

Modification of Major Project Approval

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

I, the Director-General of the Department of Planning (as delegate of the Minister for Planning) modify, under s.75W of the *Environmental Planning and Assessment Act 1979*, the Concept approval referred to in Schedule 1 in the manner set out in Schedule 2 and the Project Approval referred to in Schedule 3 in the manner set out in Schedule 4.

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Sam Haddad
Director-General

Dated this *24th* day of *July* 2007

MP 06_0031 MOD 1
S07/00609

SCHEDULE 1

Concept approval for a 400 lot residential subdivision, associated services and infrastructure and landscaped public open space granted by the Minister for Planning on 29 September 2006.

SCHEDULE 2

The above Concept approval is modified as follows:

- (a) **Delete existing modifications A1 to A4 and insert the following replacement modifications below *PART A – ADMINISTRATIVE MODIFICATIONS*:**

A1. *Development Description*

Concept approval is granted only to the carrying out of the development solely within the concept plan area as described in the document titled "Concept Plan" prepared by Planning Workshop Australia (dated 7 June 2006) including:

1. A 400 lot residential subdivision;
2. Associated services and infrastructure; and
3. Landscaped public open space.

A2. Development in Accordance with Plans and Documentation

The development shall also be generally consistent with the following plans and documentation:

- a) Dan Land **Part 3A Major Project Report (and Appendices)** dated March 2005; except as amended by **Preferred Project Report** dated August 2006, incorporating **Statement of Commitments** dated 30 May 2007 prepared by Planning Workshop Australia.
- b) Dan Land **Concept Plan** dated 29 May 2007 prepared by Planning Workshop Australia.
- c) Dan Land **Proposed Lot Layout** dated 28 September 2006 prepared by Planning Workshop Australia.
- d) Dan Land **Landscape Master Plan** dated 5 June 2007 prepared by Moir Landscape Architecture (project no. 0276, dwg no. LMP01/REV11).
- e) Dan Land **Vegetation Management Plan Report** dated 20 July 2006 prepared by Moir Landscape Architect (project No. 0276 – Rev 1), incorporating **Vegetation Management Plan** (dated 25 May 2007, project no. 0276, dwg no. VMP01/REV G).

Except for otherwise provided by the Department's modifications of approval as set out in Schedule 2, Part B and the proponent's statement of commitments.

A3. Inconsistency Between Documentation

In the event of any inconsistency between the modifications of this concept approval and the plans and documentation described in Modification A2, Part A, Schedule 2 referred to above, the modifications of this concept approval prevail.

A4. Lapsing of Approval

Approval of the Dan Land Concept Plan shall lapse 5 years after the determination date in Part A of Schedule 1 unless an application is submitted to carry out a project or development for which concept approval has been given.

A5. Determination of Future Applications

The determination of future applications for development is to be generally consistent with the terms of approval of Concept Plan No. 05_0031 as described in Part A of Schedule 1 and subject to the modifications of approval set out in Parts A and B of Schedule 2.

(b) Insert the following new modification B2:

B2. Access to Minmi Road

The eastern most intersection with Minmi Road is to be deleted, with the eastern perimeter road within Stage 10 to be redesigned to terminate with a cul-de-sac not closer than 5m from the alignment of Minmi Road. A pedestrian pathway is to be constructed linking the cul-de-sac with the proposed Minmi Road footpath.

The proposed cul-de-sac opposite Highland Way is to be deleted and the western perimeter road within Stage 10 to be extended to an intersection with Minmi Road at Highland Way.

The proponent will submit amended plans (*Concept Plan, Proposed Lot Layout, Structure Plan – Roads, Landscape Master Plan and Vegetation Management Plan*) and documentation reflecting the above prior to the issue of any Construction Certificate for works in Stage 10, or as otherwise determined by the Director General, to the satisfaction of the Director General.

SCHEDULE 3

Project approval for a 337 lot community title subdivision and construction of associated works including streets, stormwater management works, utility services, and bulk earthworks; public domain improvements, including new parks as part of a network of landscaped public open spaces, and street trees; and the use of the land for housing and related purposes and environmental conservation.

SCHEDULE 4

The above Project approval is modified as follows:

(a) Delete existing condition A2 and insert the following replacement condition A2:

A2. Development in Accordance with Plans and Documentation:

The development shall be in accordance with the following plans and documentation:

- a) Dan Land **Preferred Project Report** dated August 2006 and **Statement of Commitments** dated 30 May 2007 prepared by Planning Workshop Australia.
- b) Dan Land **Plan of Proposed Lots** dated 19 September 2006 prepared by Monteath and Powys (ref no. 03/020).
- c) Dan Land **Figure 18: Proposed Staging of Development** dated 24 May 2007 prepared by Johnson Partners (ref no. 50030).
- d) Dan Land **Landscape Master Plan** dated 5 June 2007 prepared by Moir Landscape Architecture (project no. 0276, dwg no. LMP01/REV11).
- e) Dan Land **Vegetation Management Plan Report** dated 20 July 2006 prepared by Moir Landscape Architecture (Project No. 0276 – Rev 1), incorporating **Vegetation Management Plan** (dated 25 May 2007, project no. 0276, dwg no. VMP01/REV G).
- f) Dan Land Preferred Project Report Appendix 6 - **Community Management Statement**.

Except for otherwise provided by the Department's conditions of approval as set out in Schedule 4, Part B and the proponent's Statement of Commitments.

(b) Delete existing condition B4 and insert the following replacement condition B4:

B4. Road, Drainage and Pavement Works

Subdivision work for each stage, in accordance with this approval, must not be commenced until a Construction Certificate for the relevant work has been issued by Council or an accredited certifier.

All road, drainage and pavement works shall be designed in accordance with the relevant requirements of Council and in accordance with section A.3 of the approved Statement of Commitments. Final road design plans shall be prepared by a qualified practising Civil Engineer and submitted to the relevant Certifying Authority prior to the issue of a Construction Certificate for the relevant stage.

(c) Insert the following new condition B10:

B10. Stage 10 Road Layout & Design

A Construction Certificate for Stage 10 is not to be issued unless an amended *Plan of Proposed Lots, Staging Plan, Landscape Master Plan* and *Vegetation Management Plan* incorporating amendments to the road layout and design in Stage 10 has been submitted to the satisfaction of the Director General.

The amendments are to comprise the following:

- (a) In order to ensure consistency with the approved Concept Plan, provision is to be made for an appropriate road and pathway connection to the residential subdivision approved on Lot 2 in DP 1009255 by Council under DA 97/0555, provided the Director General is satisfied that a corresponding road connection within this subdivision is able to be achieved to the common boundary with the Dan Land.
 - (b) The eastern most intersection with Minmi Road is to be deleted, with the eastern perimeter road within Stage 10 to be redesigned to terminate with a cul-de-sac not closer than 5m from the alignment of Minmi Road. A pedestrian pathway is to be constructed linking the cul-de-sac with the proposed Minmi Road footpath.
 - (c) The proposed cul-de-sac opposite Highland Way is to be deleted and the western perimeter road within Stage 10 to be extended to an intersection with Minmi Road at Highland Way.
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