

Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, I approve the modification of the project referred to in Schedule 1, subject to the amendments to conditions in Schedule 2.



Richard Pearson
Deputy Director-General
Development Assessment & Systems Performance

Sydney,

13 February

2013

File No. 10/15809-1
MP08_0225 MOD1

SCHEDULE 1

Project Approval:

MP 08_0225 granted by the then Minister for Planning on 25 January 2011.

For the following:

Bungarribee Industrial Estate (Huntingwood West)
Stage 1: Infrastructure Works Project including:

- 7 lot subdivision;
- site layout;
- roadworks;
- bulk earthworks;
- landscaping; and
- stormwater management.

On land comprising:

Lots 3 & 5 in DP 1127100, Lot 20 in DP 1158955
and Lots 30, 31, 32 & 33 in DP 1161771

Modification:

MP08_0225 MOD1

Amendments involving changes to the approved site layout, 6 lot subdivision, bulk earthworks levels, importation of fill, stormwater management and landscaping work.

The project approval is modified as follows:

SCHEDULE 2

1. In condition 2 of schedule 2 after the word "EA" in point (a) insert the words "except where modified by the Environmental Assessment titled Huntingwood West Precinct – Bungarribee Industrial Estate: Proposed Section 75W Modifications to MP06_0203 and MP08_0225 prepared by Urbis and dated November 2012."
2. In condition 2 of schedule 2, point (b) delete plans referenced "LD DA 1002 (02), BIE DA01 (B), 21-18115-DA001(B)" and insert plans referenced "LD 1002 (00) dated 06.11.12, BIE DA01 (C), 21-18115-DA001(E); proposed plan of subdivision of proposed Lots 332 & 333, Lot 5 in DP 1127100, proposed Lots 230 & 231, Lot 31 in DP 1161771 and Lots 4 & 5 in DP 327540 dated 07.11.12 and 21-18115-DA101(E)".
3. In condition 5 of schedule 2 after the word "EA" insert the words "as modified".
4. In schedule 2 after condition 15, insert new condition 15A as follows:

"15A. Pursuant to section 75YA of the EP&A Act, the Proponent must surrender project approval No. MP08_0055 determined by the Minister on 4 September 2009 prior to the issue of any subdivision certificate under Part 4A of the EP&A Act for the subdivision of the land, in accordance with this approval as modified pursuant to MP08_0225 MOD1, by giving the Director-General a notice in writing of the surrender of the approval in accordance with the EP&A Regulation 2000."
5. In condition 23 of schedule 3, after point (g) insert point (h) as follows:

"(h) Any amendments to the Stormwater and Drainage Management Plan as a result of any approved modification request must be prepared in consultation with and to Council requirements."
6. In condition 36 of schedule 3 after the words "Subdivision Certificate", insert the words "in accordance with this approval as modified pursuant to MP08_0225 MOD1".
7. In condition 37 of schedule 3 after the words "Subdivision Certificate", insert the words "in accordance with this approval as modified pursuant to MP08_0225 MOD1" and insert "drainage" in between "services" and "rights of carriageway".
8. In schedule 3 after condition 37, insert new conditions 37A and 37B as follows

"37A. Written evidence of arrangements being made with water, sewer, electricity and telecom suppliers for the provision of services to all lots within the subdivision must be submitted to the PCA prior to the issue of the Subdivision Certificate in accordance with this approval as modified pursuant to MP08_0225 MOD1."

"37B. Public road access must be constructed from each development lot to a public street prior to the issue of the Subdivision Certificate in accordance with this approval as modified pursuant to MP08_0225 MOD1. The road access shall be constructed in accordance with council and RMS standards to council's satisfaction and shall be a dedicated public road."