



Newton Denny Chapelle

SURVEYORS PLANNERS ENGINEERS

Date: 28th January 2020
Our Ref: 130054

NSW Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Emma Butcher
Via email: emma.butcher@planning.nsw.gov.au

Dear Emma,

**Re: Re: MP06_0258 – Casuarina Town Centre - Modification 13
Lot 15 DP 1198266, Casuarina Way, Casuarina**

Newton Denny Chapelle has been engaged by Clarence Property Corporation Limited to submit a request to the Minister for Planning, Infrastructure & Environment to modify the Concept Approval [MP06_0258] for the Casuarina Town Centre, pursuant to the provisions of the Environmental Planning and Assessment (Savings, Transitional & Other Provisions) Regulation 2017.

Accordingly, please find enclosed an electronic copy of the modification report together with the Department's relevant application form.

With respect to the landowners consent provided for Modification 13, we note 'The Trust Company (Australia) Limited' are the current owners of the Casuarina Town Centre. The land, being the subject of Modification 13 formed part of the parent property described as Lot 223 DP 1048494, Lot 3 1042119, Lot 144 DP 1030322, Lots 10 and 13 DP 1014470 for the original Concept and Project Approval [MP06_0258].

Accordingly, under the provisions of Clause 8F Owner's consent or notification of Schedule 4 Transferred savings, transitional and other provisions—former provisions of Environmental Planning and Assessment Regulation 2000 within Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 we submit the consent of the landowners of all the created residential lots within the Estate as developed under MP07_0026 is not either deemed necessary and/or reasonable given the following grounds.

- Since the approval of Major Project 06_0258, the parent property has been subdivided into residential lots and a larger Town Centre Development Lot (subject land to this modification) which have been sold and therefore in different landownership (refer attached deposited plans for current stages released);
- The modifications relate to separate development lot which the owners of the individual residential lots have no financial or material responsibility/obligation. In this regard, the implementation of the modified approval does not generate any financial obligation upon the landowners of the residential lots already created within the Estate;
- Modification 6-11 as approved by the Department of Planning, Infrastructure & Environment have not required the individual landowners of the residential lots created under MP06_0258 to be obtained.

- The Concept Approval issued for MP06_0258 provides for a staged development of the estate and as such recognition of the fact differing landowners would be introduced into the master planned estate as other stages are approved and/or developed.

We trust the above addresses the ability of the current landowner of the lots in which the modification relates to issue consent for the lodgement of the application with the Department. Should further information be required, please do not hesitate contacting me.

We will now await an invoice from the Department to coordinate payment of the prescribed application fees on behalf of the proponent.

Should you have any questions regarding this matter, please do not hesitate in contacting Damian Chapelle of this office.

Yours sincerely,

NEWTON DENNY CHAPELLE

A handwritten signature in black ink that reads "Dam Chapelle". The signature is written in a cursive, flowing style.

DAMIAN CHAPELLE

Town Planner. BTP CPP.