

Our Ref: 80215013 Contact: Jenny Smithson

23 December 2014

Ms Kate Macdonald Department of Planning GPO Box 39 SYDNEY NSW 2001

Dear Kate,

# SECTION 75W REQUEST TO MODIFY THE MINISTER'S APPROVAL OF PROJECT APPLICATION 06\_0250 (28 JUNE 2010) – SEASIDE BOULEVARD, FERN BAY MODIFICATION SOUGHT REALIGNS ROADS AND ALLOTMENTS WITHIN EXISTING FOOTPRINTS FOR STAGES 8B-10 AND STAGES 13-17.

Further to Cardno's previous discussions and involvement with the Department on the above project, we hereby submit an Application and Environmental Assessment lodged pursuant to section 75W of the Environmental Planning and Assessment Act, 1979 (the Act). The Application is to modify the above Part 3A Consent on behalf of Rawson Communities, the owners of the subject land referred to as the Fern Bay estate or *Seaside Village, Fern Bay*.

## 1. INTRODUCTION

The requested modifications relate only to the redesign of the subdivision layout in what we term the North East Precinct of the Fern Bay Estate. The changes remain entirely within the existing development footprint, reducing slightly in size. The redesign is viewed as an improvement by:

- Reducing fan-shaped allotments to provide consistent lot shapes and sizes, thus improving their buildability;
- Reducing or removing unnecessary road curves and dog-legs improving functionality;
- Reducing the number of superlots in this Precinct from 12 to 2 now that their future use has been determined by Rawson Communities; and
- increasing the number of lots in the North East Precinct by 103, from 165 lots to 268 lots (resulting from subdividing a number of superlots).

On the basis that the proposed modifications will result in no change in the development footprint, have no impact on any conservation land, not impact on existing stages and have limited (if any) impact on adjacent residents (who may have purchased), we consider the proposed modifications to be minor. Accordingly, we believe there is no requirement to notify the proposal with the exception of the relevant referral agencies and Council in this case.

In addition to the required completed s75W Form and Political Donations Declaration Form (attached), the application comprises this letter and attached plans which outline:

• A revised staging and layout for Stages 8B to 10 inclusive and Stages 13 to 17 inclusive (attached as Plan No. 29850 G) with the approved layout overlayed;

Cardno (NSW/ACT) Pty Ltd ABN 95 001 145 035

Level 9 The Forum 203 Pacific Highway St. Leonards NSW 2065

P.O. Box 19 St Leonards NSW 1590 Australia

Phone: +61 2 9496 7700 Fax: +61 2 9439 5170

www.cardno.com.au



- A description of the proposed changes in road layout and lot configurations and an Environmental Assessment covering the specific outcomes of the proposed modifications; and
- Recommendations for amendments to relevant conditions included in the body of this letter.

It should be noted that there is currently another s75w application being assessed by the Department of Planning & Environment for Fern Bay (referred to as MOD6). This modification proposes the deletion of 2 conditions; B4 and B13. This application does not impact on the assessment of the s75w application currently under assessment, nor does the outcome of that assessment impact on this s75w application for modifications to Stages 8B-10 and Stages 13-17.

# 2. DESIGN DEVELOPMENT OF ROAD LAYOUT AND LOT CONFIGURATIONS

As detailed on the revised plan, the road layout has been amended to improve the configurations of lots and alignment of roadways and intersections. The redesign of the North East Precinct provides safer roadways improving sight lines, functionality and wayfinding. It also reduces the length of roads required to be constructed (and therefore maintained). The lot configurations reflect the realignment of the road layout and provide regular shaped lots which improve buildability and reduce unusable spaces.

# 3. ENVIRONMENTAL ASSESSMENT

This Environmental Assessment addresses the following key issues of the proposed modification:

- Impact of the revised design on Port Stephens local planning controls and subsequent DA processes (including NSW Housing Code requirements);
- Lot sizes;
- Impacts on open space requirements and implications for s.94 development contributions;
- Consequences for the completed VPA for the site;
- Specific conditions of approval that require modification and new proposed wordings;
- Block length and subdivision permeability in the context of the existing approval; and
- Consideration of any responses to submissions to the original Application that may be of relevance to this proposed modification.

