



MERITON
MERITON PROPERTY SERVICES
PTY LIMITED

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13 July 2012.

Mr Cameron Sargent
NSW Department of Planning & Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Dear Mr Sargent

SECTION 75W APPLICATIONS– 61 MOBBS LANE, EPPING – TIMING TO TRAFFIC LIGHTS

I refer to our applications lodged with the Department of Planning on the 5 March 2012 relating to when the traffic lights are to be completed, and subsequent submissions from Parramatta City Council and the Roads and Maritime Services.

Following a review of these submissions and construction activity on site, we seek to amend the various S75W applications so that the timing of completing the traffic lights at the intersection of Marsden Road and Mobbs Lane is consistent with the Council's Voluntary Planning Agreement. I have attached a copy of the Voluntary Planning Agreement to **Annexure 1** for your review.

Where previously we sought to amend the relevant consents to have the traffic signals constructed prior to the occupation for that part of the development exceeding 472 dwelling, it is now proposed to amend the Concept Plan, and Major Project Approvals relating to Buildings 1, 2, 3, 4, 5, 6, 7 and 8, and Early Works, so they are consistent with the Voluntary Planning Agreement as follows.

Early Works Approval MP08_0258

Condition C40(a) requires the traffic lights to be installed prior to occupation of the development that exceeds 150 dwellings with a child care or 225 dwellings without occupation of the child care. The wording of Condition C40(a) does not need to change as it is the same as the Voluntary Planning Agreement.

Concept Plan Approval MP05_0086

Condition B4.4 of the Concept Approval requires the traffic lights to be constructed prior to the development that exceeds 150 dwelling without recognition of the child care centre. This condition is inconsistent with the Voluntary Planning Agreement and the Early Works Approval condition. Condition B4.4 should be replaced with the following wording, which is identical to Condition C40(a) of the Early Works Approval.

"The proposed signals at the intersection of Marsden Road / Mobbs Lane shall be fully constructed and operational prior to the release of any Occupation Certificates by the Certifying Authority for part of development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre."

Certified copies of the civil / traffic signal design plans at the Marsden Road / Mobbs Lane intersection shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Certifying Authority for any part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre and commencement of road / signal works."

Buildings 1, 2 and 3 Approval (MP10_0107)

Condition B3 is consistent with the Voluntary Planning Agreement and Condition C40(a) of the Early Works Approval. No change is required to the existing condition contained in MP10_0107 for Buildings 1, 2 and 3.

Buildings 7 and 8 Approval (MP10_0158)

Condition B2 of this approval is inconsistent with the Voluntary Planning, Agreement, Early Works Approval and the approval for Buildings 1, 2, and 3. Condition B2 should be replaced with Condition C40(a) of the Early Works Approval so it is the same as the Voluntary Planning Agreement.

Conclusion

By changing the conditions to be all the same, there is consistency in all approvals to allow the Certifier to grant the relevant occupation certificates. More importantly, the conditions will be consistent with the Voluntary Planning Agreement, which will satisfy Council and the RMS. Without changing the conditions, there is an inconsistency with the Voluntary Planning Agreement, which would otherwise require amendment. This is something Meriton and more than likely Council will not want to revisit.

I believe you will find that the above amendments to the applications is a suitable compromise and worthy of approval.

Yours faithfully

MERITON PROPERTY SERVICES PTY LIMITED



WALTER GORDON

Manager Planning and Development