



20 July 2022

Our Ref: 16083\_TP\_LE Cover\_200722

Mr Keiran Thomas  
Regional Assessments  
Department of Planning & Environment,  
Locked Bag 5022, Parramatta NSW 2124.

Attn. Ms Emma Butcher

**RE: AMENDMENT REPORT  
GLADES ESTATE RESIDENTIAL SUBDIVISION MOD 5 (MP06\_0143-MOD-5)  
LOT 1 & 2 DP725785, MOONEE BEACH**

With regard to the abovementioned development application and with reference to your email dated the 15<sup>th</sup> of July 2022, please find attached our amended submission (Ref: 16083\_TP\_RP\_MOD5\_AMEND dated 20<sup>th</sup> July 2022) for the Departments further assessment.

We note that our amended submission is made in accordance with Section 113 of the Environmental Planning & Assessment Regulation 2021. With further regard to Clause 113(3), the following table identifies the amendments which we have made to our initial submission (MOD 5) dated the 29<sup>th</sup> of April 2022.

**Table 1 – Summary of Amendments to MOD 5**

| MOD 5 Section   | Subsection  | Amendments (Comments)   |
|---|---|---|
| <b>Introduction</b>                                   | Not Applicable  | <ul style="list-style-type: none"><li>▪ Inclusion of proposed modification to 'Active Recreation Node 1' and Passive Recreation Node 2.</li><li>▪ Reference to Conditions, A1, B6 and E18 for modification. .</li></ul>                     |
| <b>1. Background</b>                                  | Not Applicable.   | No Change   |
| <b>2. Request for Proposed Modification</b>           | 2.1 Amendments to Staging of Open Space Dedication to Council | As per MOD 5 Submission dated 29 April 2022   |
|   | 2.2 Amendments to Staged Subdivision Boundaries               | As per MOD 5 Submission dated 29 April 2022   |
|   | 2.3 Relocation of Recreation Node                             | This matter is a proposed amendment (i.e. new inclusion) to the MOD 5 submission dated 29 April 2022  |
| <b>3. Modification to Project Approval Conditions</b> | 3.1 Condition A1 – Project Description                        | This matter is a proposed amendment (i.e. new inclusion) to the MOD 5 submission dated 29 April 2022  |
|   | 3.2 Condition A2 - Staging                                    | <p>This matter is a proposed amendment (i.e. updated &amp; amended) to the MOD 5 submission dated 29 April 2022.</p> <p>Note:<br/>The amendments to Condition A2 are made to correct an error in the original MOD 5 submission dated 29</p> |





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|                                    |  | April 2022 as identified by the Department (Emma Butcher) in their email dated the 7 <sup>th</sup> of July 2022.  |
|                                    | 3.3 Condition A3 - Project In accordance with Plans      | This matter is a proposed amendment (i.e. updated) to the MOD 5 submission dated 29 April 2022.   |
|                                    | 3.4 Condition A6 – Certification and Staging             | As per MOD 5 Submission dated 29 April 2022.  |
|                                    | 3.3 Condition B6 – Public Car Parking                    | This matter is a proposed amendment (i.e. new inclusion) to the MOD 5 submission dated 29 April 2022.   |
|                                    | 3.4 Condition E11 – Open Space / Landscaping             | As per MOD 5 Submission dated 29 April 2022.  |
|                                    | 3.5 Condition E14 – Project in Accordance with Plans     | As per MOD 5 Submission dated 29 April 2022.  |
|                                    | 3.6 Condition E18(3) – Section 94 Monetary Contributions | This matter is a proposed amendment (i.e. new inclusion) to the MOD 5 submission dated 29 April 2022.   |
| <b>4. Environmental Assessment</b> | Not Applicable   | Minor amendments have been made to the MOD 5 submission dated 29 April 2022. Please refer to:<br>a) Suitability of the Site for the Development<br>b) The Public Interest |
| <b>5. Conclusion</b>               | Not Applicable   | Minor amendments have been made to the MOD 5 submission dated 29 April 2022.  |

In addition to the above and with regard to your email dated the 15<sup>th</sup> of July, we provide our further response to MOD 5 matters in Table 2 below.

**Table 2 – Response to MOD 5 Matters**

| <b>MOD5 Assessment Matter</b>  | <b>Applicant Response</b>   |
|--|---|
| <b>1. Amendments to Condition A2</b><br>Update the requested modification to Condition A2 to reflect the approved wording.                     | Condition A2 has been amended to reflect the approved wording.  |
| <b>2. Comparison of Lots</b><br>Include a comparison of the approved and proposed number of lots compared to area of open space in each stage. | <p>This proposal does not seek a change to the total number of approved residential lots or the total area of open space.</p> <p>The proposed change sought by this modification (as amended) relates to the location of the staged subdivision boundaries affecting Stages 1,3,4,5 &amp; 8 and the relocation of Active Recreation Node 1. A minor change will result in relation to the location of each stage subdivision boundary affecting the open spaces areas for these stages. It is noted that the number and location of allotments within each development stage will remain unchanged.</p> <p>In consideration of the above, we believe the requested comparison is unnecessary.</p> |



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| <p><b>3. Additional Information</b></p> <p>Provide additional detail in response to the Department's request for information dated 15 June 2022, clearly outlining how residential lots will have access to appropriate open space once the subdivision certificate is issued.</p> | <p>With reference to Condition A2 of Project Approval MP06_0143, it is noted that the dedication of open space land was to occur upon the completion of Stage 3 and not before. The proposed modifications sought by the current modification (MOD 5) is consistent with this approach.</p> <p>It is noted that the delivery of each subdivision development will include the construction of pedestrian and bicycle paths within their respective dedicated road reserves. The delivery of the first development stage will also complete a road connection to Moonee Creek Drive. The completion and dedication of this road (coincident with the release of the first subdivision development stage) will provide a direct vehicle, pedestrian, and cyclist link to the Moonee Nature Reserve Foreshore area, where there is a substantial area of appropriate public open space available.</p> <p>Notwithstanding the above, Condition E18 of MP06_0143 requires a per lot, monetary contribution for neighbourhood open space. It is noted that this monetary contribution will be utilised by Council to deliver appropriate open spaces in accordance with the Moonee Release Area Developer Contributions Plan. It is anticipated that the delivery of the planned facilities will be undertaken commensurate with the Council's Open Space Strategy 2010. It is noted that the contributions plan shows the location of planned facilities within the later development stages on the subject land.</p> |
| <p><b>4. Revised Staging</b></p> <p>Revised Staging of Open Space Dedication to Council plan in accordance with Council's comments.</p>  | <p>We are not aware of any additional comments regarding this matter.</p>  |

We trust that this letter and our amended MOD 5 submission (attached herewith) is sufficient and that the Department will progress their assessment at their earliest opportunity.

Should the Department wish to discuss this matter further, please do not hesitate to contact Mr Bill Sarkis (Development Manager – Winten Property Group) on 9929 5000.

Yours faithfully,  
**LAND METRICS PTY LTD**

**Matt Cooper**  
Director