



Planning &  
Infrastructure

***MODIFICATION REQUEST:  
Marrickville Metro Shopping Centre  
Expansion – Concept Plan (Stage 1)***

***Marrickville Metro – 34 Victoria Road and 13-55  
Edinburgh Road, Marrickville***

***MP09\_0191 MOD1***



Director-General's  
Environmental Assessment Report  
Section 75W of the  
*Environmental Planning and Assessment Act 1979*

April 2013

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*NSW Government  
Department of Planning & Infrastructure*

## TABLE OF CONTENTS

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<b>1.</b>	<b>BACKGROUND</b>	<b>2</b>
<b>2.</b>	<b>PROPOSED MODIFICATION</b>	<b>4</b>
	2.1 Modification Description	4
<b>3.</b>	<b>STATUTORY CONTEXT</b>	<b>10</b>
	3.1 Continuation of Part 3A	10
	3.3 Delegated Authority	10
<b>4.</b>	<b>CONSULTATION AND SUBMISSIONS</b>	<b>10</b>
	4.1 Exhibition	10
	4.2 Public Authority Submissions	11
<b>5.</b>	<b>ASSESSMENT</b>	<b>11</b>
	5.1 Built Form	11
	5.2 Vehicular and Bicycle Parking	14
	5.3 Tree Removal and Landscaping	15
<b>6.</b>	<b>CONCLUSION AND RECOMMENDATIONS</b>	<b>18</b>
<b>APPENDIX A</b>	<b>MODIFICATION REQUEST</b>	<b>19</b>
<b>APPENDIX B</b>	<b>SUBMISSIONS</b>	<b>20</b>
<b>APPENDIX C</b>	<b>RECOMMENDED MODIFYING INSTRUMENT</b>	<b>21</b>
<b>APPENDIX D</b>	<b>RELEVANT REPORTS OR DOCUMENTS</b>	<b>22</b>

## 1. BACKGROUND

### 1.1 The Site

The subject site comprises two parcels of land known as 34 Victoria Road and 13-55 Edinburgh Road and is located within the Marrickville Local Government Area. These parcels are irregular in shape, relatively flat and separated by Sidmore Street, which is a public road. The site is located approximately 5 kilometres southwest of Sydney CBD and approximately 1.5 kilometres northeast of the Marrickville Road town centre.

The Victoria Road site is approximately 3.5 hectares in size and has frontages of approximately 215 metres to Victoria Road, 160 metres to Murray Street, 165 metres to Sidmore Street and 12m to Bourne Street. The Marrickville Metro Shopping Centre currently occupies the Victoria Road site and comprises 28,925m<sup>2</sup> retail floor space (22,933m<sup>2</sup> gross leasable floor space). Retail floor space is provided at ground floor level with roof top car parking above. The site is accessed via Sidmore Street and loading facilities are located at the south-western and north-eastern corners of the site.

The Edinburgh Road site is approximately 8,800m<sup>2</sup>, with frontages of approximately 130 metres to Edinburgh Road, 73 metres to Murray Street and 155 metres to Sidmore Street. An industrial warehouse building with ancillary structures and car parking (at grade) currently occupies the site. Site access is principally via Sidmore Street and loading facilities are located within both the Sidmore and Murray Street frontages of the building. The site is adjoined by low-density residential properties to the northwest, industrial properties to the east, south and west and the existing Marrickville Metro Shopping Centre (Victoria Road site) to the north.

The project location is shown in Figure 1.



Figure 1: Aerial photograph of the site and surrounds (Base photo source: Land & Property Management Authority 2011)



## 1.2 Previous Approval

On 19 March 2012, the Planning Assessment Commission (PAC) approved the Concept Plan (MP09\_0191) for the expansion of the Marrickville Metro Shopping Centre without the need for any further environmental assessment and subject to conditions.

The Concept Plan approval comprises (refer to **Figure 2**) the following:

- demolition of existing warehouse buildings and associated structures on the Edinburgh Road site;
- refurbishment and construction of a first floor addition to the existing retail building on the Victoria Road site and construction of a new building providing for two levels of retail on the Edinburgh Road site;
- 528 additional car parking spaces to provide a total of 1628 spaces in two levels of roof top parking over both buildings; and
- staging of development into two Stages: Stage 1 comprising the Edinburgh Road site, Stage 2 comprising the Victoria Road site.

