



Our Reference:
Contact:
Phone:

2016/496
William Attard
02 8757 9924

4 October 2018

Landmark Group Australia Pty Ltd
Attention: Joseph Scuderi
PO Box R351 Royal Exchange
SYDNEY NSW 1225

Dear Sir/Madam

**PREMISES: 1-7 & 9-11 NEIL STREET, MERRYLANDS
SECTION 4.56 MODIFICATION TO DEVELOPMENT CONSENT NO: 2016/496/1
MODIFICATION APPLICATION NO: 2016/496/6**

I refer to your application lodged on 27 August 2018 seeking amendment to Development Consent 2016/496/1 issued for construction of 2 x residential flat buildings (Buildings 3 & 4) over 3 levels of basement parking accommodating a total of 438 car parking spaces and 5 on-grade spaces; Building 3 being 12 storeys accommodating 178 units and Building 4 being Part 6, Part 8 and Part 12 storeys accommodating 133 units. The application includes consolidation of 2 existing lots making up the overall site of 1-11 Neil Street and re-subdivision of the consolidated lot into 4 Torrens Title Lots and 2 Stratum Lots.

The modification seeks to remove the subdivision component of the development.

Pursuant to Section 4.56 of the Environmental Planning & Assessment Act, 1979, Council grants approval for the modification sought.

Accordingly, Land and Environment Court Appeal No. 2017/00132564 (Development Consent 2016/496/1) is amended as follows:-

The proposed development is amended to read as follows:-

PROPOSED DEVELOPMENT: Construction of 2 x residential flat buildings (Buildings 3 & 4) over 3 levels of basement parking accommodating a total of 438 car parking spaces and 5 on-grade spaces; Building 3 being 12 storeys accommodating 178 units and Building 4 being Part 6, Part 8 and Part 12 storeys accommodating 133 units

Condition 2 under Schedule 'B' is amended to read as follows:-

2. Development shall take place in accordance with the following plans and information, except where amended by the conditions of this consent:
 - Architectural plans prepared by Marchese Partners International Pty Ltd, Job Number 14001, listed below:

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160
T 02 8757 9000 F 02 9840 9734 E council@cumberland.nsw.gov.au W cumberland.nsw.gov.au
ABN 22 798 563 329

Welcome *Belong* Succeed

Important

English

This letter contains important information. If you do not understand it please ask a relative or friend to translate it or come to Council and discuss this letter with Council's staff using the Telephone Interpreter Service.

هام

Arabic

تحتوي هذه الرسالة على معلومات هامة. إذا لم تكن تفهمها يرجى طلب ترجمتها من قريب أو صديق أو احضر إلى المجلس وناقش هذه الرسالة مع موظفي المجلس عن طريق الاستعانة بخدمة الترجمة الهاتفية.

重要資訊

Cantonese

本函包含重要的資訊。如果您無法理解相關內容，可請您的親屬或朋友翻譯成中文，或者前往市政府並通過電話傳譯服務與市政府的工作人員討論本函內容。

مهم

Dari

این نامه حاوی معلومات مهم است. اگر شما آن را نمی فهمید، از دوستان یا فامیل تان بخواهید که برایتان ترجمه کند و یا به شورا آمده و در مورد این نامه با کارمندان شورا با استفاده از خدمات ترجمه تلفرونی بحث کنید.

Σημαντικό

Greek

Αυτή η επιστολή περιέχει σημαντικές πληροφορίες. Εάν δεν την καταλαβαίνετε, ζητήστε από ένα συγγενή ή φίλο να σας την μεταφράσει, ή ελάτε στο Συμβούλιο και συζητήστε για την επιστολή με το προσωπικό του Συμβουλίου χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

महत्वपूर्ण

Hindi

इस पत्र में महत्वपूर्ण जानकारी दी गई है। यदि आप इसे नहीं समझ पाते हैं तो कृपया अपने रिश्तेदार या दोस्त से कहें कि वे इसे अनुवाद कर बताएँ या परिषद में आएँ और टेलीफोन दुभाषिया सेवा का इस्तेमाल करते हुए परिषद के स्टाफ के साथ इस पत्र पर चर्चा करें।

IMPORTANTE

Italian

Questa lettera contiene informazioni importanti. Se non la comprende chiedi ad un parente od amico di tradurgliela, o venga al Municipio a discuterla col personale del Comune con l'aiuto del Servizio Telefonico Interpreti.

