

From: noreply@feedback.planningportal.nsw.gov.au on behalf of [Planning Portal - Department of Planning and Environment](#)
To: [DPE PS ePlanning Exhibitions Mailbox](#)
Subject: Draft Illawarra Shoalhaven SIC - Submission
Date: Tuesday, 8 December 2020 10:04:19 AM

Submitted on Tue, 08/12/2020 - 10:03

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Paul

Last name

Adam

I would like my submission to remain confidential

No

Info

Email

[REDACTED]

Suburb/Town & Postcode

Rosebery 2018

Submission

I am a resident of [REDACTED] within the Rosebery Estate and recognise and appreciate the historic significance of the Estate, both in the context of developments in planning concepts in New South Wales and its social context.

I am concerned by the adverse visual impact of a number of developments which have occurred in recent years within the Estate and am surprised that while some would meet the currently applicable codes there are others which were apparently certified under the exempt and complying provisions but would seem to be clearly different from what I would expect to have been allowed.

I fully support the proposed two-year temporary exclusion from the Housing Code and the Low Rise Diversity Code, and hope that the outcome of the review process confirms the validity of the covenant which applies to properties within the Estate. I have always recognised that the covenant existed over my property and have not sought to challenge it as I consider it appropriate. If the review decides that maintenance of the existing covenant is not possible, then the option of converting it into a public positive covenant under s 88 of the Conveyancing Act should be explored, or other mechanisms that achieve the purpose of the original covenant by different means could be developed.

Even though the Rosemary Estate covers a relatively small area it is topographically diverse, and there may be localities with steeply sloping blocks where provision of a lower level (without increasing the height of the building) may be possible. Equally, an attic/loft may be possible, provided that the windows only provide outlook to the rear of the property and the presentation from the street remains unaffected.

Despite the existence of the covenant, a diversity of house styles has been constructed within the Estate. It should be possible for a modern quality architectural designed building to be both different from, but sympathetic to, the existing buildings. Unfortunately some of the buildings that have been built in recent years achieve neither objective, but by their presence lower the consistency and values of the whole Estate.

I agree to the above statement

Yes