The PAC's approval includes a condition that a minimum three year gap be provided between occupation of Stages 1 and 2.

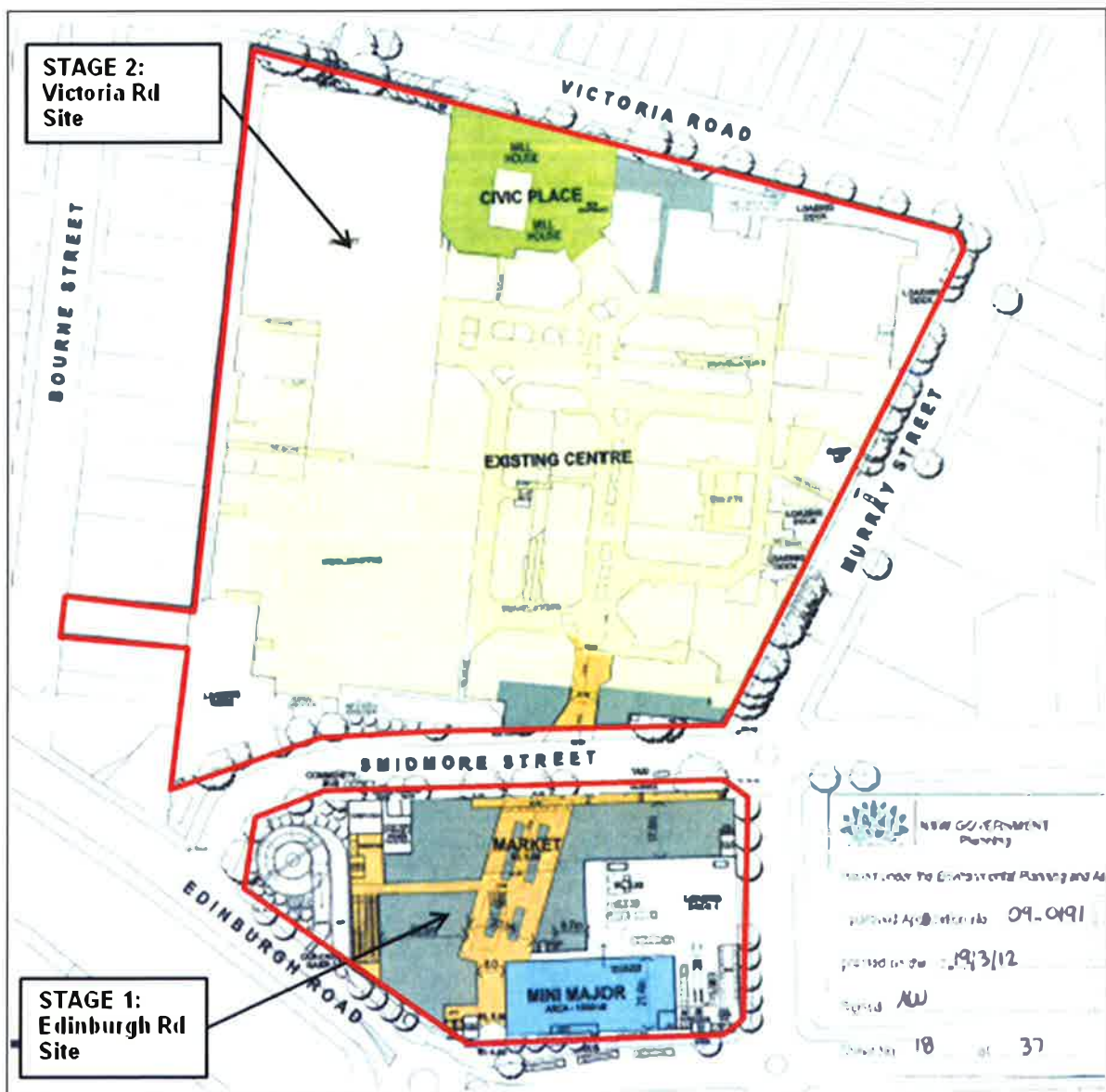


Figure 2: Approved Project Layout (Base source: Major Project MP 09\_0191)

## 2. PROPOSED MODIFICATION

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### 2.1 Modification Description

The proposal seeks to modify Stage 1 of the Concept Plan (MP09\_0191) relating to the Edinburgh Road site. No modifications are proposed to Stage 2 of the Concept Plan relating to larger Victoria Road site. Both the approved and proposed layouts of Stage 1 are shown at **Figures 3 and 4**.