These issues are addressed in the Assessment that follows.

# 3-1. DEPARTURES FROM THE APPROVED PROJECT PLAN AND LOCAL PLANNING CONTROLS

The Modification request includes limited departures from the approved Project Plan (including subsequent Modifications) but only minor departures from Port Stephens planning controls, being two DCP controls. The applicant has made these departures to provide an improved urban design response that will have tangible benefits to the future residents of the Fern Bay Village.

Details of the departure from the Project Plan and DCP follow below along with the justification for departure. It should be noted that the Department's comments (including NSW Housing Code requirements) was in response to a former modified design which proposed a number of lots below 500m<sup>2</sup>. Such lots require, under the Port Stephens LEP, to have constructed houses included in any development proposal and Cardno were seeking the Department's support to waive this requirement. In response it was suggested that we would need to address the DA approval process and the Housing Code. This would entail delays to the approval process.

A subsequent approved Modification for the South East Precinct of the estate proposed an amended design with lots equal to or greater than 500m<sup>2</sup>. Furthermore, no lots less than 500m<sup>2</sup> are now proposed in the amended design for the North East Precinct of the estate. Therefore no variation to the LEP requirements is sought or required and consequently these matters do not need to be addressed in this application.

# Approved Project Plan

## Block and road reserve layout

Blocks and road reserves in the North East Precinct have been rationalised and re-orientated to create a more legible and amenable residential environment. Essentially the changes propose straightening and



reorientating streets to continue the strong east-west grid pattern approved for Stages 4 to 8A in the adjacent South East Precinct. This redesign proposes:

- An efficient and legible street network with improved opportunities for solar penetration to individual lots.
- More regularly shaped lots that provide efficient platforms for cost effective, high quality residential development.
- Potential improvements to local character by maximising view corridors, removing a dog-leg roadway, removing unnecessary curved roadways and improving planned recreation land with connection to bushland and a more useable shape and size.
- Improved pedestrian access to parks, the WSCA (commonly referred to as the Conservation Lands) and the central boulevard by planting of streets along key 'desire lines'.
- Creation of larger street blocks in order to minimise land allocated to roads, whilst still providing an
  efficient network.

# Lot sizes

The revised design for the North East Precinct would result in larger average lot sizes when compared with the currently approved Project Plan. Within the North East Precinct, the proposal would result in lot sizes ranging from 500m<sup>2</sup> to 1019m<sup>2</sup> (not including the remaining 2 superlots). The remaining superlots have been set aside for future development, potentially to provide higher density housing options.

The revised design for the North East Precinct generally deletes smaller and larger lot sizes from the development mix in response to the market demand, and the requirements of the LEP desiring lots be no less than 500m<sup>2</sup>. Housing choice is still available through the remaining superlots for future development. Development of these lots would likely be the subject of future DA's to Port Stephens Council.

# Port Stephens Local Planning Controls

We are aware that the Department is obliged to take local planning controls into consideration in assessment of proposals lodged under the former Part 3A of the EPA Act, but is not required to enforce these provisions. Cardno and Rawson Communities have been cognisant of the intent to meet the local controls wherever possible and have therefore decided not to pursue any design providing the creation of lots less than 500m<sup>2</sup>, which would require a departure from Council's LEP provisions.

The revised design comprising this application requires a departure from the Port Stephens DCP controls as outlined below.

# Port Stephens Development Control Plan 2013

Two Principles in the DCP relate to street and block layout in new subdivisions. These are:

"B1.P7 The street and block layout should form an interconnected street network providing choice in routes and direct access for pedestrians and cyclists to shops, community facilities and open space, with minimal conflicts with vehicular movements.

B1.P8 The street and block layout should support an efficient use of land."

The development control generated by these principles is:

"B1.C11 A new block in a residential zone must be no more that 80m deep and 160m long."

