

# DEPARTMENT OF PLANNING

Major Project Assessments

## ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

### MODIFICATION (MOD 135-11-2006) OF DEVELOPMENT CONSENT

(DA 13-1-2005)

### 2 LOT SUBDIVISION – LOT 101 GRANDFATHERS GULLY ROAD, LILLI PILLI

### PURSUANT TO SECTION 80 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

(FILE NO. S06/00994-1)

I, Chris Wilson, Executive Director, Major Project Assessments as delegate for the Minister for Planning, Pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act, 1979* **approve** the application to amend the conditions in the manner shown at Tag **A**.

The reason for both the imposition and removal of conditions is:

- (1) To ensure development proceeds in accordance with the recommendations of the revised Bushfire Assessment dated June 2006;
- (2) To protect the residential amenity of future occupiers.

Chris Wilson  
**Executive Director**  
**Major Project Assessments**

Sydney,

2007

## SCHEDULE 1

### PART A—TABLE

<b>Application Number:</b>	MOD 135-11-2006 modifying DA 13-1-2005
<b>Application made by:</b>	Mark Holland & Nook Parker Lot 1 Grandfathers Gully Batehaven, NSW 2536
<b>On land comprising:</b>	Lot 101 DP776881, Grandfathers Gully Road, Batehaven, Lilli Pilli
<b>Local Government Area</b>	Eurobodalla Shire Council
<b>For the carrying out of:</b>	2 lot subdivision
<b>Section 96 (1A) Application</b>	MOD 135-11-2006 to modify DA 13-1-2005 in the following manner: <ul style="list-style-type: none"> <li>▪ Omit condition D1 of DA13-1-2005 and replace with condition D1A.</li> <li>▪ Condition D1A relates to the revised Bushfire Assessment dated 13 June 2006.</li> </ul>
<b>Development consent granted by:</b>	Delegate of the Minister for Planning
<b>On:</b>	
<b>Type of development:</b>	State Significant Development
<b>S.119 public inquiry held:</b>	No
<b>As modified:</b>	Consent not previously modified

### PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT MOD 135-11-2006 MODIFYING DA 13-1-2005

#### ***Responsibility for other approvals / agreements***

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

#### ***Appeals***

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the Environmental Planning and Assessment Act, 1979. The right to appeal is available within the time limit specified which is 12 months after the date on which the applicant received this notice, or as otherwise specified under an Act or statutory instrument.

#### ***Legal notices***

Any advice or notice to the consent authority shall be served on the Director-General.

### PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 13-1-2005.

## SCHEDULE 2

### MODIFICATION (MOD 135-11-2006) OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO DA13-1-2005

*The development consent is modified as follows:*

#### **PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

Omit condition ***D1 Bushfire Safety Authority***.

Insert Condition **D1A** as follows:

#### ***D1A Bushfire Safety Authority***

The recommendations detailed in the Bushfire Assessment prepared by Bushfire Protection Planning & Assessment Services (dated 13 June 2006) shall be complied with.