

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 project application referred to in schedule 1, subject to the conditions in schedule 2.



Alan Bright
A/ Director
Metropolitan and Regional Projects South

Sydney 27 APRIL 2012

SCHEDULE 1

Application No.:	DA 77-03-2002.
Proponent:	President Property Group
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 81 DP 1158006, George Bass Drive, Barlings Beach, Tomakin
Project:	201 lot subdivision, including clearing of vegetation, filling, construction of roads and associated infrastructure, conservation zones and open space, and construction of a bridge.
Modification (Mod 7):	Amend a typographical error in Condition A2 Development in Accordance with Plans and a typographical error in Condition E9 Building Setbacks

SCHEDULE 2

CONDITIONS

Delete condition A2 in Schedule 2 and replace it with the following:

A2 – Development in accordance with plans

The development shall be generally in accordance with Development Application 77-03-2002 submitted by the applicant on 22 March 2002, and in accordance with the supporting documentation submitted with that application, including but not limited to, the following:

Architectural (or Design) Drawings prepared by Coomes Consulting Group Pty Ltd			
Drawing Reference No.	Revision	Name of Plan	Date
140374G15	3	Subdivision layout Plan	30 September 2005
150374	4	Preliminary Fill and Drainage Plan	14 October 2005
150374G08	2	Preliminary Fill Depths	14 October 2005
140374G14	1	Barlings Beach Site Cross Sections	9 September 2005
140374G16	1	Dune Lot Views	30 September 2005

and as amended by the following drawings:

Architectural (or Design) Drawings prepared by Coomes Consulting Group Pty Ltd			
Drawing Reference No.	Revision	Name of Plan	Date
01	0	Revised Subdivision	March 2009
03	0	Revised Subdivision	February 2009

and as amended by the following drawings:

Architectural Drawings prepared by George Carone Architect and Services Plan prepared by CPG			
Drawing Reference No.	Revision	Name of Plan	Date
MA – 01	E	Revised Subdivision Masterplan – Staging	14 July 2010
OV – 02	C	Revised Subdivision Overlay	14 July 2010
S1A – 11a	0	Revised Subdivision – Stage 1a	24 March 2010
S2 – 12	D	Revised Subdivision – Stage 2	18 June 2010
S3 – 13	D	Revised Subdivision – Stage 3	18 June 2010
S4 – 14	D	Revised Subdivision – Stage 4	18 June 2010
S5 – 15a	0	Revised Subdivision – Stage 5	2 August 2010
142462G – 01	Rev A	Existing Services Plan John Penn Drive	22 March 2010

and as amended by the following drawings:

Architectural Drawings prepared by George Carone Architect and Services Plan prepared by CPG			
Drawing Reference No.	Revision	Name of Plan	Date
MA – 01	G	Revised Subdivision Masterplan – Staging	25 February 2011
S5-15b	C	Revised Subdivision Stage 5	02 August 2010
142468G01-1	C	Stage 5a Functional Plan – Lot Layout	23 February 2011
142468G1-2	C	Stage 5a Functional Plan – Lot Layout	23 February 2011

142468G1-3	D	Stage 5a Functional Plan – Servicing Plan	23 February 2011
142468G1-4	A	Stage 5a Functional Plan – Servicing Plan	23 February 2011
142468G03-1	D	Stage 5a Functional Plan – Turning Movements	23 February 2011

and as amended by:

Architectural Drawings prepared by George Carone Architect and Services Plan prepared by CPG			
Drawing Reference No.	Revision	Name of Plan	Date
<u>MA – 01</u>	<u>H</u>	<u>Revised Subdivision Masterplan – Staging</u>	<u>25 February 2011</u>
<u>S5-15b</u>	<u>C</u>	<u>Revised Subdivision Stage 5</u>	<u>02 August 2010</u>

Delete condition E9 in Schedule 2 and replace it with the following:

E9 – Building Setbacks

The applicant will ensure a Restriction as to user over all allotments is created within the subdivision pursuant to Section 88B of the Conveyancing Act 1919. The Section 88B instrument shall prohibit construction of any future dwelling or build structure on allotments within the subdivision outside the identified building envelopes on the subdivision layout Plan. The building setbacks indicated on Subdivision Layout Plans and to be applied to the development of lots created within the subdivision are to be measured from the property boundary of each proposed allotment and can be summarised as follows:

Proposed Lot No	Building Setback
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 43, 44	5.5 metre front setbacks (up to 50% of the front façade of the dwellings – excluding garages or car ports, may be set back 4.5m from the front boundary) 7.5 metre front upper story setbacks 1 metre side setbacks 3 metre to dwelling and 1 metre to ancillary building rear setbacks 2 metre corner side setbacks (Lots 1, 3, 16, 18, 21, 22, 25, 32, 42, only) where the side boundary has a frontage to a road. Where allotment shares a side boundary with another allotment, the minimum setback on that boundary is 1m Foreshore setback N/A Reserve setback N/A
45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 178, 179, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201.	5.5 metre front setbacks (up to 50% of the front façade of the dwelling – excluding garages or car ports, may be set back 4.5m from the front boundary) 7.5 metre front upper storey setbacks 1 metre side setbacks 3 metre to dwelling and 1 metre to ancillary building rear setbacks 3 2 metre corner side setbacks (lots 56, 139, 142, 146, (60, 64, 78, 120, 155, 115 only) where the side boundary has frontage to a road. Where the allotment shares a side boundary with another allotment, the minimum setback on that boundary is 1m.

	<p>Foreshore setback N/A Reserve Setback N/A</p>
<p>33, 34, 35, 81, 82, 83, 84, 85, 124, 125, 126, 127, 128, 129, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177.</p>	<p>5.5 metre front setbacks: Lots 33, 34, 35, 84-85, 124-129, 156-170. Up to 50% of the front façade for the dwelling, excluding garages or car ports, may be set back 4.5m from the front boundary Front and setbacks as indicated on Subdivision Layout Plan: Lots 171-173 Front and setbacks as indicated on Subdivision Layout Plan: Lots 174-177 7.5 metre front upper story setbacks 1 metre side setbacks 6 or 8 metre rear setbacks: Lots 33, 81, 82, 85-128, 156, 157, 159, 156-177 8 metre rear setbacks: Lots 34, 35, 83,84, 128, 129, 158, 160 12 metre rear upper storey setbacks 3 2 metre corner side setbacks: Lots 85, 124, 161 (from walkway or access road) Foreshore: Direct access to foreshore from lots 33-35, 81-85, 124-129, 156-160 is not permitted Reserve: Direct access to the aboriginal place from lots 160-177 is not permitted.</p>
202	<p>6 metre front setback 10 metre side setback (from George Bass Drive) 1 metre side setback 6 metre rear setback.</p>