



JB/LB
07099
3 April 2017

Mr Anthony Witherden
Acting Director - Modification Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Attn: Jane Flanagan

Dear Mr Witherden

**MP_2009/82 (MOD 2) - RESPONSE TO SUBMISSIONS
CALDERWOOD CONCEPT PLAN**

We write on behalf of Lendlease Communities in relation to the proposed Section 75W modification to the Calderwood Concept Plan ("**Mod 2**"). We would like to thank the Department of Planning and Environment (DPE) for the opportunity to respond to the three submissions that DPE received in response to the notification of the modification application.

1.0 PURPOSE OF MODIFICATION APPLICATION

The purpose of Mod 2 is to ensure the orderly, efficient and timely implementation of the development that has been approved under the Calderwood Concept Plan by explicitly providing for the subdivision of certain land comprising riparian / environmental corridors and environmental reserves in order to both create the boundaries of adjacent developable areas and also to facilitate the excision and dedication to the relevant public authority of land required for a public purpose. It seeks to ensure the Approved Concept Plan can be delivered and provides clarity with respect to the minimum lot size provision for certain lands that are otherwise not subject to a lot size control under State Environmental Planning Policy (State Significant Precincts) 2005.

There is no change to the approved land uses, nature or scope of the approved development and no change to the location, configuration or to the way in which the ultimate environmental outcomes for the development are to be achieved in respect of the approved riparian / environmental corridors and environmental reserves.

2.0 RESPONSE TO SUBMISSIONS

Three submissions were received in response to the public notification of the s75W modification application. These were from Mr K & Mrs P Blisset, Wollongong City Council and Shellharbour City Council. A response to the three submissions is provided in the Table at **Attachment A** to this letter.

3.0 AMENDED PROPOSAL

In response to the submissions made and also further discussions with Department and Council staff, the following amended condition is proposed:

Condition B7 – Riparian, Environmental Reserve and Open Space Land

1. *The land identified on the Special Subdivision Area plan prepared by Lendlease and dated March 2017 may be subdivided irrespective of the size of the lots that are created.*
2. *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 on which the development is proposed is equal to or greater than the relevant contiguous area of land zoned E3 Environmental Management as at March 2017.*
3. *In granting consent to the subdivision of land identified on the Special Subdivision Area plan the consent authority must take into consideration the following:*
 - a. *A plan showing whether each of the lots to be created as part of that application is proposed to be retained in public or private ownership, and details of the public purpose of any lands that are proposed to be dedicated to the relevant Council;*
 - b. *A plan showing the relationship of any lot to be created as part of that application and proposed to be retained in private ownership to the anticipated pattern of future development under the Concept Plan on immediately adjoining land;*
 - c. *Whether the permissible uses of any lot proposed to be created as part of that application and retained in private ownership (whether or not the lot also includes land located outside of the Special Subdivision Area) is consistent with the objective of protecting the ecological, scientific, cultural or aesthetic values of the land identified on the Special Subdivision Area plan.*

4.0 CONCLUSION

We hope this response assists the Department in assessing the modification application. However, if you would like further information in relation to this matter, please do not hesitate to contact me on 9956 6962 or jbuchanan@jbaurban.com.au.

Yours faithfully



Jennie Buchanan
Associate

Attachment A – Response to Submissions Table

Attachment B – Revised Special Subdivision Area Plan

Attachments C – Zoning Plan with Special Subdivision Area overlayed