중요

Korean

이 서신에는 중요한 정보가 포함되어 있습니다. 잘 이해되지 않으면, 친척이나 친구에게 번역을 부탁하거나 또는 위원회를 방문하여 전화 통역 서비스로 위원회 직원과 이 서신에 대해 논의하십시오.

Importanti

Maltese

Din l-ittra fiha taghrif importanti. Jekk ma tifimhiex, jekk joghgbok staqsi lil qarib jew habib biex jittraducihielek jew ejja sal-Kunsill u ddiskuti din l-ittra ma' l-istaff tal-Kunsill billi tuza s-Servizz Telefoniku tal-Interpreti.

重要信息

Mandarin

本函包含重要的信息。如果您无法理解相关内容，可请您的亲属或朋友翻译成中文，或者前往市政府并通过电话传译服务与市政府的工作人员讨论本函内容。

Mahalaga

Tagalog

Ang sulat na ito ay naglalaman ng mahalagang impormasyon. Kung hindi mo ito nauunawaan, mangyaring hilingin ang isang kamag-anak o kaibigan na isalin ito o lumapit sa isang Council at talakayin ang sulat na ito sa kawani ng Council gamit ang Serbisyo ng Interpreter sa Telepono.

முக்கிய குறிப்பு:

Tamil

இந்த கடிதத்தில் முக்கிய தகவல் அடங்கியுள்ளது. உங்களுக்கு இது புரியவில்லையென்றால், உங்கள் உறவினர் அல்லது நண்பரை மொழிபெயர்க்க சொல்லி கேட்கவும் அல்லது அமைச்சகத்திற்கு வருகை அளித்து, அமைச்சக ஊழியருடன் தொலைபேசி மொழிபெயர்ப்பு சேவை உதவியுடன் இந்த கடிதத்தைப் பற்றி விவாதிக்கவும்.

Önemli

Turkish

Bu mektup önemli bilgiler içermektedir. Bu bilgileri anlamıyorsanız lütfen bir akrabanızdan veya arkadaşınızdan onu çevirmesini isteyin ya da Konseye gelin ve Telefonla Sözlü Çeviri Hizmeti'ni kullanarak bu mektup hakkında Konsey personeli ile görüşün.

TIN QUAN TRỌNG

Vietnamese

Tin tức trong thư này rất quan trọng. Nếu quý vị không hiểu rõ, xin hỏi những người thân hoặc bạn bè phiên dịch cho quý vị hoặc đến hỏi nhân viên Tòa Hành Chánh, tại đây có phương tiện Thông Ngôn Qua Điện Thoại

Drawing DA11.04	No.	Site Plan	Rev. A	Dated 28/10/2016
Drawing DA12.01	No.	Basement 3 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.02	No.	Basement 2 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.03	No.	Basement 1 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.04	No.	Building 3 Ground Floor Plan	Rev. B	Dated 16/02/2017
Drawing DA12.05	No.	Building 3 Level 1-8 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.06	No.	Building 3 Level 9-11 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.09	No.	Building 3 Roof Plan	Rev. A	Dated 28/10/2016
Drawing DA12.14	No.	Building 4 Ground Floor Plan	Rev. B	Dated 16/02/2017
Drawing DA12.15	No.	Building 4 Level 1-5 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.16	No.	Building 4 Level 6 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.17	No.	Building 4 Level 7 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.18	No.	Building 4 Level 8 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.19	No.	Building 4 Level 9-11 Floor Plan	Rev. A	Dated 28/10/2016
Drawing DA12.20	No.	Building 4 Roof Plan	Rev. A	Dated 28/10/2016
Drawing DA13.01	No.	Building 3 – Neil Street Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.11	No.	Building 3 – North Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.12	No.	Building 3 – South Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.13	No.	Building 3 – East Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.14	No.	Building 3 – West Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.21	No.	Building 4 – North Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.22	No.	Building 4 – South Elevation	Rev. B	Dated 28/03/2017
Drawing DA13.23	No.	Building 4 – East Elevation	Rev. B	Dated 28/03/2017
Drawing	No.	Building 4 – West Elevation	Rev.	Dated 28/10/2016

