



26 June 2020

Ms Sarah Kelly  
Planning Manager  
Lendlease Communities Australia Pty Ltd  
Level 2, 88 Phillip Street  
Parramatta NSW 2150

Our ref: MP 09\_0082 MOD 4

-via email-  
[sarah.kelly@lendlease.com](mailto:sarah.kelly@lendlease.com)

Dear Ms Kelly

**Calderwood Concept Plan (MP 09\_0082 MOD 4)  
Request for Additional Information**

I refer to the above modification request lodged with the Department of Planning, Industry and Environment (the Department).

Having carefully reviewed the Addendum Response to Submissions (Addendum RTS) as well as the issues raised by both Councils and Government agencies, the Department requests that you provide additional information on the key issues outlined in **Attachment A**.

The Department notes it requested additional information in relation to the flooding impacts on 3 June 2020 and understands this information is forthcoming. Once received, the Department will consider this information and may seek additional clarification under separate cover.

The Department requests that you provide a response to the issues raised in **Attachment A** by **17 July 2020**.

If you have any questions, please contact Lawren Drummond on 9274 6185 or at [lawren.drummond@planning.nsw.gov.au](mailto:lawren.drummond@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'B Roberts'.

Brendon Roberts  
**Acting Director**  
**Regional Assessments**

## **ATTACHMENT A – KEY ISSUES**

### **1. Intersection Upgrades**

- As indicated in your 'Public Benefits Letter' dated 28 May 2020, Lendlease (LL) proposes to enter into an amended or supplementary VPA with Shellharbour City Council (SCC) to accommodate the proposed increase in density of the subject site. This includes additional contributions for the upgrade of the Calderwood Road/Tripoli Way intersection from a roundabout to a signalised intersection.

The Department understands that the Illawarra Highway/Broughton Avenue intersection also needs to be upgraded from a roundabout to a signalised intersection. Please provide information and justification on how that upgrade will be funded or delivered.

- The Department also notes the existing VPA between LL and the Minister for Planning and Public Spaces contains a rate for transport contributions that is based on an amount per hectare of net developable area. Please provide further information on how transport contributions will be increased to take into account the proposed additional 1,200 dwellings.

### **2. Local VPA**

- Once finalised with Council, the Department requests that LL provide a final letter of offer to Council to enter into an amended or supplementary VPA, consistent with the public benefits letter dated 28 May 2020. A copy of this offer must be provided to the Department.
- In the Addendum RtS, LL request a condition which requires LL to demonstrate that suitable arrangements are in place for contributions prior to the issue of a subdivision certificate for the 4,801<sup>st</sup> lot. The Department notes however that the proposed amendments to local infrastructure would affect development in SCC in the shorter term, including delivery of larger / new parks immediately and a larger community centre prior to the 3,000th dwelling. The Department therefore considers that the delivery of necessary infrastructure would likely be required well before the 4,801<sup>st</sup> lot. Further clarification regarding the staging of the development and associated delivery of infrastructure is sought.
- The Department requests clarification on the obligations of the non-core landowners under the existing VPA. Specifically, what arrangements exist to ensure contributions are made and whether these would change under a proposed new or amended VPA.

### **3. Public domain/open space**

- Appendix M of the RtS shows some of the additional open space is proposed to be located within two of the non-core landholdings (NCLs) (Parks DP2, DP5/LP13, LP7). The Department seeks confirmation that these landowners have agreed to provide the additional open space. It should be noted that the 8F designation was introduced to resolve issues of landowners' consent where proposed changes to an approval do not directly affect other multiple landowners. However, direct changes to land not under the ownership of LL cannot be determined without the consent of the relevant landowner.

### **4. Town Centre**

- As justification for the modification partially relies on the amenity provided to the additional dwellings by the Town Centre, the Department seeks clarification on the minimum amount of retail floor space proposed in the Town Centre. It is the Department's view that between 20,000m<sup>2</sup> and 25,000m<sup>2</sup> of retail floor space should be provided.

#### 5. Mapping/Plans

- In the main 'Concept Plan' map, there are two additional 'orange coloured' 'Town and Village Centres: one on the Illawarra Highway and one on Marshall Mount Road. These appear to be mapping errors and should be removed.
- In the 'Residential Character Area' map the area coloured orange for town and village centre should be updated to reflect the zone boundaries. The Department considers this will reduce ambiguity and ensure consistency with Table 2 in the DCS – that the Town and Village Centre Development is to apply only to the B4 zone, rather than a general area near the B4 zone.

#### 6. Development control strategy (DCS)

The Department requests the following amendments to the DCS:

- The 'Residential Character Area' map in the DCS should be updated as above.
- Figure 4 should be deleted. It contains indicative information that is not assessed or approved and is not required.
- In Section 1.3, the second paragraph should be deleted and replaced with something along the lines of:

*'Location Criteria for small lot integrated housing within the General Residential Neighbourhood includes:*

- (a) Sites directly opposite public parks at least 0.2ha in size and where the gradient of the site is less than 1 in 10, or*
- (b) Sites within 800m walking catchment of the Town Centre as shown in Figure 3'*

- In Table 2 Column 1, Typical Building Heights: delete the information in brackets; then after 'LC:1 – 3 storeys' add 'subject to the Maximum Building Heights identified in the SEPP'.
- Section 1.4: Subdivision Pathways should be deleted. The Department considers all subdivision is to be in accordance with the SEPP and Condition B6. Additional pathways are not supported.
- Please ensure the list of dwelling types in Section 1B / Table 5 / Appendix C all match up and are consistent as there are different names used (e.g. 'Courtyard' dwellings used in Section 1B / table, but no longer used in Appendix C).
- Tables 5 and 6: reductions in minimum lot sizes for Standard Residential Allotments below 300m<sup>2</sup> are not supported and should be changed. The Department considers lots less than 300m<sup>2</sup> are to be created as integrated development only. The lot sizes for Villas and Smart lots are to be updated accordingly and can still be delivered as Integrated Housing (i.e. the orange columns). Note 'n' Table 5 and notes 'e' and 'f' in Table 6 should be deleted. Appendix C should be updated to reflect the above changes.



- Section 1.6.8: Solar Access: the proposed control for integrated development is not supported and should be deleted. The Department requires the retention of 3 hours of solar access to the private open space for integrated development.