



23 June 2017

Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Jane Flanagan - Senior Planning Officer

Dear Jane,

Re: Rev B - Response to Submissions to S.75W Modification MP08_0167 MOD 3 – Proposed Seniors Living - Belle O'Connor Street Saltwater Estate, South West Rocks

I refer to the further submissions received at our response to submissions relating to S.75W Modification MP08_0167 MOD 3 relating to a Seniors Living development in the eastern portion of the site at Belle O'Connor Street, Saltwater Estate, South West Rocks.

Please find below in Attachment A, a summary of the key issues raised within the four public submissions and a comment in response to the issues raised. It is considered that the issues have now been satisfactorily addressed and we specifically note the support from the RFS which was the key issue.

In response to discussions with the Department of Planning, we have removed the dwellings from the application and seek support for a seniors housing development with the dwellings to have separate development applications or a further S.75W modification lodged to include the dwellings on each site. A condition is requested to reflect this. Further, the park in the western residential section of the overall development has been more centrally located. The Statement of Environmental Effects (Rev B) and overall development site plan has been updated to reflect the changes.

We thank you in advance for your assistance with this application and should you need any further documentation or clarification then please contact Donna Clarke on 6583 2677 at the earliest convenience.

Yours faithfully



Graham Burns

Director - Land Dynamics Pty Ltd

ATTACHMENT A - SUMMARY OF RESPONSE TO SUBMISSIONS COMMENTS FROM PUBLIC AGENCIES

Agency & Comments	Comment
Rural Fire Service No objection and recommends conditions of consent.	Noted.
Roads & Maritime Services No further comments regarding the response to submissions.	Noted.
Kempsey Shire Council States that one major single residential subdivision is being developed as three smaller developments, independently of each other and requests the Department be satisfied it can be characterized as a modification. The development would be assessed against local controls as a release area if not a Part 3A modification. Suggests that plans and studies should be updated. Suggests Condition E10 relating to contributions needs to be updated and Council can provide upon request.	The Part 3A consent relates to the land, not the landowners or developers. The original development and conditions of consent will occur in accordance with the approved form regardless of whether it occurs by one entity or three. The site has been considered in detail against the local controls at the time of the original Part 3A approval. This modification remains within the approved developable footprint and consent is being sought under a state planning policy, with consideration given to local controls. The studies remain relevant and new reports provided where required. The conditions of consent govern the submission of further details. It is requested that the Department obtain the updated figures from Council to allow the condition to be updated.
Office of Environment & Heritage Acknowledges that the modification is contained within the outer development footprint of the existing approval and no biodiversity impacts predicted.	Noted.