

Modification of Project Approval

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

As delegate of the Minister for Planning, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Modification Assessments

Sydney *6 APRIL* 2018

SCHEDULE 1

Project Approval:	MP 10_0204 granted by the Planning Assessment Commission on 13 May 2011
For the following:	Residential subdivision at Catherine Hill Bay including: • a 540 residential lots; • a retail lot; • 7 public reserves; • bulk earth works and associated infrastructure; and • the creation of a heritage precinct around both Wallarah House and the Jetty Masters cottage.
Proponent:	Coastal Hamlets Pty Ltd
Approval Authority:	Minister for Planning
The Land:	Lot 100, 101, 102, 103 and 106 DP 112872, Lot 1 DP 1141989, Lot 1, DP 1129299 and Lot 1, DP 1151628.
Modification:	MP 10_0204 MOD 6 for changes to the road layout in Stage 7

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Administrative Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out words / numbers~~ as follows:

A2 Development in Accordance with Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made therein:

Environmental Assessment Report – Catherine Hill Bay - Bulk Earthworks, Infrastructure and Staged Subdivision for Residential Development, including Appendices A-O, prepared by ADW Johnson Pty Ltd
and as amended by:

- Preferred Project Report MP 10/0204 prepared by ADJ Johnson Pty Ltd, including Appendices A-M;
- The Statement of Commitments;
- The conditions of this approval, and in particular condition A7 and the amended subdivision plan;
- The amended boundaries in the two plans titled "Plans of Stage 1 and 1b and Plan of Stage 2 Comparison of Revised Road Layout" in the report prepared by ADW Johnson Pty Ltd dated October 2012, accompanying the Mod 1 Application; and
- The revised subdivision plan titled 'Plan of Subdivision, Plans 1 to 13, prepared by ADW Johnson dated 16 June 2014, accompanying MOD 2 Application.
- The amended boundaries as shown in Comparison plans no. 11688-SUB-002-AW-C3D and the Staging and subdivision plan no. 1688-SUB-002-AW-C3D in the report prepared by ADW Johnson dated October 2014 accompanying the Mod 4 application.
- **The revised subdivision, staging and comparison plans, all numbered 11688-SUB-002- BC-C3D dated 14/11/2017 in the Response to Submissions report prepared by ADW Johnson dated December 2017 accompanying the Mod 6 application.**

- (b) Schedule 2 Part B – Prior to Commencement of Works – Condition B8 is amended by the insertion of the bold and underlined words / numbers and deletion of the struck out words / numbers as follows:

B8 Stormwater Management

- (1) The stormwater system for the subdivision is to be provided in accordance with *Stormwater Management & Concept Engineering Report for Proposed Residential Subdivision at Montefiore Street, Catherine Hill Bay* prepared by ADW Johnson December 2010 (Reference 11688SWV1). Design plans must be submitted to and approved by the Council prior to issue of a Construction Certificate.
- (2) If wetlands are to be constructed for stormwater management purposes, they shall be designed by an appropriately qualified person and generally in accordance with the Constructed Wetlands Manual (DLWC 1998).
- (3) A Wetland Management Plan must be submitted to the Council for approval prior to issue of the Construction Certificate for wetlands. Details to include operational, access and maintenance requirements and are to be included on the approved Construction Certificate plans.
- (4) A Stormwater Maintenance and Monitoring Strategy should be developed to demonstrate the effectiveness of the proposed stormwater treatments, particularly for those treatments which drain to the SEPP 14 wetland. This should include:
 - (a) Monitoring of water quality (total phosphorus, total nitrogen, total suspended solids and gross pollutants) downstream of the stormwater treatments during and after storm events; and
 - (b) A plan scheduling maintenance of stormwater infrastructure detailing required maintenance works and responsible parties for undertaken the maintenance works.
- (5) A consolidated Stormwater Management Strategy is to be prepared for all stages of the development and include drainage and detention requirements for all stages. The plan should include the addendum as provided as part of the MP10_0204 MOD 4 request and clearly outline how stormwater is to be contained within the site prior to discharge and that any discharges will be in

accordance with OEH and Council treatment targets. This includes discharges from Stage 7 to the adjoining land owned by National Parks and Wildlife Service. This is to be provided to the Department following detailed design of all stages.

- (c) Schedule 2 Part B – Prior to Commencement of Works – Condition B26 is amended by the insertion of the bold and underlined words / numbers and deletion of the struck out words / numbers as follows:

B26 Retaining Wall

Retaining walls must be designed and certified by a qualified structural engineer in accordance with AS4678 Earth Retaining Structures prior to the issue of a Construction Certificate. The retaining walls must be located fully within the boundaries of the subject property.

Retaining walls in Stage 7 which are visible from public roads must be constructed of decorative masonry in a colour approved by Council prior to issue of the relevant Construction Certificate.

- (d) Schedule 2 Part B – Prior to Commencement of Works – Condition B29 is amended by the insertion of the bold and underlined words / numbers and deletion of the struck out words / numbers as follows:

B29 Bushfire

- (1) Having regard to the required subdivision amendments and inclusion of perimeter roads adjacent to conservation lands, documentation is to be submitted to the Director, Strategic Assessment to demonstrate that the NSW Rural Fire Service endorse the final proposed APZ depths and dwelling construction requirements for affected allotments in accordance with AS 3959-2009.
- (2) A bushfire risk management plan is to be prepared in consultation with the Rural Fire Services by a suitably qualified person. The plan is to be submitted and approved by the Certifying Authority.
- (3) Water supply for fire fighting purposes and water, electricity and gas are to comply with Planning for Bushfire Protection 2006.
- (4) Landscaping is to be in accordance with Planning for Bushfire Protection 2006.
- (5) The perimeter road (being Raywood Circuit) in Stage 7 shall comply with section 4.1.3 (1) of Planning for Bushfire Protection 2006 and shall have a minimum carriageway width of 8 metres kerb to kerb.

End of Modification