

Modification of Minister's Approval

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

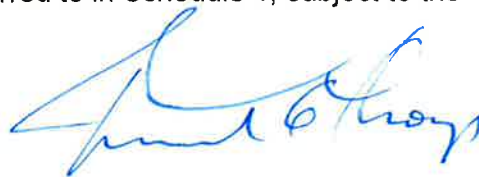
As delegate of the Minister for Planning and Infrastructure under delegation executed on 28 May 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Member of the Commission



Member of the Commission



Member of the Commission

Sydney,

20 June

2011

SCHEDULE 1

PART A — TABLE

Application No.:

MP 08_0257

Proponent:

Meriton Apartments Pty Ltd

Approval Authority:

Planning Assessment Commission

Land:

61 Mobbs Lane, Epping (former Channel 7 site)

Project:

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.

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 and Infrastructure 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 & Infrastructure.

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 A2. is modified to read:

A2. Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. 08_0257 and the Environmental Assessment dated June 2009, prepared by JBA Urban Planning Consultants Pty Ltd, except where amended by the Preferred Project Report dated July 2010, prepared by Meriton Apartments Pty Limited, and the following drawings:

Architectural Drawings prepared for the Environmental by PTW Architects				
Drawing No.	Revision	Name of Plan	Drawn By	Date
A4001	-	Drawing List	PTW Architects	2/06/2010
A4003- A4005	-	Architectural Plans	PTW Architects	2/06/2010
A4100- A4106 <u>A4100</u>	-	Architectural Plans	PTW Architects	2/06/2010
A4200- A4202	-	Architectural Plans	PTW Architects	2/06/2010
A4251- A4252	-	Architectural Plans	PTW Architects	2/06/2010
A5101- A5106	-	Architectural Plans	PTW Architects	2/06/2010
A5200- A5202	-	Architectural Plans	PTW Architects	2/06/2010
A5251- A5252	-	Architectural Plans	PTW Architects	2/06/2010
A5260- A5261	-	Architectural Plans	PTW Architects	2/06/2010
A5280		Architectural Plans	PTW Architects	2/06/2010
A5282	-	Architectural Plans	PTW Architects	2/06/2010
<u>A4106 & A5106</u> <u>A4200, A5201</u>	<u>A</u>	<u>Architectural Plans</u>	<u>PTW Architects</u>	<u>14/4/2011</u>
<u>A4102- A4105</u> <u>A4201- A4202</u> <u>A5102- A5105</u> <u>A5200, A5202</u>	<u>B</u>	<u>Architectural Plans</u>	<u>PTW Architects</u>	<u>14/4/2011</u>
<u>A4101</u>	<u>B</u>	<u>Architectural Plans</u>	<u>PTW Architects</u>	<u>19/5/2011</u>
Landscape Plan				
Drawing No.	Revision	Name of Plan	Drawn By	Date
DA-1016-10	-	Landscape Concept Plan	Sturt Associates	28 June 2008
SI- PA03	-	Stage 1 Plan of Management	PTW Architects	01/0/2009
SI- PA04	-	Tree Removal Plan	PTW Architects	22/04/2009
SI- PA08	-	Building 4 & 5 Sections & Planting	PTW Architects	22/04/2009

Other				
Drawing No.	Revision	Name of Plan	Drawn By	Date
318579M	-	BASIX Certificate	Department of Planning	29 June 2010
Drawing No.	Revision	Name of Plan	Drawn By	Date
2116999A	-	Waste Management Plan	Parson Brinckerhoff Australia Pty Ltd	April 2009
201015-01035-CI-REP02		Stormwater Management Strategy, Servicing Strategy Civil Report	Worley Parsons	11/05/2009

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.

a) Condition B1. is modified to read:

B1. Design Modifications

The approved plans and the *Construction Certificate* plans and specifications, required to be submitted to the Certifying Authority, pursuant to Clause 139 of the Regulation, must detail the following amendments:

- The basement levels shall be modified to comply with the following definition of 'basement':
'the space of a building where the floor level of that space is predominantly below ground level (finished) and where the floor level of the storey immediately above is less than 1.2 metres above ground level (finished).'
- The height of the raised podium area to the southern end of the 'village green' shall be reduced to not more than 1.2m above finished natural ground level.
- The screen walls to the roof level plant must be replaced with louvers with a maximum height of 1.4m above the finished floor level of the roof. **The louvers surrounding the gas boiler plant only shall have a height of 2m above finished floor level of the roof.**
- Consent is not granted for the proposed feature colours for the entry lobbies. The proposed feature colours must be replaced with colours consistent with the approved colour scheme for the remainder of the buildings. Details of the modified colour scheme must be submitted to and approved by the Certifying Authority, prior to the issuing of the Construction Certificate relating to the approval above the podium level.
- The roof level above level 5, of Buildings 4 and 5 shall remain non-trafficable, except for maintenance purposes.**

END OF MODIFICATION TO MP 08_0257 MOD 2