DA13.24			B	
Drawing DA14.01	No.	Building 3 – Section AA	Rev. A	Dated 28/10/2016
Drawing DA14.02	No.	Building 3 – Section BB	Rev. A	Dated 28/10/2016
Drawing DA14.03	No.	Building 4 – Section CC	Rev. A	Dated 28/10/2016
Drawing DA14.04	No.	Building 4 – Section DD	Rev. A	Dated 28/10/2016
Drawing DA16.01	No.	Building 3 – Adaptable Unit Plan 01	Rev. A	Dated 28/10/2016
Drawing DA16.03	No.	Building 3 – Adaptable Unit Plan 03	Rev. A	Dated 28/10/2016
Drawing DA16.04	No.	Building 3 – Adaptable Unit Plan 04	Rev. A	Dated 28/10/2016
Drawing DA16.05	No.	Building 3 – Adaptable Unit Plan 05	Rev. A	Dated 28/10/2016
Drawing DA16.11	No.	Building 4 – Adaptable Unit Plan 01	Rev. A	Dated 28/10/2016
Drawing DA16.12	No.	Building 4 – Adaptable Unit Plan 02	Rev. A	Dated 28/10/2016
Drawing DA16.13	No.	Building 4 – Adaptable Unit Plan 03	Rev. A	Dated 28/10/2016
Drawing DA16.14	No.	Building 4 – Adaptable Unit Plan 04	Rev. A	Dated 28/10/2016
Drawing DA16.15	No.	Building 4 – Adaptable Unit Plan 05	Rev. A	Dated 28/10/2016
Drawing DA16.16	No.	Building 4 – Adaptable Unit Plan 06	Rev. A	Dated 28/10/2016

- Landscape plans prepared by Greenplan, Job Number 16713, listed below:

Drawing No. LS	Landscape Cover	Iss. A	Dated 26/10/2016
Drawing No. LS-101	Landscape Site Photos	Iss. A	Dated 25/10/2016
Drawing No. LS-201	Landscape Site Plan Ground Floor	Iss. B	Dated 25/10/2016
Drawing No. LS-301	Landscape Plan Building 3 Ground Floor	Iss. B	Dated 25/10/2016
Drawing No. LS-302	Landscape Plan Building 4 Ground Floor	Iss. B	Dated 25/10/2016
Drawing No. LS-303	Landscape Plan Building 4 Level 6	Iss. B	Dated 25/10/2016
Drawing No. LS-401	Landscape Planting	Iss. A	Dated 25/10/2016
Drawing No. LS-402	Landscape Planting Details	Iss. A	Dated 25/10/2016

- Stormwater plans prepared by SGC, Project Number 20140028, listed below:

Drawing No. SW500	Cover Sheet	Rev. A	Undated
Drawing No. SW501	Stormwater Concept Design - Basement 3 Plan Building 3 & 4	Rev. A	Dated 01/11/2016
Drawing No. SW502	Stormwater Concept Design - Ground Floor Plan Sheet 1 of 2	Rev. A	Dated 01/11/2016
Drawing No. SW503	Stormwater Concept Design - Ground Floor Plan Sheet 2 of 2	Rev. A	Dated 01/11/2016
Drawing No. SW504	Stormwater Concept Design - Building 3 Roof Plan	Rev. A	Dated 01/11/2016
Drawing No. SW505	Stormwater Concept Design - Building 4 Roof Plan	Rev. A	Dated 02/11/2016
Drawing No. SW506	Stormwater Concept Design - Details Sheet	Rev. A	Undated
Drawing No. SW507	Erosion and Sediment Control - Plan and Details	Rev. A	Dated 02/11/2016