The revised street layout proposed in the North East Precinct fully complies with the 80m deep requirement for blocks but does not comply with the numeric control for block length in all instances. However, the design is completely consistent with the relevant planning principles and it is noted that the approved plan also did not comply in all instances with the DCP block length. It was however, approved under Part 3A.

Subsequently, a revised street layout and block layout for the South East Precinct was approved by the Department in May 2012, despite some section lengths exceeding 160m.

With respect to Principle P7, the revised layout improves on the approved plan by providing pedestrian and vehicular access to local open space and amenity in a more direct and legible street network. The orientation of streets will provide visible connections to parks and the Conservation Lands which maximises opportunities for pedestrian access to these areas. In this regard, the modified layout would result in



improved walking environments for residents to public open space, most not being more than the length and depth of one block. Under the approved plan, residents within the precinct would have more convoluted walking connections to the parks via indirect routes than those now proposed.

Moreover, it is our opinion that strict compliance with the numeric control would be inconsistent with Principle 8 of the DCP. Specifically, it is considered that provision of additional streets to achieve strict compliance with the 160 metre maximum block length control would not contribute to an efficient use of land as it would require additional land being dedicated to roads that would otherwise be available for housing. This would occur without any appreciable improvement to the pedestrian amenity of the precinct.

On this basis, it is considered that the single numeric departure from the Port Stephens DCP, 2007 resulting from this design review is minor and justified when considered against the fact that such departures were allowed under the approved plan and in previous modifications to the South East Precinct, and given the compliance with the relevant Objectives in the controls and the benefits that would result for future residents.

# 3-2. IMPACTS ON OPEN SPACE, s.94 CONTRIBUTIONS & VOLUNTARY PLANNING AGREEMENT

# Open Space (Parks)

The revised design proposes reconfiguration of the reserve known as R5 (Corymbia Park). The current approved size for Corymbia Park is 1.09ha. The revision marginally reduces the size to 1.08ha which is insignificant.

Furthermore, the redesign provides the opportunity to improve the layout and therefore functionality of this important public open space area. The approved plan provides a park that is conical in shape and provides limited opportunity for active recreation areas. The park is also surrounded by roadways on four sides that are 20 metres wide or more.

The revision provides a more regular shaped park which will maximise the opportunity for active recreation. Furthermore, the revision removes unnecessary road space, replacing one 20 metre wide roadway with a 13.5 metre roadway and directly connecting the park with the adjacent bushland. It is noted that the DCP calls for parks to be bounded by a local street on all sides (B1.C20). This control aims to eliminate inactive frontages to parks such as residential fences. However, in this instance it is considered that the departure from this control is minor and will have the beneficial outcome of linking Corymbia Park directly with the adjacent conservation lands. Therefore it will achieve overall consistency with the principles of the DCP to reinforce a sense of public ownership. These changes improve the overall amenity and visual appearance of the parkland and are generally consistent with the principles (B1.P15 – B1.P19) and controls (B1.C20 – B1.C26) within the Port Stephens DCP 2013.

# Section 94 Contributions

Condition E20 of the approval requires the payment of section 94 contributions on a per lot basis and is not affected by the revised design. There are 103 more lots proposed in the revised plan than exist under the approved plan thus generating additional s94 income for the Council than would otherwise be payable.

# Voluntary Planning Agreement

The signed Planning Agreement will not be affected by the proposed modification. It applies only to contributions to be paid for works in the Worimi Regional Park and WSCA and these contributions are fixed annual payments, irrespective of the number of lots or design of the estate. The proposed redesign does not impinge on either the Regional Park or the WSCA.

# RESPONSES TO SUBMISSIONS THAT ARE OF RELEVANCE TO MODIFICATION

Agency Submissions to the original application that are of relevance to this proposed modification are discussed below.

# Port Stephens Council (Submissions of 22 June 2009, 7 July 2009 & 1 February, 2010)

Council's submissions raised the following issues of relevance to this Modification Application:



#### Street block lengths and orientation

Street blocks should be of maximum length 160 metres in accordance with the Port Stephens DCP, 2007 (now Port Stephens DCP 2013).

