

Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Michael Woodland
Director, Metropolitan Projects

Sydney *27 JANUARY* 2011

SCHEDULE 1

PART A — TABLE

Application made by:	Meriton Apartments Pty Limited
Application made to:	Minister for Planning
Major Project Application:	MP No. 08_0257
On land comprising:	61 Mobbs Lane, Epping
Local Government Area	Parramatta City Council
For the carrying out of:	Stage 1- Residential Development, including: • Construction of Buildings 4 and 5 consisting of 134 residential units with associated basement car parking; and • Landscaping and associated works to publicly accessible open space.
Capital Investment Value	\$45,567,886
Type of development:	Major Project under Part 3A of the Act.
Determination made on:	15 September 2010
Date approval is liable to lapse:	5 years from the date of determination unless the development has been physically commenced.

PART B—NOTES RELATING TO THE APPROVAL OF MP NO. 08_0257

Responsibility for other approvals / agreements

The Proponent is responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Legal notices

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

DEFINITIONS

In this approval,

Act means the Environmental Planning and Assessment Act, 1979 (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Council means Parramatta City Council.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department or his nominee.

Environmental Assessment (EA) means the Environmental Assessment prepared by JBA Urban Planning Consultants Pty Ltd and dated June 2009.

Minister means the Minister for Planning.

MP No. 08_0257 means the Major Project described in the Proponent's Preferred Project Report.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Preferred Project Report (PPR) means the Preferred Project Report prepared by Meriton Apartments Pty Limited and dated July 2010.

Proponent means Meriton Apartments Pty Limited or any party acting upon this approval.

Regulation means the Environmental Planning and Assessment Regulation, 2000 (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

End of Section

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

- a) Condition B2 is amended by inserting the following:

B2 Voluntary Planning Agreement

Pursuant to Section 93I(3) of the Act, the Proponent must enter into a planning agreement prior to the release of the Construction Certificate relating to the approval ~~above the podium level of~~ **the internal fit out works**, substantially in accordance with the terms set out in the letter of offer dated **27 August 2010** to Parramatta City Council.

END OF MODIFICATION TO MP 08_0257 MOD 1