- Site Waste Management Plan prepared by Senica Consultancy Group, Report Number 2016/0901, dated 1 November 2016;
- BASIX Certificate Number 770665M, dated 2 November 2016;
- Tree Report prepared by Dr. Treegood, Reference Number 2014-476, dated April 2014;
- Acoustic Report prepared by Rodney Stevens Acoustics, Report Number R160099B3, Revision 0, dated 1 November 2016;
- Site Contamination Audit Report prepared by Environmental Earth Sciences NSW, Version 1, dated 4 March 2016;
- Correspondence from Endeavour Energy, dated 22 March 2017, and all conditions contained therein;
- Correspondence from NSW Police Force – Holroyd Local Area Command, Police Reference D/2016/704554, dated 5 January 2017, and all conditions contained therein;
- Correspondence from Water NSW, dated 18 January 2017, and all conditions contained therein;
- Correspondence from Sydney Water, dated 4 April 2016, and all conditions contained therein;
- Correspondence from Sydney Trains, dated 7 April 2017, and all conditions contained therein; and
- Correspondence from Heritage Office, Reference Number DOC16/618389, dated 17 January 2017, and all conditions contained therein.
- All details, including plans and reports, approved by Council in accordance with the conditions in Schedule 'A'

As amended by the following plans and documents approved for application 2016/496/2 dated 11 September 2017:

- Architectural plans prepared by Marchese Partners International Pty Ltd, Job Number 14001, listed below:

Drawing S9612.04	No.	Building 3 Ground Floor Plan	Rev. A	Dated 29/06/2017
Drawing S9612.05	No.	Building 3 Level 1-8 Floor Plan	Rev. A	Dated 29/06/2017
Drawing S9612.06	No.	Building 3 Level 9-11 Floor Plan	Rev. A	Dated 29/06/2017
Drawing S9612.09	No.	Building 3 Roof Plan	Rev. A	29/06/2017
Drawing S9613.01	No.	Building 3 – Neil Street Elevation	Rev. A	Dated 29/06/2017
Drawing S9613.11	No.	Building 3 – North Elevation	Rev. A	Dated 29/06/2017
Drawing S9613.12	No.	Building 3 – South Elevation	Rev. A	Dated 29/06/2017
Drawing S9613.14	No.	Building 3 – West Elevation	Rev. A	Dated 29/06/2017
Drawing S9617.21	No.	External Finishes – Sheet 01	Rev. A	Dated 29/06/2017

As amended by the following plans and documents approved under Schedule 'A', dated 23 August 2018:

- Architectural plans prepared by Marchese Partners, Job Number 14001, listed below:

Drawing No.	Drawing Title	Rev.	Date
S9611.04	Site Plan	B	16 November 2017
S9612.01	Basement 3 Floor Plan	B	16 November 2017
S9612.02	Basement 2 Floor Plan	B	16 November 2017
S9612.03	Basement 1 Floor Plan	B	16 November 2017
S9612.04	Building 3 Ground Floor Plan	B	16 November 2017
S9612.05	Building 3 Level 1-8 Floor Plan	B	16 November 2017
S9612.06	Building 3 Level 9 Floor Plan	B	16 November 2017
S9612.08	Building 3 Level 10-11 Floor Plan	B	16 November 2017
S9612.09	Building 3 Roof Plan	B	16 November 2017
S9612.14	Building 4 Ground Floor Plan	B	16 November 2017
S9612.15	Building 4 Level 1-5 Floor Plan	B	16 November 2017
S9612.16	Building 4 Level 6 Floor Plan	B	16 November 2017
S9612.17	Building 4 Level 7 Floor Plan	B	16 November 2017
S9612.18	Building 4 Level 8 Floor Plan	B	16 November 2017
S9612.19	Building 4 Level 9-11 Floor Plan	B	16 November 2017
S9612.20	Building 4 Roof Plan	B	16 November 2017

