

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
MODIFICATION OF DEVELOPMENT CONSENT
PURSUANT TO SECTION 80 OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979
LOT 3, 7, AND 8 DP 1047108 1 MARY STREET, RHODES
CORRECT CALCULATIONS TO SECTION 94 CONTRIBUTIONS
(FILE NO. S03/00867 PT 3)

I, the Minister for Infrastructure and Planning, pursuant to Section 96 (1) of the *Environmental Planning & Assessment Act, 1979*, modify the development consent referred to in the attached Schedule 1 subject to conditions in the manner set out in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To require the provision of a developer contribution due to an increase in the demand for public amenities and public services within the area

Craig Knowles MP
Minister for Infrastructure and Planning
Minister for Natural Resources

Sydney,

2003

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The reasons for the imposition of conditions are:

- (1) To require the provision of a developer contribution due to an increase in the demand for public amenities and public services within the area

Diane Beamer MP

Minister for Juvenile Justice

Minister for Western Sydney

**Minister Assisting the Minister for Infrastructure and Planning
(Planning Administration)**

Sydney,

2003

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ASSESSMENT ACT 1979**

LOT 3, 7, AND 8 DP 1047108 1 MARY STREET, RHODES

CORRECT CALCULATIONS TO SECTION 94 CONTRIBUTIONS

(FILE NO. S03/00867 PT 3)

I, Michael Brown, Team Leader Urban Assessments, as delegate of the Minister for Infrastructure and Planning, under Instrument of Delegation dated 4 August 2003, pursuant to Section 96 (1) of the *Environmental Planning & Assessment Act, 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To require the provision of a developer contribution due to an increase in the demand for public amenities and public services within the area

Michael Brown
Team Leader
Urban Assessments

Sydney,

2003

SCHEDULE 1 –THE DEVELOPMENT

PART A—TABLE

Application Number:	MOD 110-11-2003 modifying DA 99-3-2003
On land comprising:	Lot 3, 7 and 8 DP 1047108 1 Mary Street, Rhodes
For the carrying out of:	Modify Condition B22 to correct Section 94 Contributions
Development consent granted by:	Minister for Infrastructure and Planning
On:	12 August 2003
Type of development:	Local Development Integrated Development
S.119 public inquiry held:	No
As modified:	Consent not previously modified

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. 99-3-2003

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 only available within 3 months after the date on which the applicant received this notice.

Appeals—Third Party

For designated development, a third party has the right to appeal to the Land and Environment Court on the merits of this decision under Section 98 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only available within 28 days of the date of commencement of this consent.

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

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

Section 94 Conditions

This development consent contains a levy for development imposed under section 94 of the Act. The imposing of levies where imposed in accordance with Concord Section 94 Plan, which includes the Renewing Rhodes Section 94 Framework adopted by the Department of Planning on December 2001. The Concord Section 94 Plan may be inspected at the following locations within Canada Bay Council during its normal business hours:

- Drummoyne Citizen Services Centre, 1A Marlborough Street, Drummoyne, and

- Concord Services Centre, Cnr Flavelle and Wellbank Street, Concord.

The Renewing Rhodes Section 94 Framework may be viewed at Department of Infrastructure, Planning, and Natural Resources at 20 Lee Street, Sydney its during normal business hours.

The specific public amenity or service or both are identified in the monetary contributions conditions in Part B of Schedule 2.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 99-3-2003

SCHEDULE 2

MODIFICATION OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO.99-3-2003

The development consent is modified as follows:

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

(a) Omit Condition B22. Insert instead:

B1 Monetary Contributions

In accordance with Division 6 of Part 4 of the Act and the Concord Section 94 Plan (as amended), the Applicant shall pay the following monetary contributions:

(1) Amount of Contribution

Contribution Category	Amount
Open Space	\$504,442.79
Community Facilities	\$496,029.55
Roads	\$267,771.52
TOTAL	\$1,266,243.86

(2) Timing and Method of Payment

The contribution shall be paid in the form of cash or bank cheque, made out to Council. For accounting purposes, the contribution may require separate payment for each of the categories above and you are advised to check with Council.

Prior to the certifying authority issuing a Construction Certificate, evidence shall be provided of either the payment to Council for contributions in lieu or evidence of an agreement with Council for contributions in kind.

(3) Indexing

The contribution for land will be adjusted in accordance with the latest annual valuations.

The above payments will be adjusted according to the relative change in the Consumer Price Index from the date of consent.

(4) Works-in-Kind

In accordance with Division 6 of Part 4 of the Act, the Applicant may undertake works in kind. The provision of works-in-kind must comply with the requirements set out in the Contribution Framework.