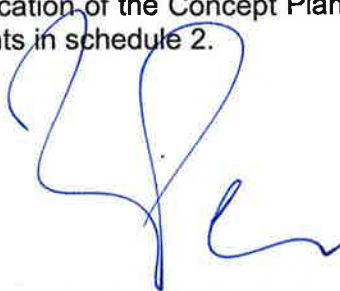


Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, I approve the modification of the Concept Plan referred to in schedule 1, subject to the Future Assessment Requirements in schedule 2.



Deputy Director-General
Development Assessment
& Systems Performance

Sydney

1 June

2012

SCHEDULE 1

Concept Approval: MP07_0106 granted by the Minister for Planning on 4 February 2010.

For the following: Mixed use redevelopment of the former Sunbeam Factory including :

- multiple unit residential development, seniors living including independent living units (ILUs) and a residential aged care facility (RACF);
- use for commercial offices, specialty retail, convenience retail, supermarket, medical centre, and a child care centre;
- Publicly accessible open space for a minimum 4850m²;
- ~~Indicative b~~ **Building** envelopes for 3 ~~6~~ buildings on proposed Lot 21, with a height of 3 storeys;
- Indicative building envelopes for 2 buildings on proposed Lot 31, with heights from 4 to 6 storeys;
- Building envelopes for 4 buildings on proposed Lot 41, with heights from 5 to 6 storeys;
- Building envelopes for a podium level and 4 buildings above podium on proposed Lot 42, with total heights from 4 to 6 storeys;
- Demolition of existing buildings/structures on site and remediation of site;
- Subdivision, road layout, services, and landscaping;
- Total floor space of 76,128m²; and
- Residential display suites.

Modification: MP07_0106 MOD 2:

- modified building envelope of buildings on Lot 21;
- modified building envelope of buildings on Lot 11; and
- amended Statement of Commitments.

SCHEDULE 2

The above approval is modified by the insertion of **bold and underlined** words/numbers and deletion of the struck out words/ numbers as follows:

PART C — DEFINITIONS

In this approval the following definitions apply:

The Act	Environmental Planning and Assessment Act 1979
Council	Canterbury City Council
Department, the	Department of Planning <u>& Infrastructure</u>
Director-General, the	Director-General of the Department of Planning <u>& Infrastructure</u> (or nominee).
Environmental Assessment (EA)	Means the Environmental Assessment prepared by Planning Workshop Australia and dated 23 October 2008.
Minister	Minister for Planning <u>& Infrastructure</u>
Modifications of Approval	The Minister's modifications of approval for the redevelopment of the former Sunbeam Factory site Concept Plan.
Preferred Project Report (PPR)	Means Preferred Project Report prepared by Worley Parsons and dated 15 April 2009 <u>and the revised Preferred Project Report dated 18 December 2009</u>
Proponent	Parkview Sydney Developments <u>or any party acting upon this approval</u>

Part A- TERMS OF APPROVAL

a) Modification A1 is amended as follows:

A1. Development in Accordance with Plans and Documentation

- (a) The approval shall, subject to A1 (b) below, be generally in accordance with MP 07_0106 and with the Environmental Assessment, except where amended by the Preferred Project Report, and additional information to the Preferred Project Report, the section 75W Modification by Worley Parsons, dated 1 February 2011, the section 75W Modification by Australand, dated 27 March 2012 and the following drawings prepared by Marchese + Partners International Kann Finch:

