

Modification of Minister's Approval

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

As delegate for the Minister for Planning, under delegation executed on 16 February 2015, I approve the modification of the Concept Plan referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney 24 NOVEMBER 2016

SCHEDULE 1

Concept Plan Approval:	MP 06_0085
Proponent:	St Vincent's Foundation Pty Ltd
Approval Authority:	Minister for Planning
Land:	Lot 1 DP 1193553 (part of former Lot 1232 DP 1142133), Lots 1, 2, 3 and 4 DP 1150758 and Lot 5 DP 25886, Ocean Road, Bonny Hills, Port Macquarie-Hastings local government area.
Modification:	<p>MP 06_0085 MOD 1 for the following:</p> <ul style="list-style-type: none">• amend the boundaries of the Eastern Creek area;• amend the boundary between the residential and environmental land on Lot 5 DP 25886;• amend the boundaries of the southern school site and adjacent Eastern Chestnut Mouse habitat; and• reduce the management area to which the Vegetation Management Plan for the Crown Land reserve.

SCHEDULE 2

This approval is modified as follows:

1. In Schedule 1, Definitions, delete all references to 'Crown Lands', 'Department of Planning and Infrastructure', 'Department of Primary Industries' 'Director-General', 'Minister for Planning and Infrastructure', 'NOW' and 'NSW Office of Water' and replace them with 'Lands', 'Department of Planning and Environment', 'Department of Industry', 'Secretary', 'Minister for Planning', DPI Water and 'Department of Primary Industries: Water' respectively.
2. In Schedule 1, Definitions, insert new definition immediately following 'Minister' as follows:

Modification 1 means the modification as described in Schedule 1 of MP 06_0085 MOD 1.
3. In Schedule 2, Part A, delete Term A2 in its entirety and replace it with the following:

A2 The proponent shall carry out the concept plan and all related future applications generally in accordance with the:
 1) Environmental Assessment;
 2) Preferred Project Report and addendum;
 3) The statement of commitments in Schedule 3; and
 4) Modification 1 titled *Section 75W Modification of Concept Approval MP 06_0085 Rainbow Beach Estate* prepared by King and Campbell Pty Ltd dated June 2016,
 except as otherwise provided by the modifications and further assessment requirements of this approval.
4. In Schedule 2, Part B, Term B2, delete the words "as shown on Schedule 3" and replace them with the following:

"as shown on the Eastern Creek Environmental Management Principles Plan (revision E), provided as Attachment 9 to *Section 75W Modification of Concept Approval MP 06_0085 Rainbow Beach Estate* prepared by King & Campbell Pty Ltd dated June 2016".
5. In Schedule 2, Part B, Term B3, delete the words "of 50 metres as shown on the amended Principles Plan at Plan II" and replace them with the following:

"as shown on the Lot 5 Environmental Management Principles Plan (revision C), provided as Attachment 10 to *Section 75W Modification of Concept Approval MP 06_0085 Rainbow Beach Estate* prepared by King & Campbell Pty Ltd dated June 2016".
6. In Schedule 2, Part B, delete Term B6 in its entirety and replace it with the following:

B6 The environmental management land area on Lot 5 DP 25886 is to be provided in accordance with the Lot 5 Environmental Management Principles Plan (revision C), provided as Attachment 10 to *Section 75W Modification of Concept Approval MP 06_0085 Rainbow Beach Estate* prepared by King & Campbell Pty Ltd, dated June 2016. This area is to be fenced, revegetated by way of Coastal Sands Blackbutt Forest (as per the Environmental Land Use Management Plan) and the total area regenerated and managed in perpetuity. This excluded area must be fenced off and incorporated into the Central Corridor.
7. In Schedule 2, Part B, insert new Term B6(A) immediately following Term B6 as follows:

B6(A) The 'new regeneration area' as presented within Attachment 1 of this consent (and Attachment 5 of the EIS) is to be collectively fenced off, revegetated by way of Coastal Sands Forest Regeneration (as per the Environmental Lands Management Plan) and incorporated into the Central Corridor. This area is to be managed as habitat for the Eastern Chestnut Mouse.
8. In Schedule 2, Part C, Term C1(23), immediately following part e) insert a new term f) as follows:

f) "The plan is to cover a distance of 25 metres either side of the proposed walkway to the beach and a 10 metre wide strip of the Crown Land reserve along its western interface with Lot 5" immediately after the words "to the satisfaction of Council."

END OF MP 06_0085 MOD 1

ATTACHMENT 1