Street blocks should be orientated toward destination points such as shops, parks, bus routes, etc.

#### Response

As described in Section 3.1 above, it is considered that strict compliance with the DCP numeric control for block length is not necessary to provide a well-connected and permeable residential environment in the Fern Bay North East Precinct. Nor was it required with the recent approved modifications to the approval. The proposed rationalisation of the block layout includes re-orientation to improve solar access to the developed lots and to provide direct access to parks within the development area and to the surrounding Conservation Area. Walking distances to these amenities are improved and are generally less than the current walking distances. Given the orientation of the blocks to ensure minimum distances to open space, further subdivision to shorten street lengths would only result in lesser provision of housing within the development.

Furthermore, the variation to this provision is similar to that of the South East Precinct revision, which was not opposed by Port Stephens Council and was subsequently approved.

#### Walking distance from bus stops

No residences should be more than 400 metres walking distance from a bus stop.

#### <u>Response</u>

The revised North East Precinct includes the same number of bus stops as in the existing approval. Two bus stops are proposed on Seaside Boulevard in the same relative position as in the current approved plan. Provision of these two stops, in conjunction with the proposed re-orientation and rationalisation of the block layout, will ensure that all new lots within the North East Precinct are well within a 400 metre walking distance of a bus stop.

# Transport for NSW (stamped 26 May 2009)

The Ministry raised various matters pertaining to sustainable transport practices. Those of relevance to the proposed amendment include:

- The impact of the 'circuitous subdivision design' with regard to servicing by bus and costs to Government of providing a public transport service;
- The proximity of higher density development to bus stops; and
- The proposed density of 7.5 dwellings per hectare would be inconsistent with the Lower Hunter Regional Strategy (12 dwellings per hectare) and would further limit the subdivision's ability to support a viable public transport service.

#### **Response**

The proposed amendment would address each of these issues in that:

- ✓ Rationalisation of the subdivision layout would allow for more direct access to a bus service and would improve manoeuvrability for buses and thus reduce servicing costs.
- ✓ The Integrated Housing (2 superlot) sites now proposed are within close proximity to the two bus stops in the precinct.
- ✓ The additional 103 lots proposed by this modification would assist in meeting the targets set within the Lower Hunter Regional Strategy thus improving the viability for a public bus system.



# Hunter New England Area Health Service (3 June 2009)

Inter alia, the submission by the Area Health Service raised a number of issues that would fall under the general heading of health promotion through urban design. Those that are relevant to this modification application include:

- Bus stops should be within 400 metres of all residential lots.
- Community facilities, including the Conservation Area, internal parks, walkways and cycleways should be positioned so that resident access is maximised (400-800 metres from all residential lots).

#### <u>Response</u>

As outlined above, the revised proposal is consistent with both of these requirements. All residential lots within the proposed North East Precinct would be within 400 metres of a bus stop and well within the required 400-800 metre walking distance to community facilities.

# 4. RECOMMENDED AMENDMENTS TO RELEVANT CONDITIONS

The conditions sought to be modified are:

- Condition A1 updating project description to reflect the changes;
- Condition A2 reflecting the proposed staging and lot table information;
- Condition A3 reflecting updated subdivision drawing plans;
- Condition A4 referencing supporting documentation for this modification.
- Conditions B1, B14, B15 & B16 referencing the updated drawing plan/s.

The following provides the requested modifications to the current conditions of consent:

# Condition A1 – Project Description

# Proposed Change:

Change Part 2) only as follows:

2) Subdivision of land for the creation of 580 lots under a community title scheme (including 578 residential lots – inclusive of 17 superlots, triplexes and duplexes, and 2 commercial lots);

# Reason for Change:

To reflect the amended number and type of lots for the approved plan (ie Stages 8B to 10 inclusive and Stages 13 to 17 inclusive). The above change takes into account 283 lots already completed, 166 lots currently under construction (stages 1 to 8A inclusive and Stages 11 to 12), and the balance of the estate yet to be developed within the western precinct (Stages 18 to 20 inclusive). The lots subject to the change number 268; approximately one third of the total development and reflect the replacement of 10 superlots with regular residential lots.