Concept Plan Drawings prepared by Marchese + Partners International Kann Finch			
Drawing No.	Revision	Name of Plan	Date
DA 1.01	D E	Concept Scheme Only Coversheet	20-04-09 <u>12.03.12</u>
DA 2.01	D E	Concept Plan Only Roof Level	20-04-09 <u>12.03.12</u>
DA 2.02	D E	Concept Plan Only Level B	20-04-09 <u>12.03.12</u>
DA 2.03	D E	Concept Plan Only Level 1	20-04-09 <u>12.03.12</u>
DA 2.04	D E	Concept Plan Only Level 2	20-04-09 <u>12.03.12</u>
DA 2.05	D E	Concept Plan Only Level 3	20-04-09 <u>12.03.12</u>
DA 2.06	D E	Concept Plan Only Level 4	20-04-09 <u>12.03.12</u>
DA 2.07	D E	Concept Plan Only Level 5	20-04-09 <u>12.03.12</u>
DA 2.08	D E	Concept Plan Only Level 6	20-04-09 <u>12.03.12</u>
DA 2.09	D E	Concept Plan Only Level 7	20-04-09 <u>12.03.12</u>
DA 2.10	B C	Concept Plan Only Level 8	20-04-09 <u>12.03.12</u>
DA 3.01	D E	Concept Plan Only Sections 1	20-04-09 <u>12.03.12</u>
DA 3.02	D E	Concept Plan Only Sections 2	20-04-09 <u>12.03.12</u>
N/A	N/A	Locality and Context Plan	20-04-09
N/A	N/A	Site Analysis	20-04-09
N/A	N/A	Staging Plan	20-04-09
N/A	N/A	Height Study	20-04-09
N/A	N/A	Land use Plan	20-04-09
N/A	N/A	Primary and Secondary Streets	20-04-09
N/A	N/A	Pedestrian Movement Plan	20-04-09
N/A	N/A	Massing Model — 4 Pages	20-04-09
N/A	N/A	Built Form	20-04-09

except for as modified by the following pursuant to section 75O(4) of the Act.

- (b) Notwithstanding any plans referred to above or any Concept Plan documentation such as the Concept Plan application, Environmental Assessment and Preferred Project Report, this approval does not approve any building envelopes for the purpose of bulky goods referred to in Stage 1.

Approval for the land referred to in the Concept Plan Staging Plan (see above) as Lots 41 and 42 is limited to approval for the use of that land for mixed uses, subdivision, demolition and for remediation of land only.

- (c) Notwithstanding any of the plans referred to above, the building envelopes shall have a variation of no greater than 5%, however the maximum GFA of 76,128m² shall not be exceeded.

b) Future Assessment Requirement 1 is amended as follows:

1. Building Separation

Future applications for residential development shall provide adequate building separation distances between buildings in order to maintain privacy and to provide an acceptable built form outcome for the site. Future applications for residential development shall demonstrate compliance with the building separation controls prescribed by the Residential Flat Design Code at the time of lodgement. Development that proposes less than the recommended building separation distances must demonstrate that daylight access, urban form and visual and acoustic privacy have been satisfactorily achieved.

c) Future Assessment Requirement 3 is amended as follows:

3. Housing for Seniors or People with a Disability Seniors Living Provisions

- a) As part of any future development on Lot 41, it shall be demonstrated that a minimum of 34 units on that allotment will be designed as adaptable apartments suitable for seniors or people with a disability Independent Living Units for seniors.

b) As part of any future development on Lot 42, it shall be demonstrated that a minimum of 10% of apartments are designed as adaptable apartments.

- b)c) Details are to be provided with the future applications demonstrating that a minimum of 19% of the total residential units proposed for Lot 31 are designed as high care seniors living units.

d) Future Assessment Requirement 8 is amended as follows:

8. Public Transport

The applicant is to demonstrate that adequate negotiations have been undertaken with Transport for NSW (Transport Services) the State Transit Authority and private bus companies servicing the area regarding the alteration of existing bus routes to provide services along Charlotte Street, New Troy Street, New Wade Street and New Harp Street.

The Proponent shall liaise with Transport for NSW (Transport Services) as to the number, location, and timing of provision of the bus stops, which will also be subject to approval by Canterbury Council's Local Traffic Committee. The Proponent shall provide new bus stops and associated bus stop infrastructure on Harp Street and Charlotte Street, as required by Transport for NSW, to relevant standards and at no cost to Canterbury Council.

Evidence of relevant communications with Transport for NSW shall be submitted with the Development Application for each stage of the development.

