

Modification of Project Approval

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

As delegate of the Minister for Planning, I modify the Project Application referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

Sydney 20 April 2017

SCHEDULE 1

Project Approval:	MP 07_0026 granted by the Minister for Planning on 12 November 2008
For the following:	A 63 lot subdivision comprising 54 residential lots, 6 super lots for future development, 2 open space lots and a residual lot
Proponent:	Clarence Property Corporation Limited
Approval Authority:	Minister for Planning
The Land:	Lot 234 DP 1104071, Montwood Drive, Lennox Head in the Ballina local government area
Modification:	MP 07_0026 MOD 5: the modification includes: • increase the maximum retail floor space by 1,500 m² (from 4,000 m² to 5,500 m²); • increase the size of the neighbourhood centre lot by 6,660 m² (from 1.44 ha to 2.106 ha); • redesign the subdivision layout, including amend road layouts, lot typologies and lot sizes; • relocation of Super Lot 3 and deletion of Super Lot 6 and; - and • associated environmental works.

SCHEDULE 2

The above approval (MP 07_0026) is modified, as follows:

- (a) Schedule 2 Part A – Administrative Conditions, Condition A1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the words/numbers, as follows:

A1 Project Description

Project approval is granted only to carrying out the project described in detail below:

A ~~65~~ **64** lot residential subdivision comprising:

- (1) 51 residential lots ranging in size from 600 m² to 900 m²;
- (2) 6 super lots for future development as follows:
 - (a) Super Lot 1 (~~1.44~~ **2.106** ha);
 - (b) Super Lot 3 (~~0.24~~ **0.30** ha);
 - (c) Super Lot 4 (0.18 ha);
 - (d) Super Lot 5 (4.2 ha);
 - ~~(e) Super Lot 6 (0.24 ha);~~
 - (f)** Super Lot 7 (5.59 ha);
 - (g)** Super Lot 8 (4.98 ha).
- (3) Two open space lots of 910 m² and 641 m²;
- (4) Earthworks;
- (5) Associated roads and civil works; and
- (6) Landscaping.

- (b) Schedule 2 Part A – Administrative Conditions, Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the words/numbers, as follows:

A2 Staging

The project shall be undertaken in two stages:

- (1) Stage 1A - Subdivision of 51 residential lots and 2 open space lots and associated roads and landscaping in the south of the site; and
- (2) Stage 1B - Subdivision of Super Lots 1, 3, 4, 5, ~~6~~, 7 and 8, the extension of Montwood Drive, the construction of Main Street, construction of internal roads adjoining the east and north boundaries of Super Lot 1, the construction of Hutley Drive and the western link for the playing fields adjacent to the site and revegetation of the 100 m buffer to littoral rainforest in the north west of the site.

- (c) Schedule 2 Part A – Administrative Conditions, Condition A3 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the words/numbers, as follows:

A3 Project in Accordance with Plans

The project will be undertaken in accordance with the following drawings:

Design, Landscape and Survey Drawings			
Drawing No.	Revision	Name of Plan	Date
1675-1025 <u>14/351</u>		Illustration P1 Stage 1 Project Application <u>Plan</u>	October 2012 <u>16.11.16</u>
1675-1034 <u>14/351</u>		Illustration P2 Stage 1 Subdivision Plan	September 2012 <u>16.11.16</u>
<u>14/351</u>	<u>C</u>	<u>Illustration C5 Development Staging</u>	<u>27.02.17</u>
1675626-13C <u>14/351</u>		Illustration P3 Stage 1 Landscape Plan	17 May 2012 <u>16.11.16</u>
1675-1036 <u>14/351</u>		Illustration P4 Stage 1 Stormwater Concept Plan	November 2012 <u>16.11.16</u>
1675-1037 <u>14/351</u>		Illustration P5 Stage 1 Proposed Bulk Earthworks <u>Plan</u>	August 2012 <u>16.11.16</u>
		Illustration P7 Stage 1 Erosion and Sedimentation Control Plan	28/06/10
		Illustration P8 Stage 1 Erosion and Sedimentation Control Details	27/11/07
Servicing Drawings prepared by Adill Payne and Partners			
T01-A-S		Services Layout Plan Stage 1	02/06/08
T01-B-S		Services Layout Plan Stage 1B	29/05/08
T01-C-S		Services Layout Plan Stage 1C	02/06/08
Road Long Section Drawings prepared by Ardill Payne and Partners			
T01-INT01		Location Plan Intersection Layout	02/06/08
T01-A-R		Road Layout Plan Stage 1A	02/06/08
T01-A-L1		Road Longsection Stage 1A	02/06/08
T01-A-L2		Road Longsection Stage 1A	02/06/08
T01-B-R		Road Layout Plan Stage 1B	02/06/08
T01-B-L1		Road Longsection Stage 1B	02/06/08
T01-B-L2		Road Longsection Stage 1B	02/06/08
T01-C-R		Road Layout Plan Stage 1C	02/06/08
T01-C-L1		Road Longsection Hutley Drive Stage 1C	02/06/08

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in *Ballina Shire Development Control Plan – Exempt and Complying Development* or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the conditions of this approval.

- (d) Schedule 2 Part A – Administrative Conditions, Condition A4 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the words/numbers, as follows:

A4 Project in Accordance with Documents

The project shall be undertaken in accordance with the following documents:

Environmental Assessment Documentation

- a) *Petrac Pacific Pines Estate Part 3A Application Environmental Assessment Report* prepared by GeoLINK on behalf of Petrac Pty Ltd, dated March, 2008;

Preferred Project Report Documentation

- b) *Preferred Project Report* prepared by GeoLINK and dated June 2008;

Additional Information

- c) Correspondence prepared by GeoLINK dated 18 August 2008;
d) Correspondence prepared by GeoLINK dated 29 August 2008; and
e) Correspondence prepared by GeoLINK dated 3 September 2008.

Modification Documentation

- f) Pacific Pines Modification Report, including all appendices prepared by Geolink, dated 1 September 2010;
g) Pacific Pines Modification Application Response to Submissions 1439012, including Pacific Pines Addendum to Modification Report prepared by Geolink and received 28 January 2011;
h) Design Note – Traffic and Transport – Addendum to Traffic Impact Assessment prepared by Cardno and dated 5 January 2011; **and**
i) updated drawings to reflect staging and dated 8 April 2011;
j) Pacific Pines Modification Report including all appendices prepared by Geolink, dated July 2012;
k) Updated plans to reflect expansion of the conservation zone prepared by GeoLINK, dated May and July 2012; **and**
l) **Section 75W Modification No.5 Report, including all attachments prepared by Newton Denny Chappelle, dated November 2016, as updated by letter, including attached plans dated 27 January 2017.**

- (e) Schedule 2 Part A – Administrative Conditions is amended by deleting the following Condition A6

~~A6 Duplex Lots~~

~~Lots 45 and 53 are designated as duplex lots.~~

**End of Modification
(MP07_0026 MOD 5)**