

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the modification of the Project Application referred to in schedule 1, subject to the conditions in schedule 2.

**Member of the Commission**

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Sydney

2012

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### SCHEDULE 1

**Project Approval:**

**MP09\_0162** granted by the Planning Assessment Commission on 18 January 2011.

**For the following:**

Multi-unit housing development and childcare centre, private and public open space, parking, road works, pedestrian and cycle pathway, landscaping and ecological rehabilitation works.

**At:**

14-18 Boondah Road, Warriewood (Lot 20 in DP 1080979).

**Proposed Modification:**

MP09\_0162 MOD 2 modification includes:

- reduction of the car park rate for 2 bedroom units from 2 to 1.5 spaces for Stage 2 of the development;
- clarification of the extent of reconstruction works to Boondah Road; and
- a revised Statement of Commitment to alter the timing for the payment of developer contributions for Stage 2 of the development.

## SCHEDULE 2

### CONDITIONS

The above approval is modified as follows:

- (a) In Schedule 3, Future Environmental Assessment Requirements, the following requirement is amended by the deletion of the ~~stuck through~~ and insertion of the **bold** and underlined words and numbers as follows:

#### 9. Car Parking

Car parking for the Stage 2 works shall be provided at the following minimum rate:

- (a) 1 space per studio / 1 bedroom unit;
- (b) **2 1.5 spaces per 2 bedroom unit;**
- (c) 2 spaces per 3 bedroom unit;
- (d) 1 visitor space per 5 dwellings; and
- (e) Other requirements are to be consistent with the Pittwater Council's DCP 21.

- (b) In Schedule 3, Future Environmental Assessment Requirements, the following requirement is to be inserted as follows:

#### **12. Road Improvement Works**

**The developer shall be responsible for the reconstruction of half the width of Boondah Road.**

- (c) In Schedule 4, amend the Statement of Commitment titled '1. Developer Contributions' by the deletion of the ~~struck through~~ and insertion of the **bold** and underlined words as follows:

#### **1. Developer Contributions**

Section 94 Contribution of \$19,041,428.00 comprising a total cash contribution of \$13,152,752.00 and an agreed schedule of works –in-kind to the value of \$5,888,676.00 (including the dedication of 15,601sqm of land) is to be made for the provision of public infrastructure and services.

The above Section 94 Contributions payable are to be stages as follows.

##### **Stage 1**

A cash contribution to the amount of \$6,941,076.64 to be made payable prior to the issue of the first Occupation Certificate. Evidence of the payment shall be provided to the Certifying Authority. This is equivalent to 295 dwelling being built. Should this number change, then equivalent proportional number of dwellings divided into the total cash contribution will be made payable.

The following works in kind shall be carried out during the Stage 1

Element	Public Works	Value
Traffic and Transport	Dedication of the 5.5m splay corner at the intersection of	\$1,370,417

	Macpherson Street and Boondah Road	
Multi-function creekline corridors (works)	Construction & embellishment of 6,681sqm of proposed on-site creekline corridor land.	\$534,480
Multi-function creekline corridors (land)	Dedication of on-site land of creekline corridor land.	\$681,462
<b>SUB TOTALS</b>		<b>\$2,586,359</b>

## Stage 2

A cash contribution to the amount of \$6,221,675.36 to be made payable prior to the issue of the first **Final** Occupation Certificate. Evidence of the payment shall be provided to the Certifying Authority. This is equivalent to 264 dwelling being built. Should this number change, then equivalent proportional number of dwellings divided into the total cash contribution will be made payable.

The following works in kind shall be carried out during the Stage 2.

Element	Public Works	Value
Traffic and Transport	Dedication of the internal loop road connecting Macpherson Street and Boondah Road.	Nil
Public recreation and open space land	Dedication of land for active and passive open space on-site (8,920sqm).	\$2,899,000
Pedestrian network	Direct provision including bridge over the creekline corridor, pedestrian/cycleway network on Meriton land.	\$403,317
<b>SUB TOTALS</b>		<b>\$3,302,317</b>

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End of Modifications to MP09\_0162