

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 ____, I the Executive Director, Development Assessment Systems and Approvals, approve the modification of the Concept Plan referred to in schedule 1, subject to the conditions in schedule 2.

**Executive Director, Development Assessment Systems and Approvals
Department of Planning & Infrastructure**

Sydney

2013

SCHEDULE 1

Concept Approval: Breakfast Point Concept Plan 2005 granted by the Minister for Planning on 7 April 2006 and as amended on 18 October 2010, 19 September 2012.

For the following: Concept approval for development solely within the concept plan area including:

- (1) 183,480m² maximum gross floor area;
- (2) 1,519m² maximum commercial and non-residential uses (within the 183,480m² maximum gross floor area specified above);
- ~~(2a) 37,004m² maximum gross floor area for Serviced Self Care Housing (as defined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (within the 183,480m² maximum gross floor area specified above);~~
- (3) 1,589 residential dwellings ~~(and up to a maximum of 1,189 residential dwellings, subject to compliance with Condition No. 7 of the approval);~~
- ~~(3a) 227 seniors housing dwellings;~~
- (4) Landscaped public and private open space;
- (5) Associated services and infrastructure;
- (6) Land use distribution, building heights, densities, dwelling mixes and types;
- (7) Subdivision into no more than 100 Torrens Title Lots; and
- (8) Subdivision into no more than **1,589** strata subdivision lots (for residential dwellings) subject to compliance with the conditions of this approval.

Modification: Breakfast Point Concept Plan MOD 4 for a change to the Seniors Housing site to convert to residential dwellings.

SCHEDULE 2 CONDITIONS

The above approval is modified as follows:

- a) Condition 1 is amended by deletion of the struck out words and insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

1. Development Description

Concept approval is granted only to the carrying out the development solely within the concept plan area as described in the document titled "Breakfast Point Concept Plan 2005" prepared by Giles Tribe Architects & Urban Planners (dated 22 March 2006- Issue 3) as **amended by plans by Giles Tribe Architects & Urban Planners dated June 2013** including:

- (1) 183,480m² maximum gross floor area;
- (2) 1,519m² maximum commercial and non-residential uses (within the 183,480m² Maximum gross floor area specified above);
- ~~(2a) 37,004m² maximum gross floor area for Serviced Self-Care Housing (as defined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (within the 183,480m² maximum gross floor area specified above);~~
- {3} 1,589 residential dwellings ~~(and up to a maximum of 1,189 residential dwellings, subject to compliance with Condition No.7 of this approval);~~
- ~~(3a) 227 seniors housing dwellings;~~
- (4) Landscaped public and private open space;
- (5) Associated services and Infrastructure;
- (6) Land use distribution, building heights, densities, dwelling mixes and types;
- (7) Subdivision Into no more than 100 Torrens Title Lots; and
- (8) Subdivision Into no more than **1,589** strata subdivision lots (for residential dwellings) subject to compliance with the conditions of this approval.

- b) Condition 2 is amended by insertion of the **bold and underlined** words as follows:

2. Development in Accordance with Plans and Documentation

The development shall also be generally consistent with the following plans and documentation:

- (1) Breakfast Point Concept Plan 2005 prepared by Giles Tribe Architects & Urban Planners (dated 22 March 2008- Issue 3), as amended by plans by Giles Tribe Architects & Urban Planners dated 24 May 2010 (Issue 4) and **by Giles Tribe Architects & Urban Planners (Issue 6)**
- (2) Statement of Commitment for the Concept Plan prepared by Rosecorp (dated 24 March 2006)
- (3) Breakfast Point Response to Issues raised in submissions prepared by Rosecorp {dated 24 March 2008}