

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 dated 14 September 2011, we the Planning Assessment Commission of New South Wales approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney

2011

SCHEDULE 1

Project Approval:

MP 10_0057 granted by the Planning Assessment Commission on 2 May 2011

For the following:

Project Approval for a residential development including:

- Demolition and excavation;
- Construction of 6 residential buildings of 4-6 storeys in height comprising 298 apartments;
- Adaptive – reuse of monastery building for communal facilities including pool and gymnasium;
- Basement parking; and
- Landscaping works.

Modification:

MP 10_0057 MOD 3: Modification includes:

- deletion of Condition No. B1A(f) relating to car parking to comply with the Ku-ring-gai Development Control Plan (Town Centres) 2010;
- reduction to the number of visitor parking spaces from 75 to 48 spaces; and
- redesign of the basement car parking levels.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

- a) Condition A1 is amended by the insertion of the **bold** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

A1. Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. 10_0057 and the Environmental Assessment and associated documentation dated August 2010, prepared by Meriton Apartments Pty Ltd, except where amended by the Preferred Project Report and associated documentation dated December 2010, prepared by Meriton Apartments Pty Ltd; as amended by MP 10_0057 MOD 1, the Section 75W Modification prepared by Meriton Apartments Pty Limited dated July 2011 (as amended by correspondence received 1 September 2011 and 23 September 2011); **as amended by MP 10_0057 MOD 3, the Section 75W Modification prepared by Meriton Apartments Pty Limited dated 5 September 2011 (as amended by correspondence received on 11 October 2011);** and the following drawings:

Architectural Drawings				
Drawing No.	Revision	Name of Plan	Drawn By	Date
DA-00	B	Cover Sheets	Meriton Apartments Pty Ltd	03/12/2010
DA-00	D	Cover Sheets	Meriton Apartments Pty Ltd	19/08/2011
DA-01	B	Site Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-02	B	Car park Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-02	E	Car Park Plans	Meriton Apartments Pty Ltd	19/08/2011
DA-03	B	Ground Floor Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-04	B	Site Analysis – 1	Meriton Apartments Pty Ltd	03/12/2010
DA-05	B	Site Analysis – 2	Meriton Apartments Pty Ltd	03/12/2010
DA-06	B	Site Analysis – 3	Meriton Apartments Pty Ltd	03/12/2010
DA-10	B	Street Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-15	B	Car Park – Stage 1	Meriton Apartments Pty Ltd	03/12/2010
DA-15	D	Car Park Level 2 - Stage 1	Meriton Apartments Pty Ltd	26/07/2011
DA-16	B	Car Park – Stage 2	Meriton Apartments Pty Ltd	03/12/2010
DA-16	D	Car Park Level 1 – Stage 1	Meriton Apartments Pty Ltd	26/07/2011
DA-17	D	Car Park Level 2 - Stage 2	Meriton Apartments Pty Ltd	19/08/2011
DA-18	D	Car Park Level 1 - Stage 2	Meriton Apartments Pty Ltd	19/08/2011
DA-20	B	Stage 1 - Ground Floor Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-21	B	Stage 1 - Level 1 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-22	B	Stage 1 - Level 2 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-23	B	Stage 1 - Level 3 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-24	B	Stage 1 - Level 4 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-25	A	Stage 1 - Level 5 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-26	B	Stage 1 - Roof Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-27	B	Stage 2 - Ground Floor Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-28	B	Stage 2 - Level 1 Plan	Meriton Apartments Pty Ltd	03/12/2010