# Condition A2 – Staging

#### Proposed Change:

Change the wording of Stages 8B-10 and 13 – 17 as follows (note balance of condition not in italics not altered):

Stages 1 to 3 are the subject of separate approvals issued by other authorities. The project is to be constructed in 18 stages, generally as follows:

- (1) <u>Stage 4 comprises:</u>
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 51 lots;
  - (c) Construction of sewer pump station P4;
  - (d) Construction of a shared footway/cycleway from the bus shelter in front of Bayway Village to the intersection of Seaside Boulevard and Nelson Bay Road;\*



(d) Establishment of Aboriginal Heritage Reserve (R3);

Note: A modification application is currently before the Department of Planning & Environment which proposes the deletion of the original condition (1)(d).

- (2) <u>Stage 5 comprises:</u>
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 51 lots;
  - (c) Construction of a sewer pump station PS;
  - (d) Construction of infiltration basin 6;
  - (e) Construction of unnamed park CR6), including recreation facilities;
  - (3) <u>Stage 6 comprises:</u>
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) 37 lots, including 1 commercial lot;
    - (c) Construction of sewer pump station P5;
    - (d) Construction of infiltration basin 6
    - (e) Construction of unnamed park (R6), including recreation facilities;
  - (4) <u>Stage 7 comprises:</u>
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) 31 lots;
- (5) <u>Stage 8A comprises:</u>
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 47 lots;
  - (c) Construction of Banksia Park (R4), including recreational facilities.
- (6) Stage 8B comprises:
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 35 lots
- (7) <u>Stage9</u>comprises:
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) Construction of sewer pump station P7;
  - (c) 34 lots;
  - (d) Construction of conveyance swale to infiltration area 5;
- (8) <u>Stage 10</u> comprises:
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 36 lots;
- (9) <u>Stage 11 comprises:</u>



- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
- (b) 20 lots;
- (10) Stage 12 comprises:
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 30 lots;
- (11) Stage 13 comprises:
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 19 lots, including 1 superlot;
  - (c) Construction of swale to infiltration area 4;
  - (12) Stage 14 comprises:
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; •
    - (b) 35 lots, including 1 superlot;
    - (c) Northern extension of Seaside Boulevard, including an intersection with Nelson Bay Road (northern intersection);
    - (d) Construction of Corymbia Park (R5), including recreation facilities;
  - (13) <u>Stage 15</u> comprises:
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) Construction of sewer pump station P3;
    - (c) 31 lots;
  - (14) <u>Stage 16 comprises:</u>
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) 61 lots;
  - (15) <u>Stage 17</u> comprises:
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) 17 lots;
  - (16) <u>Stage 18</u> comprises:
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) 16 lots, including 4 superlots;
  - (17) <u>Stage 19</u> comprises:
    - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
    - (b) 11 lots, including 5 superlots and 1 commercial lot (lot 383);
    - (c) Construction of drainage swale to infiltration area 1;



- (18) <u>Stage 20 comprises:</u>
  - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
  - (b) 18 lots, including 6 superlots;
  - (c) Construction of unnamed park (R2), including recreation facilities.

The scope and extent of works within each stage of this project as outlined above may be varied due to market conditions and servicing constraints as agreed to by Council.

#### **Reason for Change:**

To reflect the revisions to the staging that have occurred post approval and those associated with the redesign of the North East Precinct (affecting 8 stages).

