

# Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.

Chris Wilson  
**Acting Deputy Director General**  
**Development Assessment and Systems Performance**

Sydney 2011.

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### SCHEDULE 1

#### Project Approval:

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, 2 September 2010, 14 March 2011, and 24 March 2011.

#### For the following:

A Project Application for:

- a 595 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,
- closure of unformed roads at Lots 801 and 802 DP 102286 and Lots 72-75 DP 874040, Vincentia, and
- the construction of a new Display Village to replace the existing Display Village.

#### Modification:

Modification of the Project Application approval for:

- the subdivision of 4 lots to create 23 residential lots (total residential lots increased to 614).

## SCHEDULE 2

The Project Approval is modified by:

1. Deleting Part A – Project Approval A1 Table and replacing 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 and Infrastructure
<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 614 lot residential subdivision.
<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. Deleting Part A, A2(a) and replacing it with:

(f) a 614 residential lot subdivision

3. Amending Part A, A3(2)(a) and (b) by adding the documents shown below in bold to the list of previously referenced documents:

(a) as amended by Don Fox Planning report dated 16 February 2011 and response to Submissions dated 3 August 2011

4. Deleting Schedule 4, A1(a) and replacing it with the following:

(a) a 614 residential lot subdivision.

5. Deleting Schedule 4, A4(1) and replacing it with:

(1) Pursuant to Division 6 of Part 4 of the Act, a monetary contribution shall be paid by the Proponent to Council of \$2,576,466.80 (at \$4,196.20 per lot the new value for this contribution is  $614 \times \$4,196.20 = \$2,576,466.80$ ) (current to October 2005).

6. Inserting new conditions A20 to A26 inclusive immediately after condition A19 as follows:

**A20** A Restriction as to User under s.88B of the Conveyancing Act is to be created over the title of the following lots:

- Lots 576 to 581 and Lots 583 to 585 inclusive restricting vehicular access to these lots to Halyard Lane;

- Lot 575 restricting vehicular access to this lot to Halyard Lane or Summercloud Crescent;
- Lot 582 restricting vehicular access to this lot to Halyard Lane or Seagrass Avenue;
- Lot 586 restricting vehicular access to this lot to Halyard Lane or Summercloud Crescent;
- Lot 592 restricting vehicular access to this lot to Bow Street; and
- Lot 597 restricting vehicular access to this lot to Halyard Lane.

The specific wording of this restriction is to reflect the intent of the condition and be agreed between Stockland and Shoalhaven Council, approved by Shoalhaven Council prior to the issuing of the Subdivision Certificate and registered with the subdivision plan that creates these lots.

**A21** Water mains are to be extended from the existing 100mm water supply mains to serve the proposed lots. Water supply designs shall be approved and works installed in accordance with Shoalhaven Water's requirements.

**A22** Sewer mains are to be extended (including junctions) to serve the proposed lots. All plans are to be submitted to Shoalhaven water for determination after consultation with Shoalhaven Water's Planning and Development section.

**A23** Payment of Developer Charges (Section 64 – Water supply charges and Sewer charges) are applicable for the additional lots. The section 64 charges are \$6,200.00 (2010/11) **per lot** for water and \$8,700.00 (2010/11) **per lot** for sewer.

**A24** The developer shall provide for a 20mm metered service to each unmetered lot. The cost for a 20mm service is \$680.00 (2010/11). All meters shall be located within the lot to be served as approved by Shoalhaven Water.

**A25** A Certificate of Compliance (CC) under section 307 of Division 5 Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained for each stage of the subdivision to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance shall be obtained from Shoalhaven Water after satisfactory compliance with all conditions listed on the Development Application Notice issued by Shoalhaven Water (as modified by this approval) and in this modified Instrument of Approval, prior to the lodgement of an application for Subdivision Certificate. A copy of the Certificate of Compliance must accompany the application for a subdivision certificate.

**7. Renumbering condition A12 of the MOD 10 approval to A19 as follows:**

**A12 A19** 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.