DA-29	B	Stage 2 - Level 2 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-30	B	Stage 2 - Level 3 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-31	B	Stage 2 - Level 4 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-32	A	Stage 2 - Level 5 Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-33	B	Stage 2 - Level Roof Plan	Meriton Apartments Pty Ltd	03/12/2010
DA-34	B	Monastery & Stable Plan, Elev & Sect.	Meriton Apartments Pty Ltd	12/08/2010
DA-40	C	Block A Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-41	C	Block B Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-42	C	Block C Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-43	C	Block D Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-44	C	Block E Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-45	A	Block F Elevations	Meriton Apartments Pty Ltd	03/12/2010
DA-46	C	Site Section A-A	Meriton Apartments Pty Ltd	03/12/2010
DA-47	C	Site Section B-B	Meriton Apartments Pty Ltd	03/12/2010
DA-48	C	Site Section C-C	Meriton Apartments Pty Ltd	03/12/2010
DA-50	B	Typical Units	Meriton Apartments Pty Ltd	03/12/2010
DA-51	B	Adaptable Units	Meriton Apartments Pty Ltd	03/12/2010
DA-60	B	GFA Block A	Meriton Apartments Pty Ltd	03/12/2010
DA-61	B	GFA Block B	Meriton Apartments Pty Ltd	03/12/2010
DA-62	B	GFA Block C	Meriton Apartments Pty Ltd	03/12/2010
DA-63	B	GFA Block D	Meriton Apartments Pty Ltd	03/12/2010
DA-64	B	GFA Block E	Meriton Apartments Pty Ltd	03/12/2010
DA-65	A	GFA Block F	Meriton Apartments Pty Ltd	03/12/2010
DA-66	A	GFA Monastery	Meriton Apartments Pty Ltd	01/12/2011
Landscape Plans				
Drawing No.	Revision	Name of Plan	Drawn By	Date
LA 01	D	Landscape Precedents	Oculus	22/12/2010
LA04	F	Landscape Plan	Oculus	17/12/2010
LA 05	D	Sections	Oculus	23/12/2010
Other				
Drawing No.	Revision	Name of Plan	Drawn By	Date
D-2010-GRD	B	Ground Floor - Stage 1 Drainage Plan - Sheet 01	Meriton Apartments Pty Ltd	03/12/2010
D-2011-GRD	B	Ground Floor - Stage 2 Drainage Plan - Sheet 02	Meriton Apartments Pty Ltd	03/12/2010

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may

be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and

- otherwise provided by the conditions of this approval.

b) Condition B1A is amended by the deletion of the ~~struck-out~~ words / numbers as follows:

B1A. Other Design Modifications

The design of the project must be amended and approved by the Director General as follows:

- (a) Buildings E and F, and Buildings D and F, must comply with the 12 metre building separation distance prescribed in the Residential Flat Design Code;
- (b) all 1 bedroom apartments must comply with the minimum balcony area requirements prescribed in the Residential Flat Design Code;
- (c) at least 70% of apartments must achieve a minimum of 3 hours solar access in mid winter between 9am and 3pm as prescribed in the Residential Flat Design Code;
- (d) at least 50% of communal open space areas must receive a minimum of 3 hours solar access in mid winter between 9am and 3pm as prescribed in the Ku-ring-gai Development Control Plan (Town Centres);
- (e) at least 40% of the total site area must be used for deep soil landscaping within the meaning of the Ku-ring-gai Development Control Plan (Town Centres) 2010 so that mature trees may be planted in between Buildings A & B, Buildings B & C and Buildings D, E & F;
- ~~(f) car parking numbers must comply with requirements for visitor and residential parking in the Ku-ring-gai Development Control Plan (Town Centres) 2010;~~
- (g) the car parking layout must be amended to the extent necessary to achieve compliance with this clause; and
- (h) the landscaping and car parking plans must be amended so it complies with this approval.

Plans and details of the modifications to the project required by this clause must be approved by the Director General prior to the release of a Construction Certificate for above ground works.

c) Condition B12 is amended by the insertion of the **bold** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

B12. Car and Bicycle Parking Provision and Storage

- ~~(a) Parking must be provided in accordance with the requirements for visitor and residential parking in the Ku-ring-gai Development Control Plan (Town Centres) 2010. A total of 369 car parking spaces are to be provided within the basement, including 321 resident spaces and 48 visitor parking spaces.~~ Visitor parking must include a minimum of 2 spaces designated for persons with a disability. The design and construction of the parking area and parking spaces must be in accordance with AS2890.1 and AS2890.6.
- (b) Secure bicycle parking is to be provided for 90 bicycles on site, with 60 resident and 30 visitor spaces provided. The spaces are to be designed and constructed in accordance with AS2890.3. The bicycle parking spaces are to be allocated evenly throughout the basement in close proximity to the lifts for each individual building.
- (c) Storage areas for each dwelling are to be provided within the unit and/or basement or part lot.
- (d) Any pairs of stacked car parking spaces are to be allocated to the same apartment.

Details demonstrating compliance are to be approved by the Certifying Authority prior to the release of a Construction Certificate for above ground works.