

## SHORT MINUTES OF ORDER

### COURT DETAILS

Court	Land and Environment Court of New South Wales
Class	1
Registry	Sydney
Case number	10186 of 2013

### TITLE OF PROCEEDINGS

Applicant	Legacy Property Pty Ltd
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Respondent	Waverley Council
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### FILING DETAILS

Filed for	The applicant, by consent	
Legal representative	Anthony Whealy GADENS Lawyers Level 12 77 Castlereagh Street Sydney NSW 2000 DX 364 Sydney	
Legal representative reference	AQW/33603666	
Contact name and telephone	Matt Sonter	9931 4999

### SHORT MINUTES OF ORDER

BY CONSENT THE COURT ORDERS THAT:

1. The Development application (DA 386/2012) is amended pursuant to clause 55 of the *Environmental Planning and Assessment Regulation 2000*.
2. The applicant is granted leave to rely on the amended plans, reports and supporting materials listed in Attachment "A".
3. The callover date of 10 April 2013 is vacated.
4. The Respondent is to serve its Statement of Facts and Contentions by 12 April 2013.

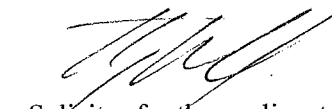
5. The matter is listed for callover on 17 April 2013;
6. Each party shall bear its own costs of this notice of Motion.
7. Applicant to pay Respondent's costs pursuant to s97B of the Environmental Planning and Assessment Act 1979 agreed as 50% of the original development Application Fees.

**SIGNATURE**

Signature of legal representative

Capacity

Date of signature


  
Solicitor for the applicant  
26 March 2013

**SIGNATURE**

Signature of legal representative

Capacity

Date of signature

 By his employed solicitor  
Solicitor for the Respondent  
26 March 2013

## **ATTACHMENT A**

### **Amended Plans, Reports and Supporting Materials:**

1. Letter to Council from Mecone, dated 6 March 2013
2. Response table to issues raised by Council, prepared by Mecone
3. Revised Plans
  - (a) Drawing List, Drawing No DA-000, Revision 3
  - (b) Summary Sheet, Drawing No DA-001, Revision 3
  - (c) Survey Plan A, Drawing No DA-003, Revision 1
  - (d) Survey Plan B, Drawing No DA-004, Revision 1
  - (e) Survey Elevations A, Drawing No DA-005, Revision 1
  - (f) Survey Elevations B, Drawing No DA-006, Revision 1
  - (g) Context Plan, Drawing No DA-100, Revision 1
  - (h) Site Plan, Drawing No DA-101, Revision 2
  - (i) Site Analysis Plan, Drawing No DA-102, Revision 1
  - (j) Demolition Plan, Drawing No DA-103, Revision 1
  - (k) Basement 3 Floor Plan, Drawing No DA-201, Revision 2
  - (l) Basement 2 Floor Plan, Drawing No DA-202, Revision 2
  - (m) Basement 1 Floor Plan, Drawing No DA-203, Revision 2
  - (n) Ground Floor Plan, Drawing No DA-204, Revision 2
  - (o) Mezzanine Floor Plan, Drawing No DA-205, Revision 2
  - (p) Level 1 Floor Plan, Drawing No DA-206, Revision 2
  - (q) Level 2 Floor Plan, Drawing No DA-207, Revision 3
  - (r) Level 3-4 Floor Plan, Drawing No DA-208, Revision 3
  - (s) Level 5 Floor Plan, Drawing No DA-209, Revision 2
  - (t) Level 6-8 Floor Plan, Drawing No DA-210, Revision 2
  - (u) Level 9-12 Floor Plan, Drawing No DA-211, Revision 2
  - (v) Level 13-16 Floor Plan, Drawing No DA-212, Revision 2

