

Our Ref 82017142-2 Letter 002/ Ver 0
Contact: Michael St Clair

6 June 2017

Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Natasha Harras

Cardno (NSW/ACT) Pty Ltd
ABN 95 001 145 035

Level 1, 47 Burelli Street
Wollongong NSW 2500
Australia

Phone: 61 2 4228 4133
Fax: 61 2 4228 6811

www.cardno.com.au

**Planning Review for Modification of Concept Plan Approval MP09_0131 MOD 2
Extension of Lapse Date – Tallawarra**

Dear Natasha,

We act on behalf of Bridgehill (Tallawarra) Pty Ltd, which has entered into a Put and Call Option with Energy Australia Tallawarra Pty Ltd (formerly known as TRUenergy Tallawarra Pty Ltd) for the purchase of the Northern Superlot, Central Superlot 1 and the Tourism Lot, being part of the land within the above Concept Plan Approval.

Context

An application to modify Concept Approval MP09_0131 Mod 2 was lodged on 15 May 2017 with the Department of Planning and Environment (DP&E). Specifically Mod 2 sought to extend the lapse date of the Concept Approval from 23 May 2018 to 23 May 2021. Amendment to Condition A4 would be required to facilitate the extended lapse date.

DP&E have considered the application and requested additional information to allow the continued assessment, with an email request dated 18 May 2017. The correspondence requested a 'brief town planning assessment of the proposed modification'. Specifically, the assessment is required to consider:

"whether or not our original assessment and determination remains valid for today, considering any circumstances which may have changed since the time of the original determination.

The brief planning assessment should therefore consider matters such as :

- *Since our original assessment, have there been any material changes to the site's physical context? If so what are they? What effect would they have on the assessment of the application today?*
- *Since our original assessment, have there been changes to the planning controls applying to the development? If so what are they? What would the effect of the changes be on the assessment of the application today?*
- *Are there any other changes to the strategic planning context of the site or other relevant matters that require consideration?"*

This letter has been prepared to address the items identified above to allow the subsequent notification and assessment of the modification request.

Planning Assessment

The planning assessment is separated to address the three identified bullets points.

Physical Context Review

Since the Concept Plan Approval, granted on the 23 May 2013, there has been minimal development or physical change within the area surrounding the Tallawarra Lands. To assess this a review of aerial imagery dating back to 12 Jan 2010 has been undertaken using Nearmap.com. This review indicates only very minor changes within the area. This is predominately residential in nature and relates to land to the south and north of the site. The residential subdivision and development that was occurring at Haywards Bay to the south when the Concept Plan was approved is now complete with residential development throughout. There has also been a number of dwellings constructed on Carlyle Close to the north of the central precinct. It should also be noted that vegetation that was planted around Tallawarra Power Station has now further matured, potentially reducing noise impacts on future surrounding land uses. These changes are all minor and do not affect any of the environmental assessments undertaken to support the Concept Plan. Of note there is no significant changes to traffic generation, flooding, ecological or heritage impacts.

There are no significant changes to the Physical Context within or surrounding the Tallawarra Lands site that affect the Concept Plan Approval.

Statutory Planning Amendments

Wollongong Local Environmental Plan 2009

A review of amendments made to the *Wollongong Local Environmental Plan 2009* (WLEP) was undertaken to ascertain whether there has been any changes that affect the approval granted for the Concept Plan Approval on 23 May 2013. There have been a total of 32 amendments to the WLEP that have commenced since approval was granted. However, these amendments do not affect the approved Concept Plan. There have been no changes to any applicable mapping for the site; with zonings, FSR, minimum lot size, height of building and heritage overlays all remaining unchanged. It was identified that there have been some minor changes to zone objectives and permissible uses within the prescribed zones, with these changes not precluding the approved development scheme within the Concept Plan Approval and not significantly altering the overall intent of these zones.

These modifications do not affect the Concept Plan Approval for Tallawarra Lands.

Tallawarra Stage B – Gas Turbine Power Station

Since Concept Plan Approval for the Tallawarra Lands, the approved construction of Stage B of the Tallawarra Power Station has been approved for modification. This modification sought an extension to conditions that required the project to be physically commenced prior to 21 December 2015. This modification sought to extend this timeframe by five years to the 21 December 2020, which was subsequently approved by the DP&E. This modification did not amend any other condition from the initial approval.

This modification does not affect the Concept Plan Approval for Tallawarra Lands.

Albion Park Rail Bypass

The proposed bypass of Albion Park Rail is currently undergoing Environmental Assessment. The EIS prepared for the project has been on public exhibition, with the response to submissions report currently being prepared by RMS prior to the project being assessed. At this stage the design identified in the exhibited documents do not impact on the Tallawarra site. It is noted however, that there is a proposed interchange on Yallah Bay Road that may impact the central precinct if approved as indicated. It is understood that this proposed intersection is not certain at this point, as it is currently under review as part of the response to submission process.

There are no approved plans relating to the Albion Park Rail Bypass that affect the Concept Plan Approval for Tallawarra Lands.

Strategic Planning Amendments

Illawarra-Shoalhaven Regional Strategy

Since the Concept Plan Approval was granted for the Tallawarra Lands a new strategic plan has been released replacing the Illawarra Regional Strategy discussed within the Environmental Assessment (EA) undertaken. The *Illawarra-Shoalhaven Regional Strategy* was endorsed in November 2015 and further builds on the strategic justification of the Tallawarra Lands project detailed within the EA. The strategy identifies the site within its classification of Regionally Significant Release Area for residential development, detailing that the site has been approved for 1,000 dwellings. This strategy has highlighted the significance of the site in supplying residential land in close proximity to Metro Wollongong and its greater need within the Illawarra-Shoalhaven area. A review of this document has been conducted in reference to the Concept Plan Approval granted on 23 May 2013 and it has been found that this Strategy has provided further strategic direction for the development of the Tallawarra Lands.

This updated Regional Strategy further justifies the Concept Plan Approval for Tallawarra Lands.

Please contact me if you have any questions regarding the above or the enclosed application form and concept plan.

Kind regards,



Michael St Clair
Planner
For Cardno NSW/ACT Pty Ltd
Ph (02) 4231 9697
michael.stclair@cardno.com.au