

Modification of Minister's Approval

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

As delegate of the Minister for Planning, the Planning Assessment Commission modifies the Project Approval referred to in Schedule 1, subject to the conditions of Approval in Schedule 2.

Member of the Commission

Sydney	2016
SCHEDULE 1	
Application No:	MP 10_0171
Proponent:	Meriton Group (Karimbla Constructions Services NSW Pty Ltd).
Consent Authority	Minister for Planning
Land:	330 Church Street, Parramatta
Development:	Mixed use residential, retail and commercial development.
Modification No:	MP 10_0171 MOD 12
Modification:	Modification to replace the approved plant room at Level 54 of the western tower with two additional 4-bedroom penthouse apartments.

The above approval is modified as follows:

- a) Schedule 2 Part A – Conditions A1 and A2 are amended by the insertion of the **bold and underlined** words/numbers and deletion of ~~struck out~~ words/numbers as follows:

PART A – ADMINISTRATIVE CONDITIONS

A1 DEVELOPMENT DESCRIPTION

Except as amended by this approval, project approval is granted for the following:

- Demolition of the existing building.
- Piling and associated earthworks.
- Construction and use of a new mixed used development with a maximum GFA of ~~63,979~~ **63,979**m².
- Operation and use of ~~669~~ **673** car parking spaces, a loading dock and 158 m² bicycle parking area within the basement car park.
- Installation of utility services
- Erection of building identification signage.

A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

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

- the Environmental Assessment Report titled 'Environmental Report 330 Church Street, Parramatta Mixed Use Residential, Serviced Apartment, Retail and Commercial Development' prepared by Meriton Apartments Pty Limited, dated June 2011 and Preferred Project Report, dated July 2012;
- the S75W Modification Application MP 10_0171 MOD1 dated January 2013 prepared by Meriton Pty Ltd, including all documents and reports;
- the S75W Modification Application MP 10_0171 MOD2 dated January 2013 prepared by Meriton Pty Ltd, including all documents and reports;
- the S75W Modification Application MP 10_0171 MOD3 dated June 2013 prepared by Meriton Pty Ltd and Response to Submissions dated September 2013;
- the S75W Modification Application MP10_0171 MOD4 dated 9 April 2014 prepared by Meriton Pty Ltd, including all documents and reports;
- the S75W Modification Application MP 10_0171 MOD6 dated 16 February 2015 prepared by Meriton Pty Ltd, including all documents and reports;
- the S75W Modification Application MP 10_0171 MOD 9 dated 15 September 2015 prepared by Meriton Property Services Pty Ltd and Karimbla Constructions Services (NSW) Pty Ltd; and
- **the S75W Modification Application MP 10_0171 MOD 12 dated 21 July 2016 prepared by Meriton Property Services Pty Ltd and Karimbla Constructions Services (NSW) Pty Ltd** and the following drawings:

Architectural Plans prepared by Tony Caro and Associates/ <u>Meriton</u> , Landscaping Plans prepared by Stuart Associates			
Drawing No.	Issue	Name of Plan	Date
A000	20 <u>21</u>	Cover	12/02/15

			13/07/16
A001	17	Site Analysis	24/7/14
A096 <u>A0001-P4</u>	18 <u>14</u>	Plan_Parking Level 04	12/12/14 <u>05/08/16</u>
A097 <u>A0002-P3</u>	18 <u>14</u>	Plan_Parking Level 03	12/12/14 <u>05/08/16</u>
A098 <u>A0003-P2</u>	18 <u>12</u>	Plan_Parking Level 02	12/12/14 <u>05/08/16</u>
A099 <u>A0004-P1</u>	18 <u>12</u>	Plan_Parking Level 01	7/5/15 <u>05/08/16</u>
A100	21	Plan_Level 00 Retail	02/08/15
A100.1	19	Plan Level 00 Mezzanine	1/16/15
A101 <u>A0007-01</u>	18 <u>12</u>	Plan_Level 01 Podium	12/12/14 <u>05/09/16</u>
A102 <u>A0008-02</u>	18 <u>11</u>	Plan_Level 02 Podium	12/12/14 <u>15/04/16</u>
A103 <u>A0009-03</u>	18 <u>12</u>	Plan_Level 03 Podium	12/12/14 <u>17/06/16</u>
A104	19	Plan_Level 04	07/05/15
A105	18	Plan_Level 05 Typical Tower Lower	12/12/14
A106	18	Plan_Typical Tower Middle	12/12/14
A107	19	Plan_Typical Tower Upper	4/3/15
A148	11	Plan_Level 4	12/12/14
A148.2 A148.1	13	Plan_Level 5	12/2/15
A149	13	Plan_Levels 6-19, 21-22, 25+26	12/2/15
A149.1	13	Plan_Levels 15	12/2/15
A149.2	12	Plan_Levels 23, 24 + 27	12/17/14
A150	12	Plan_Levels 28-33	12/17/14
A151	12	Plan_Levels 34-35	12/17/14
A151.1	2	Plan_Levels 36	12/2/15
A151.2	1	Plan_Levels 37	12/17/14
A151.3	12	Plan_Levels 38-40	12/17/14
A152	11	Plan_Levels 41-44	12/12/14
A153	11	Plan_Levels 45-53	12/12/14
A154	14 <u>12</u>	Plan_Level 54 Plant	12/12/14 <u>13/07/16</u>
A155	14 <u>12</u>	Plan_Level 55 Reef <u>Plant</u>	12/12/14

