

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, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Alan Bright
Acting Director
Metropolitan & Regional Projects South

Sydney 13 MARCH 2012

SCHEDULE 1

Project Approval:

MP09_0217 granted by the Deputy Director-General, Development Assessment and Systems Performance on 20 January 2011.

For the following:

Project Approval for a residential development including:

- 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.

Modification:

MP09_0217 MOD 2: modification includes:

- 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;
- Torrens Title Subdivision of the residual development site into 4 allotments known as Stage 2;
- Community Title Subdivision of Lots 10, 11, 12, 20, 21, 22 and 23 into 7 allotments known as Stage 3; and
- Community Title Subdivision of Lot 6 in Stage 3 into 3 allotments known as Stage 4.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

PART A – ADMINISTRATIVE CONDITIONS

- (a) Condition A1 is amended by the insertion of the **bold and underlined** words as follows:

A1 Development Description

(1) Project Approval is granted to the development as described below:

- (a) Torrens Title Subdivision of the development site from Morling College and creation of 3 lots known as Stage 1;
- (b) Torrens Title Subdivision of the Stage 1 allotment into 3 allotments known as Stage 1A;
- (c) Torrens Title Subdivision of the residual development site into 4 allotments known as Stage 2;
- (d) Community Title Subdivision of all Lots 10, 11, 12, 20, 21, 22 and 23 into 7 allotments known as Stage 3; and**
- (e) Community Title Subdivision of Lot 6 in Stage 3 into 3 allotments known as Stage 4.**

- (b) 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 MP09_0217 MOD 1** 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; **as amended by MP09_0217 MOD 2 the Section 75W modification dated 23 November 2011 prepared by Architectus, together with associated documentation including amended plans prepared by Mark John Andrew Surveyor of Denny Linker & Co (as amended by correspondence received on 28 February 2012)**; and the following drawings:

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	01/10/10
091120.DP.STG1A	8	Sheet 1 of 3	02/03/11
091120.DP.STG1A	8	Sheet 2 of 3	02/03/11
091120.DP.STG1A	8	Sheet 3 of 3	02/03/11
091120.DP.STG2	8	Sheet 1 of 3	02/03/11
091120.DP.STG2	8	Sheet 2 of 3	02/03/11

091120.DP.STG2	8	Sheet 3 of 3	02/03/11
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Draft Deposited Plans prepared for the s75W modification			
Drawing No.	Revision	Name of Plan	Date
<u>110914 COM1 Stage 3</u>	-	<u>Sheet 1 of 1</u>	<u>27/02/12</u>
<u>110914 COM1 Stage 3</u>	F	<u>Sheet 1 of 2</u>	<u>27/02/12</u>
<u>110914 COM1 Stage 3</u>	-	<u>Sheet 2 of 2</u>	<u>27/02/12</u>
<u>110914 COM2 Stage 4</u>	-	<u>Sheet 1 of 1</u>	<u>27/02/12</u>
<u>110914 COM2 Stage 4</u>	F	<u>Sheet 1 of 2</u>	<u>27/02/12</u>
<u>110914 COM2 Stage 4</u>	-	<u>Sheet 2 of 2</u>	<u>27/02/12</u>

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.

PART B – GENERAL CONDITIONS

- (c) The addition of Condition **B8** as follows:

B8 Community Management Statement

Prior to the registration of the subdivision certificate for Stage 3 the following is required to be submitted to the satisfaction of the Certifying Authority:

- (1) A Community Management Statement setting out the by-laws which control the operation and management of the development must be prepared in accordance with the *Community Land Development Act 1989*, to facilitate the registration of community subdivision to the satisfaction of the Certifying Authority. The Statement must deal with the management of all community property.
- (2) The Community Management Statement is to include the following:
 - (a) material dealing with the management of all Community property;
 - (b) security and related operational issues in respect of Common Property Lots; and
 - (c) an Emergency Evacuation Plan prepared by a suitable qualified person to include:
 - (i) delineation of the method of advising residents / visitors / workers of the danger;
 - (ii) identifying indicators for requiring evacuation of the site and detailing how this need is to be communicated to residents / visitors / workers;
 - (iii) identifying evacuation routes and places for assembly off site; and
 - (iv) requiring the plan to be prepared in consultation with the appropriate authorities, including the Police.

End of Modifications to MP09_0217