

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, the Planning and Assessment Commission approve the modification of the Project Application referred to in schedule 1, subject to the conditions in schedule 2.



MEMBER OF THE COMMISSION



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Sydney 13 Oct

2011

SCHEDULE 1

Project Approval:

MP07_0076 granted by the Minister for Planning on 2 March 2009

For the following:

Construction of three residential apartment buildings over an approved and constructed commercial podium for a maximum of 210 residential units and 115 additional residential car parking spaces within a reorganised as built basement car park.

Modification:

(MP07_0076 MOD 1): Changes to level 3 and 13 of residential towers A, B and C to convert approved, unutilised plant room to residential floor space, to increase unit numbers from 210 to 213 units and to convert an existing 2 to 3 bedroom unit, with an associated increase of 191.5sqm in residential floor space.

SCHEDULE 2

RECOMMENDED MODIFICATIONS TO CONCEPT PLAN APPROVAL

MAJOR PROJECT No. 07_0076

The above approval is modified as follows:

Part A of Schedule 2 – Terms of Approval is amended by the insertion of the bold and underlined words/numbers as follows;

PART A – TERMS OF APPROVAL

A1 Development Description

Concept Plan approval is granted only to the carrying out of development (solely within the Concept Plan area) as described in detail below:

- Construction of three (3) residential apartment buildings over an approved and constructed commercial podium;
- Alterations to the ground floor;
- Lift entries and lobbies from residential parking levels through to each tower;
- A maximum of ~~240~~ **213** residential units; and
- Re-organisation of car parking within the existing as built basement level car parking to meet demand generated by the residential component of the application (additional 115 car parking spaces).

A2 Development in Accordance with Plans and Documentation

The approval shall be in accordance with the Environmental Assessment and the Preferred Project Report including the additional information to the Preferred Project Report and the following drawings prepared by Turner and Associates **and the Section 75W application dated 3 June 2011 by TPG Town Planning and Urban Design on behalf of Cadamous Pty Ltd.:**

Amended Concept Plan Drawings prepared for the Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
MO1	D	Ground Floor Amendments (Prepared by Architex)	20/11/08
DA 10	I	Site & Roof Plan	28/11/08
DA 11	I	Level 3 Podium Plan	27/11/08
DA 12	I	Level 4-7 Plan	27/11/08
DA 13	H	Level 8 Plan	27/11/08
DA 13.1	H	Level 9 Plan	12/12/08
DA 14	G	Level 10 Plan	12/12/08
DA 15	I	Level 11 Plan	27/11/08
DA 16	G	Level 12 Plan	27/11/08
DA 17	H	Level 13-14 Plan	27/11/08
DA 18	H	Level 15-16 Plan	27/11/08
DA 19	H	Level 17 Plan	27/11/08
DA 20	F	Tower C North & South Elevation	27/11/08
DA 21	G	East Elevation Elsie Street	27/11/08

DA 22	F	Tower A North & South Elevation	27/11/08
DA 23	F	West Elevation	27/11/08
DA 24	F	Tower B North & South Elevation	27/11/08
DA 30	B	Section AA	27/11/08
DA 31	B	Section BB Tower A	27/11/08
DA 32	B	Section CC Tower B	27/11/08
DA 33	B	Section DD Tower C	27/11/08

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

B1 Design Modifications

Amended Concept Plan Drawings Prepared for discharge of Modification B1 – Design Modifications as amended by the following drawings prepared by Turner and Associates dated 06/05/2011

Drawing No.	Revision	Name of Plan	Date
MO1	D	Ground Floor Amendments (prepared by Architex)	20/11/08
DA10	J	Site & Roof Plan	14/04/09
DA11	I	Level 3 Podium Plan	27/11/08
DA11	J	Plan Level 03 Podium	06/05/11
DA13	I	Level 7 Plan	14/04/2009
DA13.1	I	Level 8 – 10 Plan	14/04/2009
DA14	H	Level 11 Plan	14/04/09
DA15	J	Level 12 Plan	14/04/09
DA16	H	Level 13 Plan	14/04/09
DA16	I	Plan Level 13	06/05/2011
DA 17	I	Level 14_Tower B Penthouse	14/04/09
DA18	H	Level 15 to Level 16	27/11/08
DA19	H	Level 17 Plan	27/11/08
DA20	G	Tower C North & Internal South Elevation	14/4/09
DA20	H	North Elevation & Internal South Elevation, Tower C	06/05/2009
DA21	G	East Elevation – Elsie Street	14/04/09
DA22	F	Tower A Internal North & South Elevation	27/11/08
DA23	G	West Elevation	14/04/09
DA23	H	Elevation West	06/05/2011
DA24	F	Tower B North & South Elevation	14/04/09
DA30	C	Section AA	14/04/09

DA31	B	Section BB Tower A	27/11/08
DA32	B	Section CC Tower B	14/04/09
DA33	B	Section DD Tower C	14/04/09

PART E—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Add the following new condition

E19 Section 94 Contributions

Contribution

The Proponent shall pay an additional **\$31,638.09** in Section 94 monetary contributions to Burwood Council for the 3 x 1 bedroom units and conversion of a 2 bedroom units into a 3 bedroom unit approved under MP 07_0076 MOD 1.

Timing and Method of Payment

The Contribution is payable to **Burwood Council** prior to the issue of an Occupation Certificate for any residential component of the development. The Council does not accept credit cards or personal cheques for the payment of Contributions.

Indexing

The abovementioned Contribution amount has been based on the Index Period of December 2010 and a Consumer Price Index of 173.1. The Contribution shall be adjusted, at the time of payment, in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.