S9613.01	Building 3 – Neil Street Elevation	B	16 November 2017
S9613.11	Building 3 – North Elevation	B	16 November 2017
S9613.12	Building 3 – South Elevation	B	16 November 2017
S9613.13	Building 3 – East Elevation	B	16 November 2017
S9613.14	Building 3 – West Elevation	B	16 November 2017
S9613.21	Building 4 – North Elevation	B	16 November 2017
S9613.22	Building 4 – South Elevation	B	16 November 2017
S9613.23	Building 4 – East Elevation	B	16 November 2017
S9613.24	Building 4 – West Elevation	B	16 November 2017
S9614.01	Building 3 – Section AA	B	16 November 2017
S9614.02	Building 3 – Section BB	B	16 November 2017
S9614.03	Building 4 – Section CC	B	16 November 2017
S9614.04	Building 4 – Section DD	B	16 November 2017
S9616.01	Building 3 – Adaptable Unit Plan 01	B	16 November 2017
S9616.03	Building 3 – Adaptable Unit Plan 03	B	16 November 2017
S9616.04	Building 3 – Adaptable Unit Plan 04	B	16 November 2017
S9616.05	Building 3 – Adaptable Unit Plan 05	B	16 November 2017
S9616.11	Building 4 – Adaptable Unit Plan 01	B	16 November 2017
S9616.12	Building 4 – Adaptable Unit Plan 02	B	16 November 2017
S9616.13	Building 4 – Adaptable Unit Plan 03	B	16 November 2017
S9616.14	Building 4 – Adaptable Unit Plan 04	B	16 November 2017
S9616.15	Building 4 – Adaptable Unit Plan 05	B	16 November 2017
S9616.16	Building 4 – Adaptable Unit Plan 06	B	16 November 2017
S9617.21	Exterior Finishes – Sheet 01	B	16 November 2017

- Stormwater plans prepared by SGC, Project Number 20140028, OSD Plan Number 2016-099, listed below:

Drawing No.	Drawing Title	Revision	Date
SW101	Stormwater Drainage Design – Specification Sheet	01	25 July 2017
SW200	Stormwater Drainage Design – Site Plan	01	15 March 2018
SW201	Stormwater Drainage Design – Basement 3 Plan	02	15 March 2018
SW202	Stormwater Drainage Design – Basement 2 Plan	02	15 March 2018
SW203	Stormwater Drainage Design –	02	15 March 2018

	Basement 1 Plan		
SW204	Stormwater Drainage Design – Ground Floor Plan – Sheet 1 of 4	02	15 March 2018
SW205	Stormwater Drainage Design – Ground Floor Plan – Sheet 2 of 4	02	15 March 2018
SW206	Stormwater Drainage Design – Ground Floor Plan – Sheet 3 of 4	02	15 March 2018
SW207	Stormwater Drainage Design – Ground Floor Plan – Sheet 4 of 4	02	15 March 2018
SW300	Stormwater Drainage Design – Details Sheet – Sheet 1 of 2	02	21 February 2018
SW301	Stormwater Drainage Design – Details Sheet – Sheet 2 of 2	02	15 March 2018
SW400	Erosion and Sediment Control – Plan and Details	02	15 March 2018

- Correspondence prepared by Sydney Trains, dated 20 August 2018, and all conditions contained therein.
- a) As amended in red by Council. All amendments are to be incorporated in the Construction Certificate plans.

The following heading and section is deleted:

'PRIOR TO RELEASE OF LINEN PLAN

The following conditions are to be compiled with prior to the Release of the Linen Plan:-'

Conditions 169 to 174 under Schedule 'B' are deleted.

All other conditions of Land and Environment Court Appeal No. 2017/00132564 (Development Consent 2016/496/1), and Section 4.56 applications 2016/496/2 and 2016/496/5 remain unchanged.

Note: This determination notice is strictly for the changes sought under the modification application 2016/496/6. No approval is implied or granted for any other works/changes proposed to the subject development.

Section 8.10 of the Environmental Planning & Assessment Act 1979 confers upon an applicant, dissatisfied with Council's determination of an application made pursuant to Section 4.56 a right of appeal to the Land and Environment Court within 6 months of the date of determination.

Section 8.9 of the Act provides that an applicant may request, within 28 days of the date of determination of the Section 4.56 Application, that the Council review its determination (this does not apply to designated development). A fee is required for this review.

If you have any further enquiries please contact William Attard of Council's Environment & Infrastructure Division on 02 8757 9924, Monday to Friday.

Yours faithfully,



Jai Shankar
TEAM LEADER – DEVELOPMENT ADVISORY SERVICES

noted *Eva Di Rita*

