

Modification of Project Approval

Section 4.55 (1) of the *Environmental Planning and Assessment Act 1979*

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



Anthony Witherdin
Director
Regional Assessments

Sydney 26 JUNE 2018

SCHEDULE 1

Project Approval:	MP 06_0250 granted by the Deputy Director-General as delegate of the then Minister for Planning on 28 June 2010
For the following:	A residential subdivision comprising subdivision for 411 lots under a community title scheme, creation of conservation, recreational, commercial and community areas and a road network
Applicant:	Fern Bay No. 1 Pty Ltd
Consent Authority:	Minister for Planning
The Land:	Lot 46 in DP 28008 and Lots 1, 4 and 7 in DP 270466 Seaside Boulevard, Fern Bay in the Port Stephens local government area
Modification:	06_0250 MOD 10: to correct an error in Condition A2(18)(c) to reflect the MOD 9 approved plans.

SCHEDULE 2

The consent is modified as follows:

- (a) Schedule 2 Part A – Administrative Conditions, Condition A2 is amended by deletion of the ~~struckout~~ words/numbers as follows:

A2 Staging

Stages 1 to 3 are the subject of separate approvals issued by other authorities. The project is to be constructed in 18 stages, generally as follows:

- (1) Stage 4 comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
 - (b) 51 lots;
 - (c) Construction of sewer pump station P4; and
 - (d) Establishment of Aboriginal Heritage Reserve (R3).
- (2) Stage 5 comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 51 lots.
- (3) Stage 6 comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
 - (b) 37 lots, including 1 commercial lot;
 - (c) Construction of a sewer pump station P5;
 - (d) Construction of infiltration basin 6; and
 - (e) Construction of unnamed park (R6), including recreation facilities.
- (4) Stage 7 comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 31 lots.
- (5) Stage 8A comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
 - (b) 47 lots; and
 - (c) Construction of Banksia Park (R4), including recreational facilities.
- (6) Stage 8B comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 35 lots
 - (c) construction of conveyance swale to infiltration Area 4;
 - (d) construction of conveyance swale to infiltration Area 5; and
 - (e) construction of sewer pump station P7.
- (7) Stage 9 comprises:
 - (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 34 lots.

- (8) Stage 10 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 36 lots;
- (9) Stage 11 comprises:
- (c) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (d) 20 lots;
- (10) Stage 12 comprises:
- (e) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (f) 30 lots;
- (11) Stage 13 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 47 lots;
- (12) Stage 14 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
 - (b) 35 lots;
 - (c) Northern extension of Seaside Boulevard, including an intersection with Nelson Bay Road (northern intersection); and
 - (d) Construction of Corymbia Park (R5), including recreation facilities.
- (13) Stage 15 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 31 lots;
- (14) Stage 16 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 61 lots.
- (15) Stage 17 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications; and
 - (b) 17 lots.
- (16) Stage 18 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
 - (b) 22 lots; and
 - (c) Construction of a sewer pump station P3.
- (17) Stage 19 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;

- (b) 21 lots, including 8 commercial lots;
 - (c) Construction of drainage swale to infiltration area 1.
- (18) Stage 20 comprises:
- (a) Clearing, earthworks, roadwork, stormwater, and landscaping as well as servicing provisions for sewer, water supply, power and communications;
 - (b) 34 lots;.
 - ~~(c) Construction of unnamed park (R2), including recreation facilities.~~

The scope and extent of works within each stage of this project as outlined above may be varied due to market conditions and servicing constraints as agreed to by Council.

End of modification

06_0250 MOD 10