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town planning
economic & retail assessment

4 March 2011
Our Ref: 5565H.58DK

The Director-General
Department of Planning
GPO Box 39
SYDNEY 2001

Attention: Anthony Witherdin

By email: Anthony.Witherdin@planning.nsw.gov.au

Dear Anthony,

**Sandon Point Project Approval [MP07_00032]
Section 75W Modification
Condition C19 –Road Upgrade Works**

We refer to the above s.75W modification application and your email of 2 March 2011 requesting a comment on a letter received from the Roads and Traffic Authority in relation to the above application.

We have reviewed the RTA's letter and provide the following comments.

Paragraph 1

We note that the RTA agrees in principle to the "*agreed traffic management solution*" which is subject to no construction access occurring via Wrexham Road until such time that the proponent has commenced works on Lawrence Hargrave Drive associated with the implementation of the traffic signals.

We note that this arrangement was agreed between Stockland and the RTA in their email correspondence of 25 November 2010 and 29 November 2010 (refer Attachment 8 to Attachment B of the s.75W assessment report).

Stockland has no objection to this requirement. The s.75W modification proposes to amend Condition C19 by inserting an additional paragraph "*or as otherwise agreed by the Roads and Traffic Authority*". The requirement of the RTA would therefore fall within the scope of the additional clause proposed to C19.

Paragraph 2

The requirement to upgrade Lawrence Hargrave Drive and install the signalised intersection at Wrexham Road is a condition of the Project approval. The proposed works will occur within the existing road reserve and the new works are predominantly between the existing kerbs (with the exception of new pram ramps and new or reconstructed driveways. Further environmental assessment should not be required in order to comply with a condition of approval in this circumstance. In addition, the Project approval has been issued under the provisions of Part 3A of the Environmental Planning and Assessment Act, 1979. Under Section 75R(1) the provisions of Part 4 and Part 5 of the Act do not, in this instance, apply to Part 3A of the Act.



We do not see a need for an amendment to be made to the s.75W modification application in light of the RTA's letter and we trust that the Department of Planning can now finalise its determination of the application.

Should you have any enquiries in relation to this matter please do not hesitate to contact David Kettle on 9980-6933.

Yours faithfully

DON FOX PLANNING PTY LIMITED

**DAVID KETTLE
SENIOR TOWN PLANNER**