

Mr Cameron Sargent
Team Leader
Metropolitan & Regional Projects North
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001



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PCU038430

September 21 2012

Attention: Nava Sedghi

**Notification of a Section 75W modification to amend the Concept Plan for
120-128 Herring Road, Macquarie Park (MPO9_0195 MOD 3)**

Dear Mr Sargent

Thank you for the opportunity to make a submission on the above application. Council's comments on the changes proposed to the Concept Plan are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Johnson'.

Dominic Johnson
Group Manager
Environment and Planning



Modification 3 to MP09_0195 Concept Plan approved for Part of 120- 128 Herring Road, Macquarie Park.

Adjust the ground floor level of Building C from RL 63.300 to RL 64.310 and the Ground Floor level of Building D from RL 60.100 to RL 61.210 to align with the approved level of the new road

Lower the roof height of Building C from RL 101.890 to RL 101.290 and Building D from RL 89.940 to RL 89.170

In principle, Council has no objection to minor changes in level to ensure safe and effective entry and egress by all motor vehicles attending the site. This is also based on the proponent's advice that the overall height of the buildings will not increase (as identified above). In this respect, no objection is raised to the lower roof height and configuration of roof plant.

Council would appreciate the Department's position being expressed in any assessment report and approval instrument on the need to follow up any approved changes to the Concept Plan with a Section 96 application submitted to Council to change the Consent Plans for Buildings C and D.

Remove an additional eight (8) trees across the site (including two (2) trees at the Building A site, three (3) at the Building B site, and three (3) at the Building C & D site.

Council is concerned that more trees are proposed to be removed from the site, particularly the specimens representing local endemic species. In the time available for comment, it is not in a position to seek alternative expert advice on the need to remove the affected trees to test the veracity of the submitted arborists' reports and recommendations. However, if it is accepted that the affected trees will not survive implementation of the approved development, then Council requests that the proponent be required to provide replacement planting either elsewhere on the development site or nearby (subject to any agreement required by any affected landowners). Alternately, the proponents could be required to offset the impact by an appropriate contribution to local bush care.

Council would appreciate the Department's position being expressed in any assessment report on the need for a revised Seven Part Test as at least two of the trees are species that contribute to the Sydney Turpentine Ironbark Forest (STIF) association in the local area.

Submit a revised Tree Management Plan to reflect the removal of the existing trees

The revised Tree Management Plan may be the best place to identify the means by which the loss of the additional trees will be offset.

Reduce the size of the basement footprint at Level B3

In principle, Council raises no objection to the proposed change to reduce the size of the basement area. However, it is noted that the new configuration is as a result of "detailed design development, the parking layout efficiency has been improved". With some further minor adjustment, it may also be possible to relocate the spaces

nominated for the required Car Share Scheme (Concept Approval – Schedule 3, Condition 7) from the proposed new road and into a more protected location within a building. Council requests that the potential to provide the Car Share spaces off the new road and within the more efficient basement layout be investigated prior to determination of this application.

Amend Condition A2 of the Conditions of Approval to reflect the above proposed modifications.

The need for adjustment to other conditions of the Concept Plan should be investigated as part of this modification application.