#### **Condition A3 Project in Accordance with Plans**

#### **Proposed Change:**

It is requested that the tables in Condition A3 be modified to reflect the latest revisions in the plans to accommodate the minor design changes in the North East Precinct as follows:

The project will be undertaken in accordance with the Environmental Assessment, the Preferred Project Report and the following drawings:

Drawing No.	Name of Plan	Plot Date
29850G-Sheet1of21	Staging and Lot Layout Rev-G	03/12/2014
29850G-Sheet2of21	Staging Plan	03/12/2014
29850G-Sheet3of21	Stages 4-6 Detail Plan Rev-G	03/12/2014
29850G - Sheet 4 of 21	Stages 7 & 8A Detail Plan Rev-G	03/12/2014
29850G - Sheet 5 of 21	Stages 8B – 10 Detail Plan Rev-G	03/12/2014
29850G - Sheet 6 of 21	Stages 13 & 14 Detail Plan Rev-G	03/12/2014
29850G - Sheet 7 of 21	Stages 15 – 17 Detail Plan Rev-G	03/12/2014
29850G - Sheet 8 of 21	Stages 18 & 19 Detail Plan Rev-G	03/12/2014
29850G - Sheet 9 of 21	Stage 20 Detail Plan Rev-G	03/12/2014
29850G - Sheet 10 of 21	Indicative Sewer Layout Rev-G	03/12/2014
29850G - Sheet 11 of 21	Indicative Watermain Layout Rev-G	03/12/2014
29850G - Sheet 12 of 21	Land Tenure Plan Rev-G	03/12/2014
29850G - Sheet 13 of 21	Subject & Adjoining Title Details Rev-G	03/12/2014
29850G - Sheet 14 of 21	Concept Site Drainage Plan – Proposed Swales and Basins Rev-G	03/12/2014
29850G - Sheet 15 of 21	Flood Prone & Low Lying Areas Rev-G	03/12/2014
29850G - Sheet 16 of 21	Typical Drainage Treatments Detail 1 Rev-G	03/12/2014
29850G - Sheet 17 of 21	Typical Drainage Treatments Detail 2 Rev-G	03/12/2014
29850G - Sheet 18 of 21	Footpath & Cycleway Rev-G	03/12/2014
29850G - Sheet 19 of 21	Typical Road Detail Rev-G	03/12/2014
29850G - Sheet 20 of 21	Aerial View Rev-G	03/12/2014
29850G - Sheet 21 of 21	Bulk Earthworks (Cut-Fill) Plan Rev-G	03/12/2014

Landscape Drawings Prepared by North Point Surveys and Terras Landscape Architects			
Drawing No.	Name of Plan	Date	
29850 Landscape Plan - Sheet 1 of 1	29850 Landscape Plan Rev-G	05/12/2014	

# Reason for Change:

To reflect the revisions to the staging that have occurred post approval and those associated with the redesign of the North East Precinct (affecting 8 stages).



# Condition A4 – Project in Accordance with Documents

# Proposed Change:

Insert new clause within Condition A4 as follows:

(5) Section 75W Request to Modify the Minister's Approval of Project Application 06\_0250 (28 June 2010) – Stages 8B to 10 and Stages 13 to 17, North East Precinct – Seaside Boulevard, Fern Bat prepared by Cardno on behalf of Winten Fern Bay No. 2 Pty Ltd, dated 12 December 2014.

# Reason for Change:

To reflect the revisions to the staging that have occurred post approval and those associated with the redesign of the North East Precinct (affecting 8 stages).

# Existing Conditions B1, B14, B15 and B16

#### Reason and extent of Changes:

To reflect the revisions to the staging that have occurred post approval and those associated with the redesign of the North East Precinct (affecting 8 stages). These conditions require minor modifications to reference the most recent plan/s.

The Department may also wish to renumber conditions B4 onwards should MOD6 be approved and conditions B4 and B13 deleted.

# 5. CONCLUSION

This letter summarises the extent of the modifications now sought to the existing project approval. Given the simplicity of the modifications sought, the justification provided for seeking the modifications, and the fact that they only affect works internal to the estate, timely issuing of a modified approval is sought accordingly.

Thank you for your attention to this matter. If you have any queries or require additional information, please do not hesitate to contact me at your convenience.

Yours faithfully

Jenny Smithson Senior Principal

For Cardno jenny.smithson@cardno.com.au

Enc: Drawings 29850 Rev-G Sheets 1 - 21 Drawing 29850 Landscape Plan Rev-G Sheet 1 of 1.

cc:

Mr Michael Radovnikovic, Rawson Communities Mr Brent Annis Brown (Project Manager)