



**MERITON**  
MERITON PROPERTY SERVICES  
PTY LIMITED

5 March 2012.

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NSW Department of Planning & Infrastructure  
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SYDNEY NSW 2000

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Dear Ms Warton

**STATEMENT OF ENVIRONMENTAL EFFECTS: SECTION 75W APPLICATION PERTAINING TO THE PROVISION OF TRAFFIC LIGHTS AT THE CORNER OF MARSDEN ROAD AND 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 the relevant Conditions pertaining to the timing of installing Traffic Lights at the corner of Marsden and Mobbs Lane in connection with the development at 61 Mobbs Lane, Epping.

The conditions governing the timing for when the traffic signals are to be installed have been incorporated into 4 consents. Each consent has a different time frame, which makes certifications ambiguous and contains contradictions. It is therefore necessary to modify the various approvals as follows:

- Amend Condition B4.4 of the Major Project No. 05\_0086, Concept Plan;
- Amend Condition C40 (a) of the Major Project No. 08\_0258, Early Works Approval;
- Amend Condition B3 of Major Project 10\_0107, Approval for Buildings 1, 2 and 3; and
- Amend Condition B2 of Major Project 10\_0158, Approval for Buildings 7 & 8

**Approvals Background**

The approval background relevant to the site is outlined as follows:

- 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, amended on the 21 February 2011;
- On the 14 July 2010 the Early Works Package, MP 08\_0258 was approved;
- On September 2010, Buildings 4 & 5, MP 08\_0257 was approved;
- On 17 January 2011 Buildings 1, 2 and 3, MP 10\_0107 was approved; and
- On the 12 July 2011, Buildings 7 & 8, MP 0158 was approved.

## PURPOSE OF AMENDMENTS

The purpose of these modifications is twofold:

- 1) To adjust the timing of installing the Traffic Lights so that all the above mentioned Conditions are consistent with each other; and
- 2) Extend the timeframe to install the traffic signals due to delays from receiving relevant approvals as outlined below:

The provision of the Traffic Lights at the corner of Marsden Road and Mobbs Lane, was originally conditioned within the Early Works Package Approval (MP 08\_0258) back on 14 July 2010. In response to the Early Works Condition, Meriton undertook the design of the Traffic Lights and submitted the plans to the Roads, Maritime Services (RMS) for approval on 7 December 2010. The chronology of events is outlined below:

7 December 2010	Drawings issued to the RTA for Concept approval
1 January	Additional Information issued to RTA
14 January 2011	Transport Accessibility Report issued to RTA
17 January 2011	Masson Wilson Traffic report issued to RTA
7 February 2011	Additional information issued to the RTA
27 April 2011	Revised Concept Drawings issued to RTA
19 August 2011	Issue for RTA Approval
13 September 2011	Issue for RTA Approval, same drawings as the 19th/8
23 September 2011	Latest issued to RTA of all documentation, Same drawings as the 19th and 13/9

It is clear that more than a year has now passed and approval is still outstanding from the RMS. As such it is now near impossible to meet the requirements of Condition B3 of Major Project 10\_0107, Approval for Buildings 1, 2 and 3, which is the next set of buildings to be completed.

It is therefore proposed to extend the timing of the construction to the release of the Occupation Certificate at the end of Stage 2, which will bring the total number of residential units to 472. The wording of each condition of the 4 approvals are to incorporate the following:

***"The proposed signals at the intersection of Marsden Road/Mobbs Lane shall be fully constructed and operational prior to the release of the Final Occupation Certificate by the Certifying Authority for that part of the development exceeding 472 dwellings".***

The above wording is to be inserted/replaced into the relevant conditions as follows:

### **Condition B4.4 of the Major Project No. 05\_0086, Concept Plan**

Condition B4.4 of Major Project Approval currently reads:

#### **B4 Transport and Access**

**B4.4** *The intersection at Marsden Road and Mobbs Lane is to be constructed and operational prior to the issue of an Occupation Certificate for the 150<sup>th</sup> dwelling on the site as provided in the 'Preferred Project Report' dated December 2010, prepared by Architectus or within 24 months from the date of this approval (MP05\_0086 MOD 2), whichever occurs first.*

The amended condition is as follows:

***B4.4 The proposed signals at the intersection of Marsden Road/Mobbs Lane shall be fully constructed and operational prior to the release of the Final Occupation Certificate by the Certifying Authority for that part of the development exceeding 472 dwellings.***

