

Modification of Development Consent

Section 4.55(1) 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
Regional Assessments

Sydney 11 JUNE 2019

SCHEDULE 1

- Development Consent:** **MP 08_0167** granted by the Planning Assessment Commission on 3 June 2011
- For the following:** Saltwater Residential Subdivision involving:
- 269 low density residential lots constructed throughout eleven stages of development
 - one medium density residue lot
 - internal public road network
 - public open space areas with recreation facilities
 - a network of pedestrian and cyclist pathways
 - a 14.9ha conservation zone
 - two stormwater treatment areas
 - on-site landscaping works.
- Applicant:** Land Dynamics Australia
- Consent Authority:** Minister for Planning
- The Land:** Lot 1 DP 1128633; Lot 2 DP 1128633; and Lot 84 DP 792945, Belle O'Connor Street, South West Rocks
- Modification:** **MP 08_0167 MOD 6:** the modification seeks approval to amend Condition A5 to allow lots with a frontage to the completed section of Burrawong Drive to obtain Construction Certificates for subdivision works.

SCHEDULE 2

The above approval (MP 08_0167) is modified as follows:

- (a) Schedule 2 Part A – Administrative Conditions, Condition A5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the words/numbers as follows:

A5 Limits on release of lots pending new road connection

- (1) Stages 1 to 4

A Construction Certificate for subdivision works or civil works (excluding bulk earthworks) may only be issued for development associated with the first 48 lots/sites within Stages 1A and 1B **and proposed lots 266 to 269 inclusive.** Construction Certificates for subdivision works associated with further lots or Stages 2 to Stage 4 may be issued once the Burrawong Drive extension is constructed from the roundabout intersection of Burrawong Drive and Belle O'Connor Street to the intersection of Road Nos 2 and 3.

- (2) Stages 5 to 6:

Prior to the issue of the first Subdivision Certificate for any lot within Stage 5, the following must be constructed:

- the new intersection and road connection between Stage 5 and Burrawong Drive
- the Burrawong Drive extension from the roundabout intersection of Burrawong Drive and Belle O'Connor Street to the boundary of Stage 5

Prior to the issue of the first Subdivision Certificate for any lot within Stage 6, the following must be constructed:

- the Burrawong Drive extension between the boundary of Stage 5 and Stage 6.

- (3) The Proponent for Stages 1 to 4 is required to close the existing construction access road to the site where it connects to Belle O'Connor Street immediately upon completion of the Burrawong Drive extension described in A5(1) above. Upon closure of the existing construction access road, a cul-de-sac is to be created at its western end where it connects to Belle O'Connor Street, with all access to and from the site provided via the new Burrawong Drive extension.

- (b) Schedule 2 Part B – Prior to Issue of Construction Certificate, Condition B28 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the words/numbers as follows:

B28 Fire Trail Location

Prior to the issue of a construction certificate for works within Stages 4, 5 or 6, amended plans applicable to each relevant stage must be submitted to an approved by the Certifying Authority demonstrating the proposed fire trail (along the northern boundary of Stages 4, 5 and 6) is wholly contained within the Asset Protection Zone within Stages 4, 5 and 6, on the R1 General Residential zoned land.

No works **(excluding the future connection road to the north of the site)** are approved within the E2 Environmental Conservation zoned land.

End of Modification (MP 08_0167 MOD 6)