The proposed modifications to Stage 1 of the Concept Plan include:

- revised elevational design, appearance and use of materials;
- reduction in parapet height along Smidmore and Edinburgh Streets by 220mm and an increase in parapet height along Murray Street by 900mm;
- reconfiguration of internal circulation, retail and market area layouts including an increase in supermarket size from 4,300m<sup>2</sup> to 4,500m<sup>2</sup> and decrease in mini-major size from 1,991m<sup>2</sup> to 1,791m<sup>2</sup> (no change to overall Gross Floor Area);
- increased building set back from Smidmore Street by 5 metres, together with creation of outdoor seating area, retail activation along Smidmore Street and internal double height void space;
- expansion of the building footprint to the western portion of the site by approximately 10 metres;
- modified vehicle access ramp to roof top car parking, together with reconfiguration of car parking layout;
- reduction in the total car parking provision within Stage 1 from 433 spaces to 411 spaces (-22 spaces); and
- removal of an additional 21 street trees from Edinburgh Road and 2 trees from Smidmore Street (23 in total) and provision of 18 street trees, 13 trees within the site and other associated landscaping.









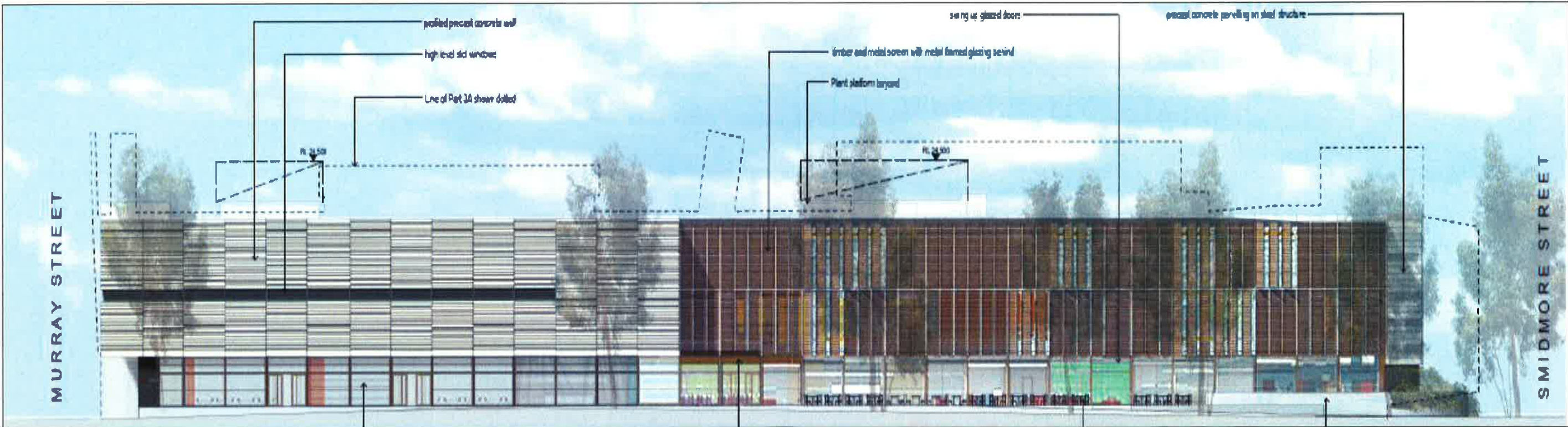
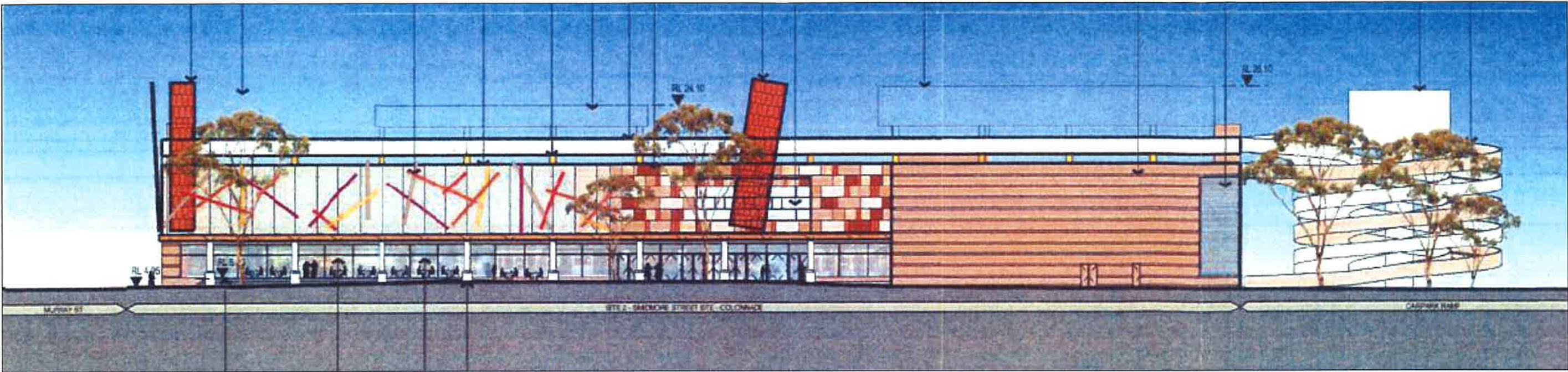


