

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 10 November 2014, I approve the modification of the Project Approval referred to in Schedule 1, subject to conditions of the Approval in Schedule 2 and the Proponent's Statement of Commitments in Schedule 3.


**Manager
Key Sites**

Sydney

6 FEBRUARY 2015

SCHEDULE 1

Application No.:	MP 09_0170
Proponent:	NSW Land & Housing Corporation – Department of Family and Community Services
Approval Authority:	Minister for Planning
Land:	Lots 219A, 219B and J DP 36743, Part Lot 1274 DP 216673 Shortland and part Moffatts Precinct, Telopea
Project:	The demolition of existing structures and construction of a maximum 103 residential flat units on Shortland Precinct and maximum 49 residential flat units in Moffatts Precinct.
Modification:	MP 09_0170 MOD 2: Modification to: • remove Condition G1 to enable retention of existing buildings at 2 Evans Road and 13 Sturt Street; • subdivide Lot 1724 DP 216673 into two lots; and • amend the Statement of Commitments to remove commitments 5.1 and 5.2 within Section 2B.

SCHEDULE 2

CONDITIONS OF APPROVAL MAJOR PROJECT NO. 09_0170

1. Part A, Administrative Conditions, **Condition A2** is amended by the insertion of **bold** and **underlined** words/numbers and deletion of ~~struck-out~~ words/numbers as follows:

A2 Development in accordance with plans and documents

The development will be undertaken in accordance with the following documents and drawings:

Telopea Urban Renewal Project Environmental Assessment and Appendices prepared by Worley Parsons, dated 1 February 2010			
Preferred Project Report Telopea Urban Renewal Project and Appendices prepared by Worley Parsons, dated 3 June 2010;			
<u>Section 75W Modification to – Telopea Urban Renewal Project – Stage 1 Project Approval prepared by NSW Family & Community Services – Land & Housing Corporation dated October 2014</u>			
Architectural (or Design) Drawings prepared by Turner & Associates			
Drawing No.	Revision	Name of Plan	Date
DA105	A	DEMOLITION PLAN	18/12/09
DA111	G	BASEMENT LEVEL PLAN	12/5/10
DA112	G	GROUND LEVEL PLAN	12/5/10
DA113	G	LEVEL 1 PLAN	12/5/10
DA114	G	LEVEL 2 PLAN	12/5/10
DA115	G	LEVEL 3 PLAN	12/5/10
DA116	G	LEVEL 4 PLAN	12/5/10
DA117	G	LEVEL 5 PLAN	12/5/10
DA118	G	ROOF LEVEL PLAN	12/5/10
DA151	E	SOUTH ELEVATION	12/5/10
DA152	E	WEST ELEVATION	12/5/10
DA153	E	NORTH ELEVATION	12/5/10
DA154	E	EAST ELEVATION	12/5/10
DA161	A	SECTION AA	18/12/09
DA162	A	SECTION BB	18/12/09
DA205	A	DEMOLITION PLAN	18/12/09
DA211	G	BASEMENT LEVEL PLAN	14/5/10
DA212	G	LOWER GROUND LEVEL PLAN	14/5/10
DA213	H	GROUND LEVEL PLAN	14/5/10
DA214	G	LEVEL 1 PLAN	14/5/10
DA215	G	LEVEL 2 PLAN	14/5/10
DA216	H	LEVEL 3 PLAN	14/5/10
DA217	H	LEVEL 4 PLAN	14/5/10
DA218	H	LEVEL 5 PLAN	14/5/10
DA219	H	ROOF LEVEL PLAN	14/5/10
DA251	F	SOUTH ELEVATION	14/5/10
DA252	E	WEST & EAST ELEVATIONS BUILDING A1	14/5/10
DA253	E	NORTH ELEVATION	14/5/20
DA254	E	WEST AND EAST ELEVATIONS BUILDING A2	14/5/10
DA261	B	SECTION AA	18/12/09
DA262	B	SECTION BB BUILDING A1 & SECTION CC BUILDING A2	18/12/09