			<u>13/07/16</u>
A156	17	Plans_Podium Levels 1 -3	24/7/14
157	17	Plans_Podium Levels 1 -3	24/7/14
A200	7	Sections	17/05/13
A300	44 <u>15</u>	Elevations – Site	05/08/15 <u>13/07/16</u>
A350	15	Elevations – Podium	22/9/14
A351	14	Elevations – Podium	05/08/15
A352	8	Elevations – East Tower	12/2/15
A353	8	Elevations – East Tower	12/2/15
A354	9 <u>10</u>	Elevations – West Tower	20/3/14 <u>13/07/16</u>
A355	8 <u>9</u>	Elevations – West Tower	6/3/14 <u>13/07/16</u>
A400	8	Detailed Elevations – Podium	25/2/14
A401	10	Detailed Elevations – Podium	25/2/14
A403	8	Detailed Elevations – Podium	25/2/14
A404	10	Detailed Elevations – Podium	25/2/14
A405	6	Detailed Elevations – East Tower	26/2/14
A406	6	Detailed Elevations – East Tower	26/2/14
A407	6	Detailed Elevations – East Tower	26/2/14
A408	8	Detailed Elevations – West Tower	25/2/14
A409	8	Detailed Elevations – West Tower	25/2/14
A410	8	Detailed Elevations – West Tower	25/2/14
A411	1	Detailed Elevations – Signage	9/4/14
A550	48 <u>19</u>	Diagram_GFA Areas	12/12/14 <u>13/07/16</u>
A650	10	Plans_Adaptable Apartments	18/2/14
A651	1	Plans_Adapted Apartments	12/2/15
A652	1	Plans_Adapted Apartments	12/2/15
001	2	Pool Building Elevations	7/5/14

Materials and Samples Board Prepared by Tony Caro Architects (see approved Materials and Sample Board at Schedule 3)

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.

2) Otherwise provided by the conditions of this approval.

- b) Schedule 2 Part A – is amended by the insertion of the following new condition A8C by the insertion of the **bold and underlined** words/numbers as follows:

A8C EXECUTION OF ADDITIONAL VOLUNTARY PLANNING AGREEMENT

The proponent shall enter into an additional voluntary planning agreement (VPA) with Parramatta Council (or amend the existing agreement) covering the following items within six months of the date of the determination of Modification 12:

- (1) The payment of additional monetary contribution to Parramatta Council generally in accordance with the letter of offer (email dated 30 August 2016) for the additional floor space approved under MP10 0171 MOD 12.**

Note¹: The Planning Agreement is in addition to the section 94A developer contributions applicable to the project under Condition A7.

Note²: The Voluntary Planning Agreement required under Condition A8C is in addition to the Voluntary Planning Agreement executed on 10 April 2013 in accordance with Condition A8 and the Voluntary Planning Agreement required under Condition A8A and A8B.

- c) Schedule 2 Part E – Condition E2 is amended by the insertion of the **bold and underlined** numbers and deletion of ~~struck-out~~ numbers as follows:

E2 GFA and Height Certification

A Registered Surveyor is to certify that the Gross Floor Area (GFA) and height of the development at the subject site approved by this major project does not exceed ~~63,979~~ **64,343**m² and a maximum height of RL135.4m for the eastern tower, and RL185.1m for the western tower respectively. Detail shall be provided to the PCA demonstrating compliance with this condition prior to the issue of the relevant Occupation Certificate.

- d) Schedule 2 Part B – Prior to Issue of the Relevant Construction Certificate condition B7 is amended by the insertion of the bold and underlined words / numbers and deletion of the struck out words/numbers as follows:

B7 NUMBER OF CAR SPACES

- 1) The provision of ~~669~~ **673** car spaces is approved with the following breakdown:
 - residential units: ~~375~~ **379** spaces;
 - serviced apartments: 158 spaces; and
 - child care drop off/pick up, resident visitor and retail: 130 spaces; and
 - child care: 6 spaces
- 2) The loading area located adjacent to the southern boundary of the site is to be made available for the use of the future tenants. The spaces shall be located in a position that has easy and close access to a lift.
- 3) Details and drawings showing the car parking allocation for each use² and of the loading arrangements shall be submitted for the approval of the Director-General, prior to the issue of the Construction Certificate for basement structure.

- 4) Individual non-residential uses must not exceed each maximum requirement for that type of use under the Council's LEP.
- 5) Any future strata subdivision shall reflect the car parking allocation as approved under (3) above, **as modified by MOD 12.**

Note²: The breakdown and allocation is to be in accordance with the Council LEP and is required to indicated: residential spaces, residential spaces for persons with disability and residential visitor spaces; serviced apartment spaces, serviced apartment spaces for persons with a disability; spaces for retail customer and for retail staff use (based on Council's LEP requirement for 'Shops');

End of Modifications to MP 10_0171 MOD 12
