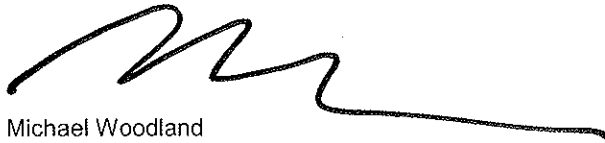


# Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedules 2 and 3.



Michael Woodland  
Director  
Metropolitan and Regional Projects South

Sydney

14 MARCH

2011.

### SCHEDULE 1

#### Concept & Project Approval:

06\_0060 and 06\_0058 granted by the Minister for Planning on 25 January 2007 as amended by modification approvals granted on 8 October 2007, 9 July 2008, 6 February 2009, 13 February 2009, 11 December 2009, and 2 September 2010.

#### For the following:

##### A Concept Plan involving:

- a 603 residential lot subdivision;
- a residential development for adaptable housing;
- commercial development; and
- environmental protection measures on the remaining land.

##### A Project Application for:

- a 603 lot residential subdivision;
- an open space area of at least 60 hectares comprising, water sensitive urban design/asset protection zones and urban parks, and at least 48 hectares of environmental conservation areas;
- an internal road network,
- three access points to Naval College Road;
- construction works related to providing physical infrastructure (both on and off site) and services including some vegetation clearing, water sensitive urban design measures and landscaping of public places in streets and parks, and
- closure of unformed roads at Lots 801 and 802 DP 102286 and Lots 72-75 DP 874040, Vincenia.

#### Modification:

##### Modification of the concept and project approvals for:

- the consolidation of 22 lots to create 14 lots (total lots reduced to 595);
- the construction of a new Display Village to replace the existing Display Village.

## SCHEDULE 2

The Concept Approval is modified by:

**1. Delete Part A, A1 and replace it with:**

**Table A1**

<b>Proponent:</b>	Stockland Developments Pty Ltd (Level 4, 157 Liverpool Street, Sydney)
<b>Application made to:</b>	Minister for Planning
<b>Major Project Number:</b>	06_0060
<b>On land comprising:</b>	Lot 237 DP 1141763
<b>Local Government Area:</b>	Shoalhaven City Council
<b>Approval in summary for:</b>	A Concept Plan for a 603 lot residential subdivision, a residential development for an adaptable housing area, a commercial development, and environmental protection measures on the remaining land.
<b>Capital Investment Value:</b>	\$150 million
<b>Type of development:</b>	Concept approval under Part 3A of the Act
<b>Determination:</b>	Concept approval is granted subject to the conditions in the attached Schedule 4.

**2. Delete Part A, A2(1)(a) and replace with:**

(a) up to 595 residential lots.

**3. Delete Part A, A3(2)(a) and replace with:**

(a) Preferred Project Report including Revised Statement of Commitments prepared by Stockland Developments Pty Ltd and dated December 2006, as amended by Don Fox Planning Pty Ltd letter dated August 2007, as amended by Don Fox Planning Pty Ltd letter dated April 2008, as amended by Cardno Forbes Rigby letter dated 22 December 2008, as amended by Cardno Forbes Rigby letter dated 12 March 2009, and as amended by Don Fox Planning letters dated 9 July 2010, 16 August 2010, as amended by Don Fox Planning Amended Preferred Project Report dated 30 November 2010 and Statement of Commitments dated 1 February 2011.

**4. Delete Part A, A1(a) in Schedule 4 and replace with:**

(a) up to 595 residential lots

### SCHEDULE 3

The Project Approval is modified by:

1. Delete Part A – Project Approval A1 Table and replace it with the following:

**Table A1**

<b>Proponent:</b>	Stockland Developments Pty Ltd (Level 4, 157 Liverpool Street, Sydney)
<b>Application made to:</b>	Minister for Planning
<b>Major Project Number:</b>	06_0058
<b>On land comprising:</b>	Lot 237 DP 1141763
<b>Local Government Area:</b>	Shoalhaven City Council
<b>Approval in summary for:</b>	A Project Application for a 595 lot residential subdivision and the construction of a replacement Display Village.
<b>Capital Investment Value:</b>	\$150 million
<b>Type of development:</b>	Project approval under Part 3A of the Act
<b>Determination:</b>	Project approval is granted subject to the conditions in the attached Schedule 4.

2. Delete Part A, A2(f) and replace with:

(f) a 595 residential lot subdivision

3. Delete Part A, A3(2)(a) and (b) and replace with the following:

(a) Preferred Project Report including Revised Statement of Commitments prepared by Stockland Developments Pty Ltd and dated December 2006, as amended by Don Fox Planning Pty Ltd letter dated August 2007, as amended by Don Fox Planning Pty Ltd letter dated April 2008, as amended by Cardno Forbes Rigby letter dated 22 December 2008, as amended by Cardno Forbes Rigby letter dated 12 March 2009, and as amended by Don Fox Planning letters dated 9 July 2010, 16 August 2010, as amended by Don Fox Planning Amended Preferred Project Report dated 30 November 2010 and Statement of Commitments dated 1 February 2011.

4. Delete Schedule 4, A1(a) and replace with the following:

(a) a 595 residential lot subdivision.

5. Delete Schedule 4, A4(1) and replace with:

(1) Pursuant to Division 6 of Part 4 of the Act, a monetary contribution shall be paid by the Proponent to Council of \$2,496,739.00 (at \$4,196.20 per lot the new value for this contribution is  $595 \times \$4,196.20 = \$2,496,739.00$ ) (current to October 2005).

**6. Insert new conditions A12 to A18 inclusive immediately after condition A11 as follows:**

**A12** The proponent is to modify the existing odour suppression system at the nearby sewer pumping station such that sewer odours are reduced to acceptable limits in accordance with the relevant Australian Standard when measured at the building line for lots 326 and 327. These works are to be designed in conjunction with and approved by Shoalhaven Water, undertaken at the full cost of the proponent, and are to be completed prior to the issuing of the Subdivision Certificate for these 14 new lots.

**A13** The bushfire protection requirements listed in the Bushfire Protection Assessment report prepared by EcoLogical Australia dated 30 November 2010 relating to building construction standards and Asset Protection Zones are to be implemented and maintained as required.

**A14** A Restriction As To User under s.88B of the Conveyancing Act shall be created over the titles of lots 321 - 334 approved as part of Modification 10 requiring the design and construction of all dwellings on these lots to be in accordance with the relevant requirements of Planning for Bushfire Protection 2006 and the Bushfire Attack Level (BAL) construction standards contained in AS3959-2009.

**A15** Access to lots 333 and 334 is to comply with the requirements of section 4.1.3(2) of *Planning for Bushfire Protection 2006*.

**A16** The new fire trail shall comply with the requirements of section 4.1.3(3) of *Planning for Bushfire Protection 2006*.

**A17** The new fire trail shall be adequately maintained in accordance with the approved Statement of Commitment 8(a).

**A18** The new fire trail is to be locked at each end to exclude public access and suitable arrangements are to be made with the Shoalhaven District Rural Fire Service regarding access to this fire trail.

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