

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 executed on 14 September 2011, I approve the modification of the Concept Plan application referred to in Schedule 1, subject to the conditions in Schedule 2.

Richard Pearson
Deputy Director General
Development Assessment & Systems Performance

Sydney

2013

SCHEDULE 1

Concept Approval:

MP08_0195 granted by the Planning Assessment Commission on 15 March 2012

For the following:

Mixed use residential, retail and commercial development at 78-90 Old Canterbury Road, Lewisham consisting of:

- residential building retail and commercial floor space;
- basement car parking;
- publicly accessible open space and through site links;
- road works; and
- pedestrian and cycle pathways.

Modification:

MP08_0195 MOD 2: Amendment of Term of Approval A3 relating to the timing of the preparation of a Voluntary Planning Agreement

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

- a) Amend Term of Approval A3 by the deletion of the struck out words and insertion of the **bold and underlined** words as follows:

Voluntary Planning Agreement

A3 Prior to the submission of any future application under Part 4 of the Act ~~the Proponent shall provide written evidence to the Director General that it has entered into,~~ **negotiations shall be underway with respect to** a Voluntary Planning Agreement ~~with~~ **between the Proponent and** Marrickville Council, in consultation with Transport for NSW, with terms outlined in the EA, PPR and Revised Statement of Commitments including:

- upgrade of Hudson Street;
- embellishment and dedication of public open space to the north of Hudson Street;
- upgrade or embellishment of pedestrian and cycle access links to the Lewisham West light rail stop, Lewisham railway station and surrounding residential areas; and
- other parts of the site that will be upgraded, embellished, constructed or dedicated to Council.