

# Request to modify a major project



NSW GOVERNMENT  
Department of Planning

Date duly made: \_\_\_/\_\_\_/\_\_\_

Modification No. \_\_\_\_\_

## 1. Before you lodge

This form is required under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) in order to request the Minister to modify the Minister's approval to carry out a project or concept plan to which Part 3A of the Act applies.

Before making this request, it is recommended that you first consult with the Department of Planning (the Department) concerning your modification. The Director-General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister. If the changes proposed by the modification will result in a project that is consistent with the existing approval, the Minister's approval for a modification is not required.

### Disclosure Statement

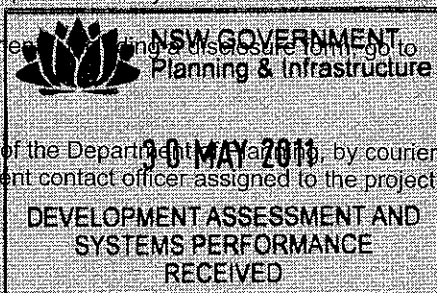
Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Note: For more details about political donations disclosure requirements and disclosure forms go to [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations).

### Lodgement

All modification requests must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be e-mailed to the assessment contact officer assigned to the project.

NSW Department of Planning  
Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000  
GPO Box 39 SYDNEY NSW 2001  
Phone 1300 305 695



## 2. Details of the proponent

Company/organisation/agency

ABN

Meriton Apartments Pty Ltd

Mr  Ms  Mrs  Dr  Other

First name

Walter

Family name

Gordon

Position

Manager Planning and Development

STREET ADDRESS

Unit/street no.

Level 11

Street name

528 Kent Street

Suburb or town

Sydney

State

NSW

Postcode

2000

POSTAL ADDRESS (or mark 'as above')

As above

Suburb or town

State

Postcode

Daytime telephone

(02)9287-2888

Fax

Mobile

Email

walterg@meriton.com.au

### 3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area(s)

State Electorate(s)

REAL PROPERTY DESCRIPTION

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the proposed modification applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR: detailed description of land attached:

MAP: A map of the site and locality should also be submitted with this request.

### 4. Details of the original major project or concept plan

Briefly describe what the original approval allows

Early Works approval was granted for the following:

Demolition of existing structures and tree removal

Construction of final landforms and landscaping of the public and private domain

Internal and external roadworks

Services, utilities and stormwater management works

A child care facility and private communal resident facilities

Consolidation of existing lots and subdivision into a community title for the proposed child care.

What was the original project application no.?

What was the date of the approval?

What was the original application fee?

Note: Clause 245K of the *Environmental Planning and Assessment Regulation 2000* provides information on calculating the maximum fee for a request for modification.

### 5. Describe the modification you propose to make to the approval

Describe the proposed modification

Your modification request may need to be accompanied by an Environmental Assessment, including plans. An electronic and hard copy of this document will be required.

**ESTIMATED CAPITAL INVESTMENT VALUE**

Please indicate the estimated capital investment value (CIV) of the modification to the project approval or concept plan (excluding GST).

\$

**FULL TIME EQUIVALENT JOBS**


Please indicate the number of jobs created by the proposed modification. This should be expressed as a proportion of full time equivalent (FTE) jobs over a full year.

Construction jobs (FTE)  Operational jobs (FTE)

**6. Landowner's consent (where required)**

As the owner(s) of the above property, I/we consent to this request being made by the proponent:

Land

Signature  


Name

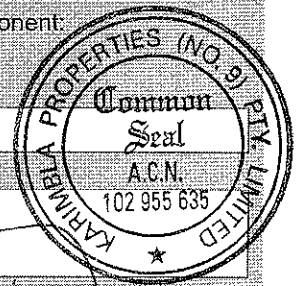
Date

Land

Signature  


Name

Date



Note: Under Clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require consent of the landowner, however, the proponent is required to give notice of the application (e.g. linear infrastructure, mining & petroleum projects, and critical infrastructure).

**7. Political donation disclosure statement**

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Have you attached a disclosure statement to this request?

- Yes
- No

Note: For more details about political donations disclosure requirements, including a disclosure form, go to [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations).

**8. Proponent's signature**

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the modification to the project approval or concept plan and address all matters required by the Director-General pursuant to Section 75W of the Act, and

▪ declare that all information contained within this form is accurate at the time of signing.

Signature



In what capacity are you signing if you are not the proponent

Name

Peter Spira

Name, if you are not the proponent

Date

23 May 2010



**MERITON**  
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AFFORDABLE

**MERITON TOWER**

Level 11, 528 Kent Street  
Sydney NSW 2000  
Telephone: (02) 9287 2888  
Facsimile: (02) 9287 2777  
general@meriton.com.au

23 May 2011.

Mr Anthony Witherdin  
Department of Planning  
23-33 Bridge Street  
SYDNEY NSW 2000

Dear Mr Witherdin

**STATEMENT OF ENVIRONMENTAL EFFECTS: SECTION 75W APPLICATION TO MAJOR PROJECT  
MP NO. 08\_0258 – EARLY WORKS PACKAGE – 61 MOBBS LANE, EPPING**

**INTRODUCTION**

Pursuant to Section 75W (1) (a) of the Environmental Planning and Assessment Act 1979, a 'modification of approval' is sought to vary Condition A2 and Condition C19 to Major Project MP No. 08\_0258 – Early Works Package, as approved on the 14 July 2010. The modification seeks to clarify which trees are to be retained and which trees are to be removed, on the site.

