

Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation executed on 4 April 2014, I approve the modification of the concept approval referred to in Schedule 1, subject to the conditions in Schedule 2.

Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney

2014

SCHEDULE 1

Concept Approval:

MP08_0245 granted by the Planning Assessment Commission on 20 January 2011

For the following:

The comprehensive redevelopment of an existing retirement village over 5 stages including 12 residential buildings of 3 to 5 storeys in height and a residential aged care facility with associated landscaping, community facilities, internal road network and parking.

Modification:

MP08_0245 MOD2 including:

- removal of the requirement restricting the commencement of the construction of Stage 2 until after 12 months has lapsed since the final Occupation Certificate is issued for Stage 1; and
- associated amendments to terms of determination, terms of approval, modifications, conditions and Statement of Commitments.

The Concept Plan for MP08_0245 is modified as follows:

SCHEDULE 2 PART A – TERMS OF APPROVAL

- (a) Schedule 2 Part A – Terms of Approval, 2 is amended by the insertion of the **bold and underlined** words/ numbers and deletion of the **~~bold struck-out~~** words / numbers as follows:

2. Development in Accordance with Plans and Documentation

The approval shall be generally in accordance with MP08_0245, as modified by MP08_0245 MOD 1 **and MP08_0245 MOD2**, and:

- a) the Environmental Assessment prepared by BBC Consulting Planners dated 10 March 2010, except where amended by:
 - i. the Response to Submissions Report dated August 2010 and received by the Department on 1 September 2010; and
 - ii. the plans and documentation contained within the Cardinal Freeman Village Environmental Assessment Volumes 1 to 5 prepared by BBC Consulting Planners for Aevum Limited (dated March 2010).
- b) The Environmental Assessment prepared by BBC Consulting Planners dated 18 October 2012, except where amended by:
 - i. the Response to Submissions Report dated January 2013 and addendums dated 18 January 2013, 1 February 2013 and 29 February 2013 and
 - ii. the plans and documentation contained within the Cardinal Freeman Village Environmental Assessment Volumes 1 to 3 prepared by BBC Consulting Planners (dated 18 October 2012).
- c) **The Environmental Assessment prepared by BBC Consulting Planners dated September 2013, except where amended by:**
 - i. **the plans and documentation contained within the Cardinal Freeman Village Environmental Assessment prepared by BBC Consulting Planners (dated September 2013);**
 - ii. **the Response to Submissions report prepared by BBC Consulting Planners (dated January 2014); and**
 - iii. **the response to Council's submissions prepared by BBC Consulting Planners (dated 18 March 2014 and 4 April 2014).**

SCHEDULE 2 PART B – MODIFICATIONS

- (b) *Schedule 2 Part B – Modifications, 3 is deleted:*

3—Staging

The construction of Stage 2 shall not commence until 12 months has lapsed since the final Occupation Certificate is issued for Stage 1.

SCHEDULE 3 STATEMENT OF COMMITMENTS

- (c) Schedule 3, Statement of Commitment A is amended by the insertion of the **bold and underlined** words/ numbers and deletion of the **~~bold struck-out~~** words / numbers as follows:

A1. The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying volumes & appendices and the Environmental Assessment report accompanying Mod 1 to the Concept Plan Approval and Mod 1 to the Project Approval dated October 2012 and the Environmental Assessment report (as amended) accompanying Mod 2 to the Concept Plan Approval and Mod 2 to the Project Application dated September 2013.

A2. The development will be undertaken generally in accordance with the architectural, landscape, and civil services drawings submitted with the Environmental Assessment report (as amended) accompanying Mod 2 to the Concept Plan Approval and Mod 2 to the Project Approval dated September 2013 and design principles, strategies and guidelines submitted with the Environmental Assessment report (Mod 1), while allowing for reasonable design development to occur.

- (d) Schedule 3, Statement of Commitment C is amended by the insertion of the **bold and underlined** words/ numbers and deletion of the **~~bold struck out~~** words / numbers as follows:

C1. The proponent will implement the measures for managing mitigation, communication and management issues during construction as described in Section 5 of the Consultation Outcomes Report contained in Appendix C of Volume 5 and the Environmental Assessment report accompanying Mod ~~4~~ 2 to the Concept Plan Approval and Mod ~~4~~ 2 to the Project Approval dated ~~October 2012~~ September 2013.

- (e) Schedule 3, Statement of Commitment D is amended by the insertion of the **bold and underlined** words/ numbers and deletion of the **~~bold struck out~~** words / numbers as follows:

D1. The Construction Management Plan in ~~Appendix H of Volume 3 of the Environmental assessment report accompanying Mod 1 to the Concept Plan Approval and Mod 1 to the Project Approval dated October 2012~~ Appendix 3 of Environmental Assessment report (as amended) accompanying Mod 2 to the Concept Plan Approval and Mod 2 to the Project Approval dated September 2013 will be updated through consultation with the building contractor in order to comprehensively address the issues raised in Sections 3.4.2 and 5.10 of the Environmental Assessment report and the following.

D10. Prior to construction commencing, the Proponent is to implement the Relocation Strategy contained in the Environmental Assessment report (as amended) accompanying Mod ~~4~~ 2 to the Concept Plan Approval and Mod ~~4~~ 2 to the Project Approval dated ~~October 2012~~ September 2013.

- (f) Schedule 3, Statement of Commitment F is amended by the insertion of the **bold and underlined** words/ numbers and deletion of the **~~bold struck out~~** words / numbers as follows:

F1. The proponent will implement the Landscape Plan forming part of the Environmental Assessment report (as amended) accompanying Mod ~~4~~ 2 to the Concept Plan and Mod ~~4~~ 2 to the Project Approval dated ~~October 2012~~ September 2013.

- (g) Schedule 3, Statement of Commitment H is amended by the insertion of the **bold and underlined** words/ numbers and deletion of the **~~bold struck out~~** words / numbers as follows:

H1. The Proponent will implement the measures proposed in the Environmental Sustainable Development Assessment, Civil Works report and Hydraulics Services Report submitted with the Environmental Assessment report accompanying Mod 1 to the Concept Plan Approval and Mod 1 to the Project Approval dated October 2012 and changes described in the Environmental Assessment report (as amended) accompanying Mod 2 to Concept Plan Approval and Mod 2 to the Project Approval dated September 2013.

End of Modification to MP08_0245