

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.



Garry Payne AM
Member of the Commission



Donna Campbell
Member of the Commission

Sydney 6 November 2012

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:

- 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 to be inserted as follows:

12. Road Improvement Works

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

- (b) 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 Macpherson Street and Boondah Road	\$1,370,417
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
SUB TOTALS		\$2,586,359

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
SUB TOTALS		\$3,302,317

End of Modifications to MP09_0162