- (w) Level 17 Floor Plan, Drawing No DA-213, Revision 2
- (x) Level 18 Floor Plan, Drawing No DA-214, Revision 2
- (y) Roof Plan, Drawing No DA-215, Revision 2
- (z) Section AA, Drawing No DA-300, Revision 3
- (aa) Section BB, Drawing No DA-301, Revision 3
- (bb) Context Section CC and DD, Drawing No DA-302, Revision 3
- (cc) Section EE, Drawing No DA-303, Revision 2
- (dd) North Elevation, Drawing No DA-400, Revision 3
- (ee) South Elevation, Drawing No DA-401, Revision 3
- (ff) East Elevation, Drawing No DA-402, Revision 3
- (gg) West Elevation, Drawing No DA-403, Revision 2
- (hh) Façade Details, Drawing No DA-700, Revision 2
- (ii) Adjacent Building Detail, Drawing No DA-701, Revision 1
- (jj) Boundary Detail, Drawing No DA-702, Revision 1
- (kk) Boundary Detail, Drawing No DA-703, Revision 1
- (ll) Material and Finishes Board, Drawing No DA-730, Revision 2
- (mm) Adaptable Unit, Drawing No DA-750, Revision 2
- (nn) Adaptable Unit, Drawing No DA-751, Revision 1
- (oo) Shadow Diagrams A, Drawing No DA-900, Revision 1
- (pp) Shadow Diagrams B, Drawing No DA-901, Revision 1
- (qq) Shadow Diagrams C, Drawing No DA-902, Revision 1
- (rr) Shadow Impact, Drawing No DA-903, Revision 1
- (ss) Shadow Study – Existing, Drawing No DA-904, Revision 1
- (tt) Shadow Study – Common Open Space 1, Drawing No DA-905, Revision 1
- (uu) Shadow Study – Common Open Space 2, Drawing No DA-906, Revision 1
- (vv) North Perspective, Drawing No DA-910, Revision 3
- (ww) North East Eye Level Perspective, Drawing No DA-911, Revision 3
- (xx) North West Oxford St Eye Level Perspective, Drawing No DA-912, Revision 2

- (yy) Pine Lane Perspective Looking West, Drawing No DA-913, Revision 2
  - (zz) Pine Lane Perspective Looking East, Drawing No DA-914, Revision 2
  - (aaa) North Podium Perspective, Drawing No DA-916, Revision 2
  - (bbb) View Analysis Level 7, Drawing No DA-920, Revision 1
  - (ccc) View Analysis Level 10, Drawing No DA-921, Revision 1
  - (ddd) View Analysis Level 14, Drawing No DA-922, Revision 1
  - (eee) View Analysis Level 18, Drawing No DA-923, Revision 1
  - (fff) View Analysis in Urban Context, Drawing No DA-924, Revision 1
  - (ggg) GFC Diagram A, Drawing No DA-950, Revision 3
  - (hhh) GFC Diagram B, Drawing No DA-951, Revision 2
  - (iii) GFC Diagram C, Drawing No DA-952, Revision 2
  - (jjj) Solar and Access Cross Ventilation A, Drawing No DA-953, Revision 3
  - (kkk) Solar and Access Cross Ventilation B, Drawing No DA-954, Revision 2
  - (lll) Solar and Access Cross Ventilation C, Drawing No DA-955, Revision 3
  - (mmm) Landscape Plan Level Ground Floor, Drawing No SS12-2494, Revision 101C
  - (nnn) Landscape Plan Level 2, Drawing No SS12-2494, Revision 102C
  - (ooo) Landscape Plan Level 4, Drawing No SS12-2494, Revision 103C
  - (ppp) Landscape Details, Drawing No SS12-2494, Revision 501C
4. Draft condition of consent for subterranean infrastructure in Pine Lane
  5. Revised summary compliance table
  6. Assessment of proposed amendments
  7. Letter from Site Image to Waverley Council on types on vegetation to be provided in south western communal space area, dated 6 March 2013
  8. Addendum to wind report prepared by Windtech, dated 6 March 2013
  9. Letter from Environmental Investigation Services to Legacy Property Pty Ltd, dated 26 February 2013, and Letter from Gadens Lawyers to Legacy Property Pty Ltd, dated 27 February 2013
  10. Draft condition of consent related to provision of public art