

Modification of Concept Approval

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

As delegate of the Minister for Planning, the Planning Assessment Commission modifies the Concept Approval referred to in Schedule 1, subject to the conditions in Schedule 2.

Member of the Commission

Member of the Commission

Sydney

2017

SCHEDULE 1

Concept Approval: **MP 09_0082** granted by the Minister for Planning on 8 December 2010.

For the following: Concept Plan for a development on approximately 700 hectares for approximately 4,800 dwellings, 50 hectares of mixed use land, open space and land for environmental protection, and associated infrastructure.

Proponent: Lend Lease Communities (Australia) Limited.

Approval Authority: Minister for Planning.

The Land:

Lot 4 DP 259137	Lot 1 DP 259137	Lot 10 DP 619547
Lot 2 DP 608238	Lot 22 DP 809156	Lot 1 DP 996296
Lot 5 DP 259137	Lot 112 851153	Lot 2 DP 158998
Lot 1 DP 998349	Lot 2 DP 259137	Lot 8 DP 259137
Lot 1 DP 1044038	Lot 1 DP 608238	Lot 42 DP 878142
Lot 1 DP 194903	Lot 6 DP 259137	Lot 1 DP 195342
Lot 2 DP 2534	Lot 21 DP 809156	Lot 1 DP 558196
Lot 3 DP 259137		

Modification:

MP 09_0082 MOD 2:

- insertion of new Modification B7 to identify requirements for the subdivision of land within the proposed Special Subdivision Area
- modification of Term C3 to require the preparation and implementation of Vegetation Management Plan(s) for lands in the Proposed Open Space Network Map
- insertion of new Term C13 requiring future development applications to demonstrate consistency with the Consolidated Development Control Strategy.

SCHEDULE 2

The approval is modified as follows:

- (a) In Schedule 2, Part B, insert new Modification B7 after Modification B6:

B7 Riparian and Environmental Reserve Land

The land identified on the Special Subdivision Areas Plan prepared by Lendlease dated October 2017, may be subdivided as follows:

1. Land identified as Environmental Reserve Lands must not be subdivided so as to create a lot less than the minimum lot size for the Environmental Reserve as shown on the Special Subdivision Areas Plan. Environmental Reserve Lands may be consolidated into a larger lot.

Note: The purpose of this condition is to ensure that certain land zoned E2 Environmental Conservation and E3 Environmental Management that is to comprise Environmental Reserves is not subdivided so as to inhibit ongoing management of the land in accordance with the Concept Plan.

2. Land within the Special Riparian / Environmental Corridor Subdivision Area may be subdivided irrespective of the size of the lots that are created, but only if:
 - (a) all riparian / environmental corridor land within a proposed subdivision is to be consolidated into a single lot as part of the proposed subdivision, excluding any areas of the riparian / environmental corridor land shown on the proposed subdivision plans as required to be dedicated for a public purpose including, but not limited to local drainage, local, city wide and district parks and other public open space, roads, pedestrian / cycle ways, utility services or other essential infrastructure; and
 - (b) any riparian / environmental corridor land not required to be dedicated for a public purpose that has or is to be consolidated into a single lot within the area of a subdivision in accordance with (a) above, is also amalgamated with any other contiguous area of riparian / environmental corridor land that has similarly been consolidated into a single lot to meet this requirement as part of an immediately adjoining subdivision stage, unless otherwise agreed by the consent authority having regard to proposed ownership arrangements.

Note: The purpose of this condition is to ensure that contiguous areas of riparian / environmental corridor land (excluding any land that is required to be dedicated for a public purpose) shown on the Concept Plan will be consolidated into a single lot on a stage by stage basis.

3. In granting consent to the subdivision of land within the Special Riparian / Environmental Corridor Subdivision Area, the consent authority must take into consideration the following information that is to be provided as part of any relevant application for subdivision:
 - (a) a plan showing whether each of the lots to be created as part of that application is proposed to be retained in public or private ownership, and details of the public purpose of any lands that are proposed to be dedicated to the relevant council or public authority;

- (b) a plan showing the relationship of any lot to be created as part of that application and proposed to be retained in private ownership to the pattern of future development under the Concept Plan on immediately adjoining land; and
- (c) whether the permissible uses of any lot to be created comprising riparian / environmental corridor land that is not required to be dedicated for a public purpose is consistent with the objective of protecting the riparian, ecological, scientific, cultural or aesthetic values of the land identified on the Special Riparian / Environmental Corridor Subdivision Area Plan.

- (b) Schedule 2, Part C, Term C3 – is amended by the insertion of the **bold and underlined** words and deletion of the ~~struckout~~ words as follows:

C3 Ecology and Biodiversity

- 1) Management plans for the Open Space Corridors and Citywide Bushland, and the Environmental Reserves identified on the 'Proposed Open Space Network' map in Appendix L of the PPR, are to be prepared and submitted with each relevant application.

The management plans are to include the ownership arrangements for these lands, and how these ownership arrangements will ensure that the management regimes will be implemented and be on-going.

- 2) The Vegetation Management Plans ~~shall~~ to be prepared as detailed in Statement of Commitment No. 35 ~~shall apply to the corridors identified in the Proposed Riparian Corridor Network plan and~~ **submitted with each development application proposing the subdivision of land within the Open Space Corridors and Citywide Bushland or Environmental Reserve(s) as identified in the 'Proposed Open Space Network' map in Appendix L of the PPR. Each Vegetation Management Plan** shall demonstrate that the following will be achieved:
- a) improvement to aquatic habitat (for Marshall Mount Creek and Macquarie Rivulet);
 - b) improvement to water quality;
 - e) contribute to fauna habitat connectivity; and
 - d) provide passive recreation with low environmental impact, where it is available for public use;
 - e) **consistency with the provisions of the relevant Management Plan(s) prepared to satisfy Term C3(1) above; and**
 - f) **consistency with any Vegetation Management Plan on adjoining land approved in accordance with Term C3(2).**
- 3) **Where a Vegetation Management Plan is approved by a consent authority, it shall be implemented in-perpetuity by the owner(s) of each lot within the Open Space Corridors and Citywide Bushland or any Environmental Reserve(s) on the 'Proposed Open Space Network' map in Appendix L of the PPR.**

- (c) Schedule 2, Part C, after Term C12 add new Term C13:

C13 Consolidated Development Control Strategy

Future development applications shall demonstrate consistency with the Consolidated Development Control Strategy prepared by JBA Urban Planning and dated February 2018.

End of Modification