas.
- Riparian Corridors are proposed to be zoned E2 Environmental Conservation.

The Planning Proposal also seeks to adopt minimum lot size provisions which are consistent with surrounding residential and urban fringe properties.

The proposal includes the requirement to provide larger allotments along the southern edge of the property as a transition to the existing rural – residential properties to the south.

In this regard, the Planning Proposal adopts the following lot size outcomes.

- R2 Low Density Zoned land which is currently zoned for residential development = 300m².
- R5 Large Lot Zoned land = 2,000m².
- E4 Environmental Living Zoned land surrounding the plateau = 2,000m².
- E4 Large Lot along Cooby Road = 4,000m² (with Additional Local Provision clause specifying maximum of 8 Allotments).

Detailed plans showing the current and proposed zoning and lot size mapping are included in the Planning Proposal.

3. Site History

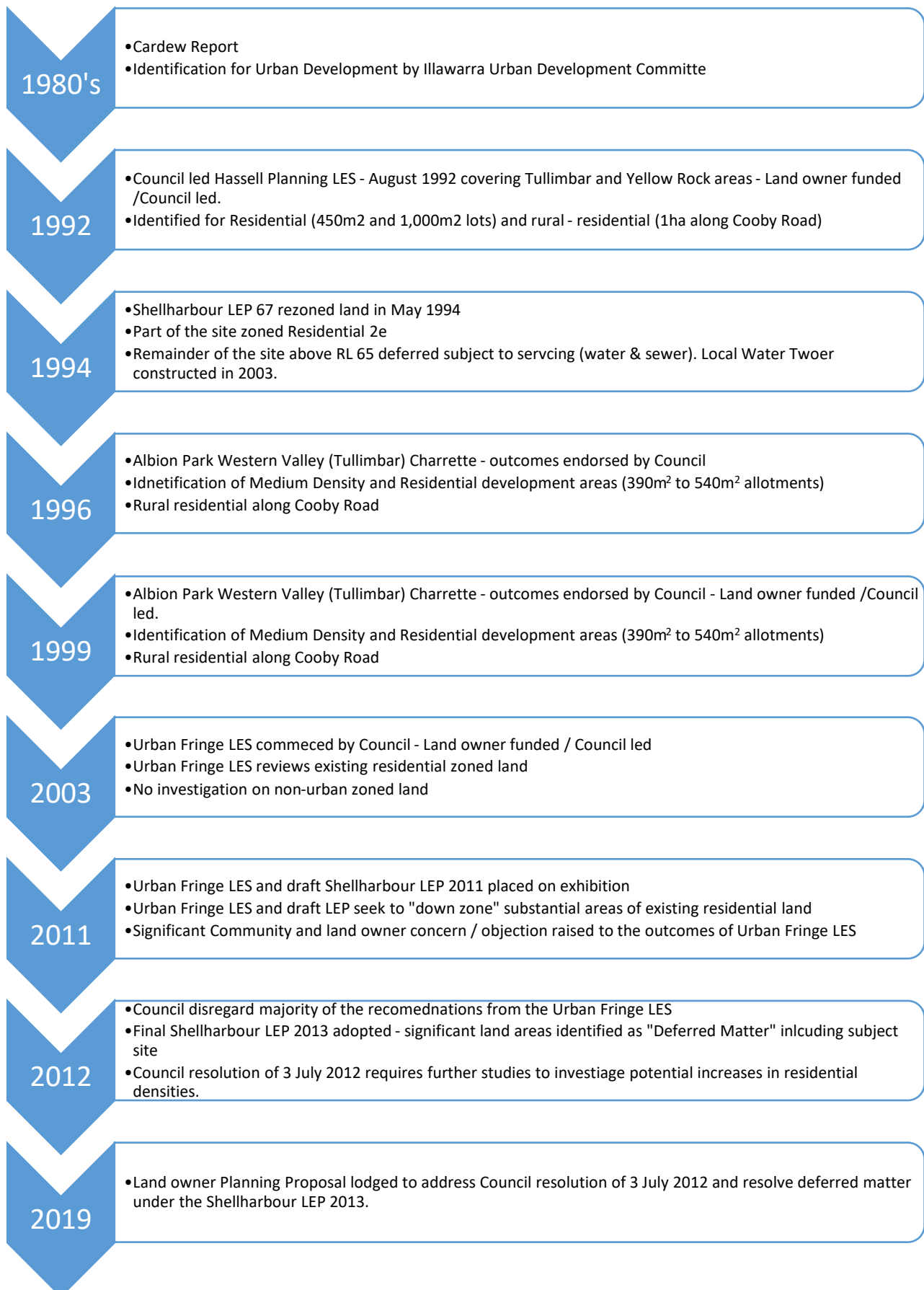
The subject land has been identified and planned to accommodate a mix a residential and rural – residential housing since the 1980's and its identification as an urban release area by the Illawarra Urban Development Committee.

We have provided below a summary of the site history culminating in Council's resolution of 3 July 2012 which required that the land be deferred from the SLEP 2013 so that potential increases in residential densities can be studied/assessed.

We note that Council staff did not progress any further studies or investigation of the land as required by the Council resolution.

Accordingly, the landowners have been required to coordinate and fund preparation of this Planning Proposal in order to satisfy the Council resolution.

Key Planning Dates / Outcomes:



4. Strategic Merit Test

A detailed site review under both the Strategic Merit test and the Site Merit Test has been included in the Planning Proposal lodged with Council (Refer Section 3).

This review has demonstrated that the proposal fully satisfies the Strategic Merit Test and Site Merit Test and is therefore able to be supported and progressed to Gateway Determination.

5. Summary

This Planning Proposal seeks to resolve land use planning and zoning arrangements for the subject site, which is currently a deferred matter under the Shellharbour LEP 2013.

The detailed site investigations and associated Concept Plan demonstrate the site is highly suitable able to accommodate both residential and large lot environmental housing and provide for rural transition lots along the Cooby Road interface.

The proposal and associated concept Plan have been prepared to ensure a seamless transition / integration with the Tullimbar Village project which adjoins the northern and eastern boundary of the site.

Furthermore, the proposal reflects the Council endorsed Structure Plan, Development control Plan and Section 7.11 Plan outcomes applicable to the land holding.

Panel support for this proposal will resolve an outstanding deferred matter from the SLEP 2013 which has been delayed for an extended period of time.

Please do not hesitate to contact me on 0455 994 957 if there are any questions.

Your faithfully
URBANCO.



Michael Rodger