

# Modification of Minister's Approval

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

As delegate of the Minister for Planning & 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.

  
Sam Haddad  
**Director General**

Sydney 11<sup>th</sup> July 2011

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### SCHEDULE 1

#### **Project Application Approval:**

MP09\_0217 granted by the Deputy Director General on 20 January 2011

#### **For the following:**

- Torrens Title Subdivision of the development site from Morling College and creation of 3 lots known as Stage 1;
- Torrens Title Subdivision of the Stage 1 allotment into 3 allotments known as Stage 1A; and,
- Torrens Title Subdivision of the residual development site into 4 allotments known as Stage 2.

#### **At:**

120-128 Herring Road, Macquarie Park

Under Section 75P(1)(c) of the Act, the PAC determined that the above project required no further environmental assessment, provided conditions of consent are complied with.

#### **Modification:**

MP09\_0217 MOD1:

- Amendment to Condition A2 to incorporate the amended subdivision plans.
- Rectification of minor drafting errors; and,
- Amendment to Condition B1 to ensure the public easement is maintained on title and that related requirements are completed with the staged subdivision for Building B.

## SCHEDULE 2 CONDITIONS

The above approval is modified as follows:

- (A) Condition A2 is amended by the deletion of the ~~struck-out~~ words and insertion of the **bold and underlined** words as follows;

**A2 Development in Accordance with Plans and Documentation**

The development will be undertaken in accordance with MP No. 09\_0217 and the Environmental Assessment dated May 2010 prepared by Urbis Pty Ltd, except where amended by the Preferred Project Report (September 2010) and additional information to the Preferred Project Report dated 7 October 2010, and drawings prepared by Cameron Phillip Miles Surveyor **as amended by the Section 75W modification dated 23 March 2011 prepared by Urbis, together with associated documentation including amended plans prepared by Cameron Phillip Miles, Surveyor of Denny Linker & Co;**

Architectural Drawings prepared for the Environmental Assessment / Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
091120.DP.STG1	4	Sheet 1 of 1	1/10/2010
091120.DP.STG1A	<del>7</del> <b><u>8</u></b>	Sheet 1 of 3	<del>4/10/2010</del> <b><u>02/03/11</u></b>
091120.DP.STG1A	<del>7</del> <b><u>8</u></b>	Sheet 2 of 3	<del>4/10/2010</del> <b><u>02/03/11</u></b>
091120.DP.STG1A	<del>7</del> <b><u>8</u></b>	Sheet 3 of 3	<del>4/10/2010</del> <b><u>02/03/11</u></b>
091120.DP.STG2	<del>7</del> <b><u>8</u></b>	Sheet 1 of 3	<del>4/10/2010</del> <b><u>02/03/11</u></b>
091120.DP.STG2	<del>7</del> <b><u>8</u></b>	Sheet 2 of 3	<del>4/10/2010</del> <b><u>02/03/11</u></b>
091120.DP.STG2	<del>7</del> <b><u>8</u></b>	Sheet 3 of 3	<del>4/10/2010</del> <b><u>02/03/11</u></b>

except for:

- (1) 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,
  - (2) otherwise provided by the conditions of this approval.
- (B) **Condition B1** is amended by the deletion of the ~~struck-out~~ words and insertion of the **bold and underlined** words as follows

**B1 Modifications Pedestrian/Cycleway Public Easement**

A pedestrian/cycleway, a minimum of 2.5 metres in width, shall be **maintained** ~~provided~~ across the proposed Lot 11 (Building B) to provide a 24hour/7 day a week connection by right-of-way easement and be located between the new internal road and the north-eastern (side) boundary with the Macquarie University. The design and specifications (including lighting) shall be agreed with the Council prior to the commencement of construction and the access shall be completed and operational prior to the issue of an Occupation Certificate for Building ~~C~~ **B**. **A documentary easement for access over the pedestrian/cycleway required in accordance with this condition is to be created pursuant to Section 88B of the Conveyancing Act 1919 and shall be registered on title prior to the issue of an Occupation Certificate for Building B.**

**END OF MODIFICATIONS TO MP09\_0217**