Landscape Drawings prepared by <i>taylor brammer</i>				
Project Title	Drawing No.	Revision	Name of Plan	Date
TELOPEA RENEWAL PROJECT – SHORTLAND	LA01	A	LANDSCAPE PLAN	17.12.2009
TELOPEA RENEWAL PROJECT – MOFFATTS	LA01	A	LANDSCAPE PLAN	17.12.2009
Stormwater and Drainage Drawings prepared by <i>Michael Frost & Associates Pty Ltd</i>				
Project Title	Drawing No.	Revision	Name of Plan	Date
1-5 SHORTLAND ST, TELOPEA SHORTLAND A1	C02	D	HYDRAULIC SERVICES – STORMWATER GROUND FLOOR	15.12.09
1-5 SHORTLAND ST, TELOPEA SHORTLAND A1	C03	B	HYDRAULIC SERVICES – STORMWATER DETAIL SHEET	16.12.09
1-5 SHORTLAND ST, TELOPEA SHORTLAND A2	C02	E	HYDRAULIC SERVICES – STORMWATER BASEMENT PLAN	15.12.09
1-5 SHORTLAND ST, TELOPEA SHORTLAND A2	C03	E	HYDRAULIC SERVICES – STORMWATER GROUND FLOOR SHEET 1 OF 2	16.12.09
1-5 SHORTLAND ST, TELOPEA SHORTLAND A2	C04	E	HYDRAULIC SERVICES – STORMWATER GROUND FLOOR SHEET 2 OF 2	16.12.09
1-5 SHORTLAND ST, TELOPEA SHORTLAND A2	C05	B	HYDRAULIC SERVICES – STORMWATER DETAIL SHEET	16.12.09
17 STURT STREET, TELOPEA MOFFATTS	C02	D	HYDRAULIC SERVICES – STORMWATER BASEMENT PLAN	16.12.09
17 STURT STREET, TELOPEA MOFFATTS	C03	D	HYDRAULIC SERVICES – STORMWATER GROUND FLOOR SHEET 1 OF 2	16.12.09
17 STURT STREET, TELOPEA MOFFATTS	C04	D	HYDRAULIC SERVICES – STORMWATER GROUND FLOOR SHEET 2 OF 2	16.12.09
17 STURT STREET, TELOPEA MOFFATTS	C05	B	HYDRAULIC SERVICES – STORMWATER DETAIL SHEET	16.12.09

17 STURT STREET, TELOPEA MOFFATTS	C06	A	STORMWATER DRAINAGE DESIGN EXTENT OF 100-YR FLOODING	01.06.10
<u>Subdivision plans prepared by Scott Raymond Allison</u>				
<u>Drawing No.</u>	<u>Name of Plan</u>	<u>Drawn by</u>	<u>Surveyor Ref</u>	<u>Date</u>
<u>Sheet 1 of 2</u>	<u>Plan of Subdivision of Lot 1724 in DP 216673</u>	<u>Scott Raymond Allison</u>	<u>110092DP02</u>	<u>04 Sept, 2014</u>
<u>Sheet 2 of 2</u>	<u>Plan of Subdivision of Lot 1724 in DP 216673</u>	<u>Scott Raymond Allison</u>	<u>110092DP02</u>	<u>04 Sept, 2014</u>

2. Part E, Prior to Subdivision, **Condition E3** is inserted by the insertion of **bold** and **underlined** words/numbers as follows:

E3 Building J3 – Corridor Windows

Prior to the issue of the subdivision certificate for proposed lots 100 and 101 in the Moffatts Precinct a translucent film, or similar, shall be applied to the windows in the lift corridor of the eastern elevation of Building J3 at the ground, first and second floor as described in the Moffatts Apartments, Telopea Amenity Report prepared by Turner Architects dated 1 August 2014 to ensure visual privacy to Building 3 (13 Sturt Street) is maintained.

3. Part E, Prior to Subdivision, **Condition E4** is inserted by the insertion of **bold** and **underlined** words/numbers as follows:

E4 Sydney Water

Prior to issue of the subdivision certificate for proposed lots 100 and 101 in the Moffatts Precinct a Compliance Certificate issued under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 shall be obtained.

4. Part G, Post Occupation and On Going Operations Conditions, **Condition G1** is removed by the deletion of ~~struck-out~~ words/numbers as follows:

~~PART G – POST OCCUPATION & ON GOING OPERATIONAL CONDITIONS~~

~~G1 Building J3~~

- (a) ~~Within two years of the commencement of construction of Building J3, No. 2 Evans Road and No. 13 Sturt Street (located immediately adjacent to Building J3) are to be demolished to ensure a satisfactory level of amenity is achieved for all occupants of Building J3.~~
- (b) ~~Notwithstanding a) above, the Proponent may seek the Director General's approval to vary the two year timeframe identified in a), subject to the Proponent demonstrating that a satisfactory level of amenity can be achieved for the affected residents. Measures to be adopted, including consultation with affected residents, will need to be detailed in any request for a variation.~~

5. Part G, Post Occupation and On Going Operations Conditions, **Condition G5** is inserted by the insertion of **bold** and **underlined** words/numbers as follows:

G5 **Fire Safety Works**

Within 12 months of the date of issue of subdivision certificate for Building J3 (proposed Lot 101), the recommendations of the Fire Engineering Report prepared by Innova Services dated 18 December 2014 are to be implemented or alternative solutions which satisfy the Building Code of Australia Performance Requirements for Building J3 and adjoining buildings at 2 and 2A Evans Road and 13 Sturt Street. All works must be certified by a qualified fire engineer on completion.

SCHEDULE 3

MP 09_0170

**SHORTLAND AND PART MOFFATTS PRECINCT REDEVELOPMENT, TELOPEA
PROPONENT'S STATEMENT OF COMMITMENTS**

6. *The Proponent's Statement of Commitment's – Section 2B – Project Specific– Moffatts Precinct is amended by removing Commitment 5. **General Amenity** (section 5.1 and 5.2).*

End of Modifications to MP 09_0170 MOD 2