

13 June 2024

The Secretary
Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Kiersten,

RE: Request for Rezoning Review – Planning Proposal not supported by Kiama Municipal Council

We request a rezoning review on behalf of Traders in Purple (the proponent) in relation to a planning proposal request (PP-2023-2833) that was not supported by Kiama Municipal Council at its Ordinary Meeting on 16 April 2024. The proposal relates to land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama.

On 16 April 2024, Council considered our planning proposal request at its Ordinary Meeting and resolved:

That Council:

- 1. Not support the Planning Proposal (PP-2023-2833) (PP) for the rezoning of land at 177 Long Brush Road, Jerrara, 33 Greyleigh Drive, Kiama and 103 Jamberoo Drive, Kiama, as it is inconsistent with the Kiama Local Strategic Planning Statement 2020 and Illawarra and Shoalhaven Regional Plan 2041 and therefore does not satisfy the strategic merit and site-specific merit tests.*
- 2. Not send the proposal to the Department of Planning for Gateway Determination.*
- 3. Actively work with the proponent through the Growth and Housing Strategy process to consider this land, along with other sites for future potential urban expansion, in conjunction with the Urban Development Program.*

On 3 May 2024, Council wrote to the proponent notifying of its resolution not to proceed. In a separate letter dated 3 May 2024, Council also notified the proponent that it won't progress the planning agreement letter of offer that was submitted with the planning proposal request.

In accordance with the Department of Planning, Housing and Infrastructure's LEP Making Guideline, this rezoning review request is made on the basis that Kiama Council has notified the proponent that it does not support the planning proposal request.

The LEP Making Guideline establishes the following criteria for requesting a rezoning review:

within 42 calendar days of council notifying the proponent that it does not support the planning proposal request.

The planning proposal request was not supported by Council on 16 April 2024. Council notified the proponent of its decision on 3 May 2024. This rezoning review request is within the required 42 calendar day time period.



As required by the LEP Making Guideline, I have also attached:

- a report detailing our rezoning review request
- copy of the planning proposal request lodged with Council, with all supporting information
- a copy of the Council report
- a copy of the letter received from Council advising of its resolution not to support the planning proposal request
- minutes and response to matters raised in a meeting with Council on 21 May 2024.

We request that the Department consider this rezoning review and make a recommendation to the Panel that the planning proposal request should proceed to a Gateway determination.

If you would like to discuss this matter further, please do not hesitate to contact me on 0414 194 473 or cshannon@mecone.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chris Shannon', written in a cursive style.

Chris Shannon
Director