

## Modification of Major Project Approval

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

I, the Executive Director, Urban Renewal and Major Sites as delegate of the Minister for Planning, under Instrument of Delegation dated 4 March 2009, modify, under s.75W of the *Environmental Planning and Assessment Act 1979*, the Concept Plan approval referred to in Schedule 1 in the manner set out in Schedule 2.



Giovanni Cirillo  
**Executive Director**  
Urban Renewal and Major Sites

Date: 09.12.09

#### SCHEDULE 1

**Application No:** 07\_0147

**Proponent:** Johnson Property Group Pty Ltd

**Approval Authority:** Minister for Planning

**Land:** Allotments at North Cooranbong in the Lake Macquarie Local Government Area as follows: Lot 1 DP 595941, Lot 11 DP 129156, Lot 12 DP 129157, Lot 20 DP 129159, Lot 1-13 DP 7352, Lot 1-8 and 10 Section 6 DP 3353, Lot 1 DP 825266, Lot 34 DP 736908, Lot 2 DP 517245, Lot 1 DP 170378, Part Lot 15 DP 182756, Lot 212 DP 1037011, Lot 1 DP 348173, Lot 219 DP 755218, Lot 1 DP 329367, Lot 1 DP 301305, Lot 13 DP 129157, Lot 1-2 DP 346776, Lot 21 DP 129159, Lot 1 DP 360725, Lot 1 DP 363639, Lot 3 DP 1029952, Lot 2 DP 663728, Unformed road continuing from Alton Road

**Concept Plan:** Concept Plan for the **North Cooranbong Residential Estate**, comprising 200.43ha for residential development, 2.75ha for commercial development, 17.70ha for schools (existing and proposed), 15.25ha for public open space/recreation and community facilities and 119.13ha for environmental conservation.

## **SCHEDULE 2**

**The above approval is modified as follows:**

Delete Concept Approval Determination and replace with:

I, the Minister for Planning, under the Environmental Planning and Assessment Act 1979 ("the Act") determine:

- (a) to approve the Concept Plan referred to in Schedule 1, subject to:
  - i. the modifications set out in Schedule 2; and
  - ii. the proponent entering into the planning agreement referred to in the Statement of Commitments dated 27 October 2008 and amended 26 November 2009.
- (b) the environmental assessment requirements for subsequent project or development applications associated with the Concept Plan as set out in Schedule 2;
- (c) that any development or activity associated with the approved Concept Plan be subject to Part 4 (with Council as the consent authority) or Part 5 of the Act, whichever is applicable, unless the development is, in the opinion of the Minister, development of a kind that is described in the State Environmental Planning Policy (Major Development) 2005;
- (d) that any development associated with the Concept Plan is not integrated development under section 91 of the Act.

Delete Definitions and replace with:

<b>Act, the</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>Council</b>	Lake Macquarie City Council
<b>DECC</b>	Department of Environment and Climate Change
<b>Department, the</b>	Department of Planning
<b>Director-General, the</b>	Director-General of the Department of Planning (or delegate)
<b>DWE</b>	Department of Water and Energy
<b>EA</b>	<i>Part 3A Environmental Assessment Report &amp; Concept Plan North Cooranbong (Volume 1 – 3)</i> prepared by HDB Town Planning & Design for Johnson Property Group dated March – June 2008
<b>Minister, the</b>	Minister for Planning
<b>Proponent</b>	Johnson Property Group Pty Ltd
<b>PPR</b>	<i>Preferred Project Report for North Cooranbong</i> , prepared by HDB Town Planning & Design for Johnson Property Group dated 27 October 2008 and revised Statement of Commitments dated 26 November 2009.
<b>Site</b>	Land to which Concept Plan Application 07_0147 applies
<b>Terms of Approval</b>	The Minister's terms of approval for the Concept Plan

Delete Administrative Term of Approval 1.1 and replace with:

- 1.1 The Proponent shall carry out the concept plan generally in accordance with the:
- a) Concept Plan Application 07\_0147;
  - b) *Part 3A Environmental Assessment Report & Concept Plan North Cooranbong (Volume 1 – 3)* prepared by HDB Town Planning & Design for Johnson Property Group dated March – June 2008;
  - c) *Preferred Project Report for North Cooranbong*, prepared by HDB Town Planning & Design for Johnson Property Group dated 27 October 2008 and revised Statement of Commitments dated 26 November 2009;
  - d) the terms and modifications of this approval.