Figure 5: Smidmore Street: approved elevation (above) modified elevation (below) (Source: Concept Plan MP09\_0191 and Proponent's Environmental Assessment)



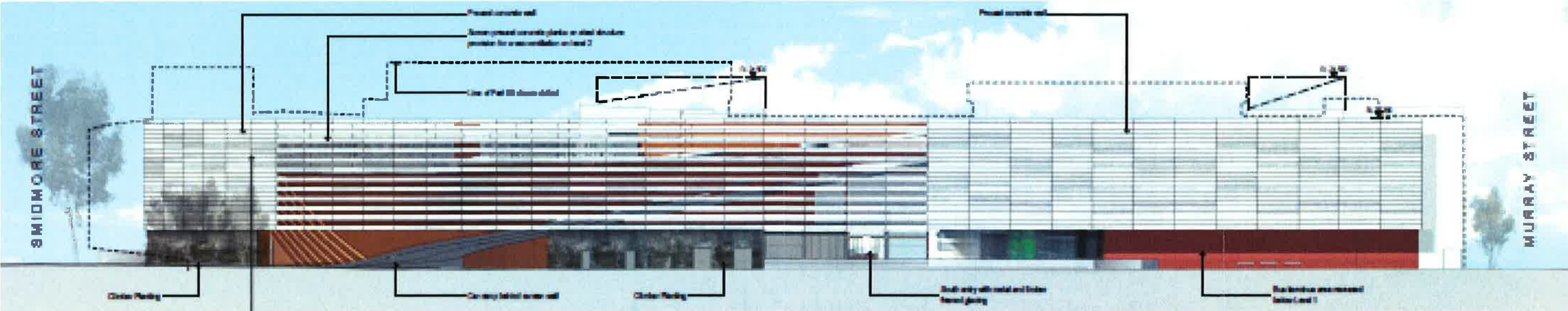
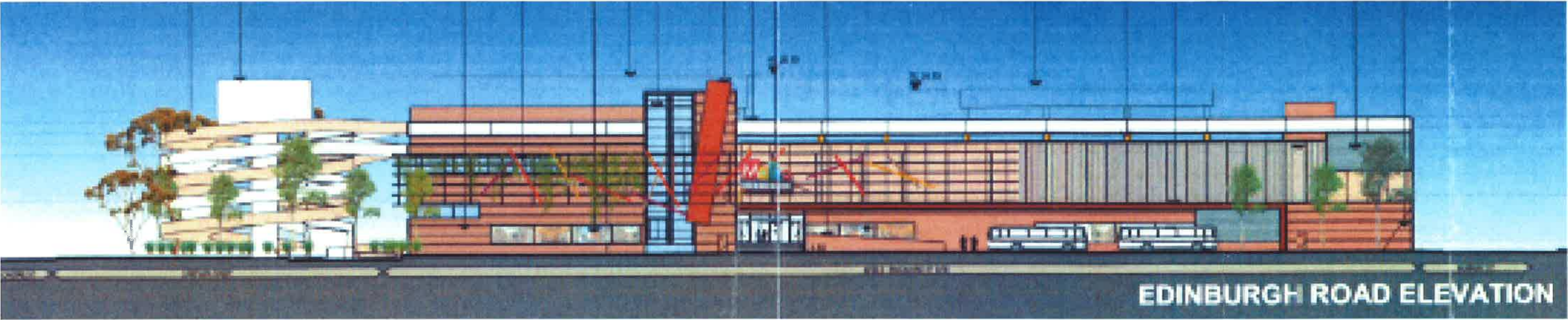


