



EUROBODALLA SHIRE COUNCIL

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In Reply Please

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9 October 2007

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Dear Mr Kass

**BEVIAN ROAD CONCEPT APPLICATION – ROSEDALE
PART 3A CONCEPT APPROVAL APPLICATION – PROPOSED RESIDENTIAL
SUBDIVISION**

I refer to your letter dated 3 October 2007 regarding the Bevian Road Concept Application.

In your letter and previous meeting with Council staff, you have asked Council to provide commentary to the Department of Planning (DOP) regarding its support for various issues raised by the DOP in relation to your proposed residential subdivision.

Given the preliminary nature of the proposed subdivision application, Council's comments below must be considered as broad comments, not detailed or considered final approval for any aspect of the development.

1. The Expectation of Lot Yield on the Subject Site

As you have correctly stated, Council is targeting a lot yield of 1100 lots (at an average lot size of 1200m²) across the entire Rosedale Urban Expansion Zone. Your current proposal is for a yield of 806 lots on your land at an average lot size of approximately 1500m². Over the past 20 years Council has provided infrastructure capacity such as water and sewer in the expectation of a certain lot yield from the Rosedale Urban Expansion land. A reduced lot yield will therefore have a negative impact on the effectiveness and utilisation of Council's constructed infrastructure assets. Given the average lot sizes achieved in the proposal, Council believes that there is still scope to increase the lot yield from the site.

It is also noted that the development proposes to have no dual occupancies in the subdivision. Given the range of lot sizes, such a restriction seems to prevent the highest and best utilisation of Council infrastructure such as sewerage.

2. Lot Sizes within the Development

It is noted that a wide range of lot sizes are proposed across the subdivision and that some sizes conflict with existing DCPs over the land.

With regard to minimum lot sizes, Council gives in principle support for sizes less than specified in order to increase the yield from the land. Such lots will, however, need to demonstrate that they meet the requirements contained within the Council's Residential Design Code, to ensure that issues such as solar access, energy efficiency and urban design are properly addressed.

3. Proposed Future Rezoning of the Site

In accordance with a ministerial direction, Council is currently working toward its new Local Environmental Plan (LEP) following the DOP template.

In the new template, the current Urban Expansion Zone does not exist and therefore a new zoning will be required for the Rosedale land. Council's Eurobodalla Settlement Strategy, which has been endorsed by the DOP, sets a direction to zone such land as Urban Residential in order to allow the pattern of settlement set out in the strategy.

In the work undertaken to date on the new LEP, Council in conjunction with regional DOP offices, has proposed rezoning the Rosedale land to a mixture of R5 Large Lot Residential, R2 Low Density Residential and R1 General Residential over the areas to be developed, while zoning environmentally sensitive areas, such as the wetland, E2 Environmental Conservation.

4. Roads

4.1 Upgrade Bevia Road Access on Council Land

It is noted that previous DCPs have shown access to the Rosedale land on the eastern side of the wetland, however as this has proved not to be achievable, Council will accept an access to the west of the Bevia Wetland. This letter should be regarded as Council's consent as land-owner of the road reserve to the lodgement of the concept application with the DOP.

The construction of a road along the edge of Bevia Wetland will improve upon the dirt track that currently exists. As you have noted, the design and construction of this work will have to take place in accordance with the highest environmental standards.

Council looks forward to receiving detailed designs and specifications so that it can assess the ongoing asset management needs and future costs of these plans to ensure that we can afford to keep up this high standard of environmental protection of the wetland.

4.2 Realignment of Bevia Road through the Site and Rationalisation of Land Ownership

Council officers have not been involved in any recent negotiations between Marsim and the Department of Lands regarding the ownership of the road reserves through the site.

Council would be happy to take on the ownership of the new through road once it has been constructed to an appropriate standard, but the closure and amalgamation of the unformed Crown roads that are not part of the new through road is a matter to be dealt with directly between Marsim and the Department of Lands.

4.3 Seagull Intersection Design

Council has been working with the developer of Barlings Beachside to ensure that both developments can achieve safe intersections onto George Bass Drive. Neither intersection would be of the "seagull" type, rather the "CHR" type as described in the RTA's Road Design Guide.

4.4 Reduction of Speed Limit adjacent to the Subject Site

As discussed at our meeting, Council has no official role in the setting of speed limits. The RTA is the only authority that can do so, but may seek the views of the local Traffic Committee. Nevertheless, I personally can see merit in an 80kph zone adjacent to the development.

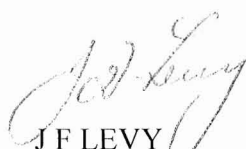
5. Section 94 Contributions

Council's practise is to collect Section 94 contributions at the time of subdivision certificate. Provided that any concept application approval requires that development contributions are to be levied on the development, Council will support the deferment of the determination of contributions until the development application stage.

It should be noted that Section 64 charges for water and sewer headworks will be levied on the development in accordance with the provisions of Council's Development Servicing Plan. Council also may nominate to levy a Section 94A contribution, rather than a traditional Section 94 contribution.

I look forward to further updates from both yourself and the Department of Planning about the progress of this development.

Yours faithfully



J F LEVY
GENERAL MANAGER