**THE SITE**

**Site Context**

The subject is located at 61 Mobbs Lane, Epping in the Parramatta local government area. The site is 89,190 sqm in extent and is situated approximately 1.4km from both Epping and Eastwood rail stations. The site has close to 500m frontage to Mobbs Lane which is accessed via Midson Road to the east, and Marsden Road to the west.

The site is bounded to the south by Mobbs Lane, to the east by single houses fronting Edenlee Street, to the north by a branch of Ryde Horticultural TAFE, to the northwest by rear yards of single houses and some dual occupancies, and to the west by Mobbs Lane Reserve open space bushland. Stage 2 of this Project comprises three sites, Sites 1, 2 and 3. The site is located approximately 5k from Macquarie Shopping Centre and approximately 3k from Eastwood Shopping Centre where a full range of goods and services are available to the community.

The site is legally comprised of several allotments described as Lots 1 & 2 DP732070, Lot 2 DP582172, Lots 1 & 2 DP129023 and Lot 1 DP57089. Currently the site is under demolition.

**Approvals Background**

On 1 August 2006, State Environmental Planning Policy (Major Projects) 2005 (Amendment No.6) was gazetted which amended the Major Projects SEPP by listing the site as a State Significant Site in Schedule 3. This effectively rezoned the site and established design parameters.

On 22 August 2008, the Minister approved a Concept Plan (MP 05-0086) for residential development, landscaped open space, and associated facilities. In June 2009, an Environmental Assessment Report for Epping Park – Early Works Package (MP 08\_0258) was submitted to the Minister of Planning for approval. On the 14<sup>th</sup> July 2010 the Early Works Package was approved, for the following works;

- Demolition of existing structures and tree removal;
- Construction of final landforms and landscaping of the public and private domains;
- Internal and external road works;
- Services, utilities and stormwater management works;
- A child care facility and private communal resident facilities; and
- Consolidation of existing lots and subdivision into a community title allotment and Torrens title lot for the proposed child care centre.

## PROPOSED AMENDMENTS

Conditions A2 and C19 are sought to be amended as follows:

### Existing Condition A2

Drawing No.	Revision	Name of Plan	Date
Early Works Landscape Package prepared for the Environmental Assessment/Preferred Project Report by ASPECT studios.			
EW-PA05	01	Tree Removal Plan	22/04/2009

### Proposed Condition A2

Drawing No.	Revision	Name of Plan	Date
Early Works Landscape Package prepared for the Environmental Assessment/Preferred Project Report by ASPECT studios.			
EW-PA05	03	Tree Removal Plan	02/03/2011

### Existing Condition C19

*"A Tree Restoration Plan is to be prepared in accordance with the "Best Practice Guidelines: Sydney Turpentine Forest" (DECC 2009). Details are to be submitted to the Accredited Certifier for approval prior to commencement of works in the vicinity of the restoration area in accordance with the recommendations of Anne Clements and Associates report dated 2 July 2010"*

### Proposed Condition C19

*"A Tree Restoration Plan is to be prepared in accordance with the "Best Practice Guidelines: Sydney Turpentine Forest" (DECC 2009). Details are to be submitted to the Accredited Certifier for approval prior to commencement of works in the vicinity of the restoration area in accordance with the recommendations of Anne Clements and Associates report dated 2 July 2010 **and updated report prepared by Tree and Landscape Consultants (TALC) dated the 13<sup>th</sup> December 2010**".*

## JUSTIFICATION FOR THE MINOR CHANGES

Principally, the proposed amendment has occurred for the following reasons:

- The arborist has inspected trees to be retained and found them to be in a poor state of natural decay (refer to Arborist Report in Annexure 1). These trees are shown as black circles 1, 2 and 3 on the amended tree removal plan dated 2 March 2011 (refer to Annexure 2).
- Trees within black circle 4 as shown on the amended Tree Removal Plan require removal (refer to Annexure 2). These trees are located in the vicinity of the approved Mobbs Lane upgrade works and approved bio-retention basin (refer Annexure 3). The subject trees are not endemic to the locality.
- Trees with black circle 5 are located within the route of the approved stormwater and services infrastructure and therefore require removal (refer to Annexures 2 and 3).

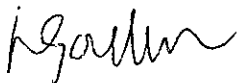
## CONCLUSION

Proposed trees to be removed primarily are located within the approved location for services, road upgrade works to Mobbs Lane or are in a poor state. None of the trees are endemic to the locality and can therefore be subsequently removed.

The proposal does not amend the building footprints, height or density, as such the development as modified is considered to be substantially the same development as originally granted development in Early Works Package MP 08\_0258 on the 14<sup>th</sup> July 2010. Therefore the Ministers support in this regard is cordially requested.

Yours faithfully

**MERITON APARTMENTS PTY LIMITED**



WALTER GORDON

**Manager Planning and Development**