Figure 6: Edinburgh Road: Approved elevation (with circular ramp) (left) modified elevation (and ramp access) (right) (Source: Concept Plan MP09\_0191 and Proponent's Environmental Assessment)



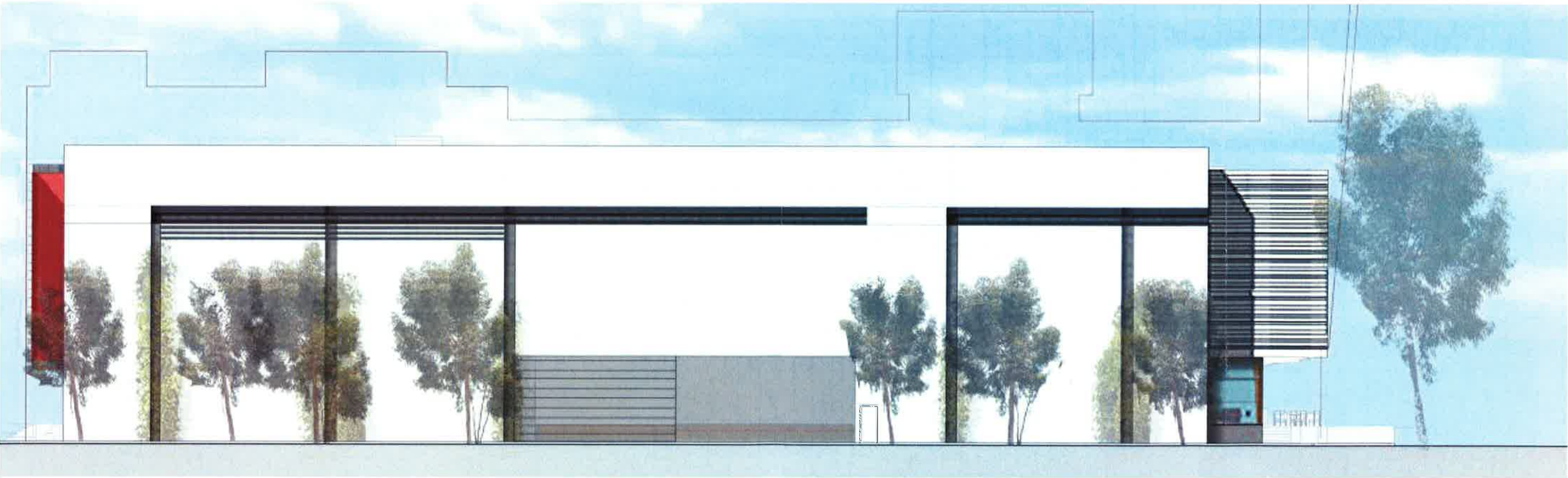
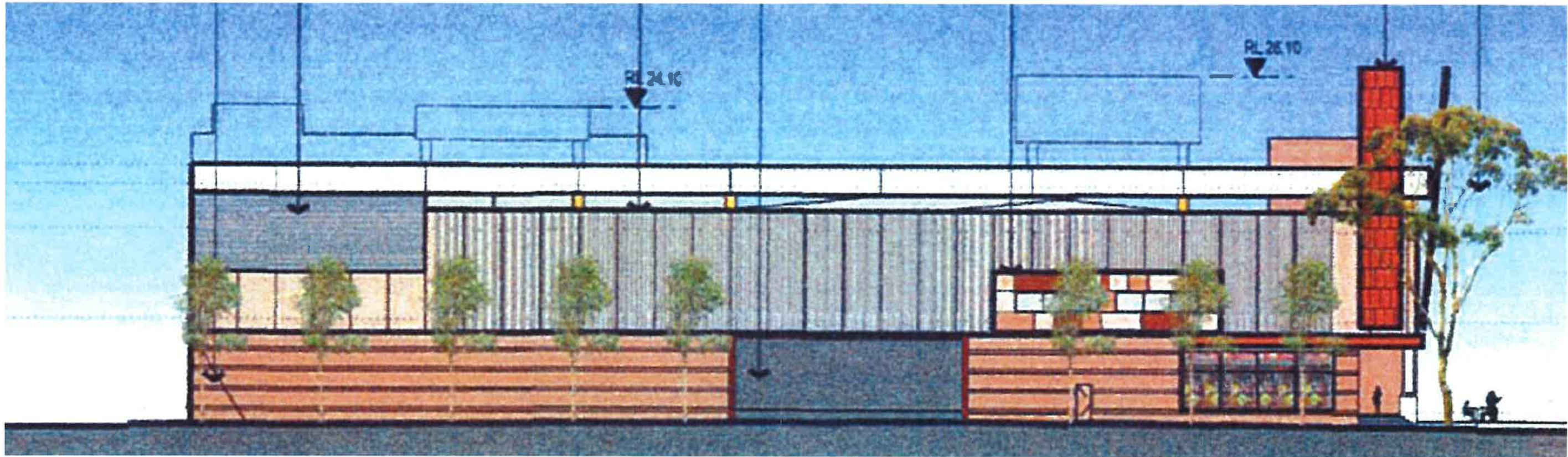