**Condition C40 (a) of the Major Project No. 08\_0258, Early Works Approval**

Condition C40(a) current reads as follows:

**C40 RTA Requirements**

- (a) *The proposed signals at the intersection of Marsden Road / Mobbs Lane shall be fully constructed and operational prior to the release of any Occupation Certificates by the Certifying Authority for part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre.*

*Certified copies of the civil / traffic signal design plans at the Marsden Road / Mobbs Lane intersection shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Certifying Authority for any part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre and commencement of road / signal works.*

The above condition is to be amended as follows:

- (a) ~~*The proposed signals at the intersection of Marsden Road / Mobbs Lane shall be fully constructed and operational prior to the release of any Occupation Certificates by the Certifying Authority for part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre.*~~

~~*Certified copies of the civil / traffic signal design plans at the Marsden Road / Mobbs Lane intersection shall be submitted to the RTA for consideration and approval. prior to the release of the Construction Certificate by the Certifying Authority for any part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre and commencement of road / signal works.*~~

***The proposed signals at the intersection of Marsden Road/Mobbs Lane shall be fully constructed and operational prior to the release of the Final Occupation Certificate by the Certifying Authority for that part of the development exceeding 472 dwellings.***

**Condition B3 of Major Project 10\_0107, Approval for Buildings 1, 2 and 3**

Condition B3 currently reads as follows:

**B3 Traffic Signal works to Marsden Road / Mobbs Lane Intersection**

*Certified copies of the civil / traffic signal design plans at the Marsden Road / Mobbs Lane intersection approved by MP08\_0258, drawn by a suitably qualified person, shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Certifying Authority*

for any part of the development that exceeds 150 dwellings with a child care centre of 225 dwellings without a child care centre and commencement of road / signal works.

The approval road signals at the intersection of Marsden Road / Mobbs Lane shall be fully constructed and operational prior to the release of any Occupation Certificates by the Certifying Authority for part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre.

The above condition is to be amended as follows:

**Certified copies of the civil / traffic signal design plans at the Marsden Road / Mobbs Lane intersection approved by MP08\_0258, drawn by a suitably qualified person, shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Certifying Authority for any part of the development that exceeds 150 dwellings with a child care centre of 225 dwellings without a child care centre and commencement of road / signal works.**

~~The approval road signals at the intersection of Marsden Road / Mobbs Lane shall be fully constructed and operational prior to the release of any Occupation Certificates by the Certifying Authority for part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre.~~

**The proposed signals at the intersection of Marsden Road/Mobbs Lane shall be fully constructed and operational prior to the release of the Final Occupation Certificate by the Certifying Authority for that part of the development exceeding 472 dwellings.**

#### **Condition B2 of Major Project 10\_0158, Approval for Buildings 7 & 8**

##### **B2 Traffic Signal works to Marsden Road / Mobbs Lane Intersection**

Condition B2 currently reads as follows:

*The approved road signals at the intersection of Marsden Road and Mobbs Lane shall be fully constructed and operational prior to the issue of an Occupation Certificate for the 150<sup>th</sup> dwelling on the former Channel 7 site, or within 24 months from the date of the approval of MP05\_0086 MOD2, whichever occurs first.*

The above condition is to be amended as follows:

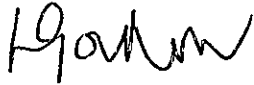
~~**The approved road signals at the intersection of Marsden Road and Mobbs Lane shall be fully constructed and operational prior to the issue of an Occupation Certificate for the 150<sup>th</sup> dwelling on the former Channel 7 site, or within 24 months from the date of the approval of MP05\_0086 MOD2, whichever occurs first.**~~

**The proposed signals at the intersection of Marsden Road/Mobbs Lane shall be fully constructed and operational prior to the release of the Final Occupation Certificate by the Certifying Authority for that part of the development exceeding 472 dwellings.**

**CONCLUSION**

The proposed changes are necessary to accommodate the delays experienced by the RMS and to standardise the timing of the construction of the Traffic Lights. It is further recommended that the above wording be inserted into any future Stage 2 approval applicable to the site.

Yours faithfully  
**MERITON GROUP**

A handwritten signature in black ink, appearing to read 'W Gordon', written in a cursive style.

WALTER GORDON  
**Manager Planning and Development**