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Attn: Jane Flanagan
Modification Assessments
Department of Planning & Environment
GPO BOX 39
SYDNEY NSW 2001

Our Ref: P16/394758
File: MP-2009/82/B
Date: 1 December 2016

Dear Ms Flanagan

RESPONSE TO SUBMISSION RELATING TO THE MODIFICATION TO THE CALDERWOOD CONCEPT PLAN (MP 09_0082 MOD 2)

Thank you for providing Council with the opportunity to respond to the letter prepared by JBA on behalf of Lend Lease Communities ("JBA letter") dated 11 November 2016.

Council notes the proposed modification and the proposed 'Special Subdivision Area' plan that accompanies the JBA letter.

Currently the Minimum Lot Size Map for the Calderwood site does not specify a lot size for all lands that correspond to an E3 Environmental Management or E2 Environmental Conservation zoning under State Environmental Planning Policy (State Significant Precincts) 2005 ("the SEPP"). It is noted that a portion of the lands located within the Shellharbour City Council Local Government Area (LGA) zoned E3 and E2 appears to identify a lot size of 100,000m².

The modification seeks to propose a new condition, Condition B7 to be added to Schedule 2, Part B of the Concept plan as follows:

Condition B7 – Riparian and Environmental Reserve Land

The land identified on the Special Subdivision Area plan prepared by Lendlease and dated November 2016 may be subdivided irrespective of the size of the lots that are created.

However, development consent must not be granted for a residential purpose or for an ecotourism facility on land identified on the Special Subdivision Area Plan that is zoned E3 Environmental Management unless the size of the lot is equal to or greater than the relevant contiguous area of land zoned E3 Environmental Management as at November 2016.

However, it is considered the information submitted with proposed modification is not clear and further information is required to clarify the proposal.

The letter provided by JBA does not clearly identify whether they are seeking a modification to the Special Subdivision Area shown on the Special Subdivision Area map (dated November 2016) or to all E2 and E3 zoned lands currently mapped within the Calderwood site under the SEPP that have no defined minimum lot size.

It is noted the Special Subdivision Area Plan appears to have two (2) colours with blue and darker blue shading which does not fall within the Wollongong City Council Local Government Area.

Concern is raised as including a minimum lot size, would compromise the objective of the E3 zoning within the SEPP. The determining authority should assess the potential environmental impacts of the proposed modification for the SEPP which outlines the core objectives for E3 zoned land as follows:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*

- *To provide for a limited range of development that does not have an adverse effect on those values.*

More information would be required in order to provide comment, including but not limited to:

- A map showing what areas are proposed to be dedicated as public open space, drainage corridors, roads etc;
- A zoning map, and the minimum lot size map, with the dedication and their proposal overlaid; and;
- An updated concept plan to reflect the modification proposal.

Overall it is considered that E2 and E3 zoned land should be consolidated into riparian areas and public reserves and not be subdivided to align with zone objectives.

Alternatively a provision which enables subdivision of split zones similar to Clause 4.1A of the Wollongong Local Environmental Plan 2009 could be considered.

Council requests that the above information be provided and forwarded for further review and comment prior to any determination of the modification request.

Please contact Vivian Lee, Senior Development Project Officer on 4227 7314 if you wish to discuss the matter.

This letter is authorised by

Andrew Carfield
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Wollongong City Council
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