Figure 7: Murray Street: Approved elevation (left) modified elevation (right) (Source: Concept Plan MP09\_0191 and Proponent's Environmental Assessment)



### 3. STATUTORY CONTEXT

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#### 3.1 Continuation of Part 3A

Under clause 3C of Schedule 6A of the *Environmental Planning & Assessment Act 1979* (the Act), Section 75W of the Act (as in force immediately before its repeal on 1 October 2011) continues to apply for the purpose of the modification of a project application approved before or after the repeal of Part 3A. The Planning Assessment Commission approved the Concept Plan on 19 March 2012. Director-General's environmental assessment requirements (DGRs) were issued with respect to the original Concept Plan on 8 April 2011, therefore the project is a transitional Part 3A project.

This report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Department may approve or disapprove of the modification to the project under Section 75W of the Act.

#### 3.2 Modification of the Minister's Approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the Act.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks to modify the terms and conditions of the existing Concept Plan approval, and therefore, approval to modify the application is required.

#### 3.3 Delegated Authority

On 14 September 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases where the application has not been made by or on behalf of a public authority and:

- the relevant local council has not made an objection;
- a political disclosure statement has not been made; and
- less than 10 public submissions in the nature of objections have been received.

The Director may determine the modification request under delegated authority as:

- Marrickville Council has not made an objection;
- a political disclosure statement has not been made; and
- no public submissions were received.

### 4. CONSULTATION AND SUBMISSIONS

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#### 4.1 Exhibition

Under Section 75W of the Act, a request to modify an approval does not require public exhibition. However, under Section 75X(2)(f) of the Act, the Director-General is required to make publically available requests for modifications of approvals given by the Minister.

The application to modify the approval was:

- publically notified from 23 January 2013 until 6 February 2013 (14 days);
- letters were sent to nearby land owners and relevant State and local government authorities; and
- the application was made publically available at Marrickville Council Service Centre and also on the Department's website and at the Department's Information Centre.

The Department received three public authority submissions during the exhibition of the modification request.

A summary of the issues raised in submissions is provided below.

## 4.2 Public Authority Submissions

A total of three submissions were received from public authorities.

**Marrickville Council** supports the proposed modification. However, raised the following minor issues:

- the extension of the building to western boundary is supported only subject to it being supported on suspended concrete slab;
- although the revised retail layout is supported, smaller retail frontages to Smidmore Street would be preferred;
- the revised landscaping plan is supported subject to inclusion of new conditions;
- in certain locations the public footpath is contained wholly within the development site boundary. The footpath should be contained wholly within the road reserve;
- improved treatment of Smidmore Street for pedestrians/cyclists is required; and
- bicycle parking provision should be carefully considered.

**Roads and Maritime Services** raised no objection to the proposed modification.

**Transport for NSW** raised no objection to the proposed modification.

The department has considered the issues raised in submissions in its assessment of the proposed modification.

## 5. ASSESSMENT

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The Department considers the key issues for the proposed modification to be:

- built form;
- vehicular and bicycle parking; and
- tree removal and landscaping.