~~Details of such are to be provided as part of Stage 2 of the development, and shall also demonstrate that bus stops/shelters and bus zones will be provided within the new road system, within accessible walking distances of the seniors living on proposed Lot 31 and the childcare centre on proposed Lot 11.~~

SCHEDULE 3

MP 07_0106 MOD 2 Former sunbeam site redevelopment

Statement of commitments

A - GENERAL

1. The project will be carried out generally in accordance with the plans and material submitted as part of the Environmental Assessment for Major Project No. 07_0106, **except where amended by the Preferred Project Report dated May 2009, the Revised Preferred Project Report dated December 2010 and subsequent modification applications under section 75W,** as described in:
 - a. Environmental Assessment Report and associated appendices dated 27 October 2008 as amended by the Preferred Project Report dated May 2009;
 - b. **Amended Approved Architectural Drawings contained within Modification A1, of this approval** for Lots 2, 3, 4 and 6 prepared by Marchase and Partners dated 20 April 2009;
 - c. ~~Amended Architectural Drawings for Lot 1 prepared by Buchan Group, dated 24 April 2009;~~
 - d.c. Amended Landscape Plans prepared by Habitation dated 24 April 2009;
 - e.d. Amended subdivision plans prepared by Dunlop Thorpe dated 1 June 2009;
 - f. e. BASIX Assessment, BASIX Certificate prepared by Cundall;
 - g.f. Amended Traffic Impact Assessment (TMAP) prepared by Traffix (Version 10) dated 24 April 2009
 - h.g. Stormwater and Flood Management Report prepaid by Hyder consulting dated October 2008;
 - i. h. Utilities investigation Report prepared by Hyder consulting dated September 2008;
 - j. i. Waste Management Plan prepared by JD Macdonald dated October 2008;
 - k.j. Construction Management Plan prepared by Davids Group dated October 2008; **and**
 - l. k. Demolition Management Plan prepared by Metropolitan Demolitions dated 27 March 2009; **and**
 - m. ~~Amended Draft Voluntary Planning Agreement prepared by Maddocks dated April 2009.~~
2. The Proponent (~~Parkview Sydney Development~~) will ensure that all contractors engaged to carry out work are aware of and will comply with relevant conditions of consent issued under Major Project No. 07_0106.

3. TRANSPORT AND TRAFFIC

- 3.2 Parking to be generally in accordance with the maximum car parking rates required under condition A5 of the Concept Plan approval ~~Council's requirements with concessions to promote alternate travel modes as appropriate.~~
- 3.3 Construction of New Troy Street between Charlotte Street and Troy Street **in accordance with the approved plans for roadworks** ~~which includes the adjustment to the road reserve boundary so that New Troy Street is wholly within a new lot to be dedicated to Council.~~

NOISE IMPACT

4.10 Delivery hours: ~~No~~ All deliveries, loading or unloading associated with the premises at Lot 1 are to take place between the hours of 6am and 9pm on any day.

ENVIRONMENT

Transport

6.30 New bus stops will be provided, as required by Transport for NSW, to serve the site to encourage the use of public transport, a low-emissions mode of transport. ~~A commitment is being sourced from the bus service providers to reroute bus services to serve the site.~~

CONTAMINATION

7.1 The Proponent will:

Engage a Site Auditor accredited under the Contaminated Land Management Act 1997 to provide technical oversight to the works, and to issue a Site Audit Statement at the completion of works.

~~Prepare an Evaluation and Assessment Plan prior to the commencement of each stage.~~

Where necessary, undertake additional assessments to meet the current DECC Guidelines.

If the assessments identify contamination levels which trigger the need for remediation, the URS RAP will be reviewed and modified as necessary to produce a Staged RAP which reflects the remediation requirements for each stage of the development. The RAP will be amended if the staged plan is amended.

Together with the Construction Certificate for each stage, and prior to the commencement of construction, any remediation will be preformed for that particular stage of development.

Prepare a validation report at the completion of any assessment and of any remediation that is found to be required for such stage of the redevelopment

The Site Auditor will prepare a Site Audit Statement and accompanying Report for each stage of the development, which be provided to DECC.

CONSTRUCTION

11.10 All excavations associated with the erection or demolition of the building are to be properly secured ~~guarded~~ and protected to prevent them from being dangerous to life or property.

End of Modification MP07_0106 MOD 2