### 5.1 Built Form

#### **Reconfiguration of floor space and expansion of building footprint**

The currently approved building design provides a frontage (with no set back) to Smidmore Street, which is occupied by two large retail units. The Smidmore Street frontage is somewhat disconnected from the public domain by accessibility ramps, a substation and ancillary services. A large circular vehicular access ramp occupies the western portion of the site (discussed below). As a result the building is relatively inward facing/focused in terms of its configuration and circulation.

With respect of floor space provision, the modification proposes the following reconfigurations and expansion (refer to **Figures 3 and 4**):

- relocating the vehicular ramp to the southern facade and reconfiguration of car parking layout at upper levels (discussed in detail in the section below);
- extending the building westward by approximately 10 metres to accommodate a reconfiguration of retail units and extension and reorientation of the market space parallel with Smidmore Street;
- increased setback of the Smidmore Street frontage by 5 metres the street together with provision of outdoor seating;

- improving retail activation at ground floor level to Smidmore Street and providing a visually open facade treatment;
- removing the first floor level above the reconfigured market area, resulting in a double height void; and
- relocating the substation and ancillary services to the southern facade.

The Department notes that Marrickville Council has considered and supports the proposed reconfigured building floor space. However, suggests that smaller retail units be provided facing Smidmore Street in place of the larger retail tenants. The Council also supports the expansion of the building footprint to the western boundary. However, suggest that the floor space created should be supported by a suspended concrete slab so not to increase flood levels during a 1 in 100 year storm event.

The Department considers that the reconfiguration of floor space and expansion of the building to the western boundary, as noted above, represents an improvement over the approved development as it replaces a vehicle ramp with a high quality pedestrian environment. The resulting Edinburgh Road building will have a more open, engaging and permeable appearance, and the reconfigured internal spaces will make way-finding easier for pedestrians and shoppers. The removal of the vehicular ramp and extension of the building westward is considered to have a positive visual impact which would be beneficial to the residential amenity of properties west of the Edinburgh Road site.

With reference to Council's suggestion of a provision of smaller retail tenancies at this frontage, the Department notes that the approved Concept Plan allows for the creation of two large retail tenancies. The modification proposes the creation of one tenancy with the remainder of the ground floor frontage accommodating the market area (which is comprised of numerous small stalls) (refer to **Figure 3 and 5**). The Department considers the market area, with its stalls and associated outdoor seating, together with the single retail tenancy would adequately activate Smidmore Street and when compared to the approved Concept Plan would provide an improved ground floor retail experience.

With regard to Council's request for a suspended concrete slab for the western extension, the Department notes that the Hydrology Investigation Report confirms that the new floorspace created will be supported by suspended concrete slab. This therefore addresses the Council's concern that the expansion should not increase flood levels during a 1 in 100 year storm event. It is recommended that Condition E12 be revised to include the requirement for the suspended slab construction.

### **Redesigned access ramp to roof level**

Access to the roof top car parking spaces within the Edinburgh Road site, as approved, is provided via a circular vehicular access ramp at the intersection of Smidmore Street and Edinburgh Road (western end of the site). The modification seeks the removal of the circular access ramp, expansion of the footprint of the building westward and inclusion of a redesigned access ramp. The revised ramp would be accessed from Edinburgh Road at the same cross-over point as the approved ramp. The ramp would rise behind the face of the southern facade, which is proposed to be treated with a slatted screen wall (refer to **Figure 3 and 6**)

The Department notes that Marrickville Council supports the replacement of the circular vehicular ramp. Having reviewed this aspect of the proposal, the Department considers that the removal of the circular vehicular ramp and replacement with the extended centre represents a significant improvement in urban design terms, particularly given the approved ramp's likely visual dominance and its prominent corner location. The revised ramp, which would rise along the face of the southern facade behind a slatted screen wall, is considered to be visually discrete and likely to be easier for future motorist to navigate.



## Height

The existing warehouse building on the Edinburgh Road site has a height of approximately 10.9m above ground level. The approved Concept Plan allows for a new building with a parapet height of 14.7m (RL 20.60) and a total height of 21.2m (RL 26.40) including roof structure / plant enclosures.

The modification seeks the following minor alterations to parapet heights:

**Table 1: Building heights of the approved and proposed buildings**

	Approved	Proposed	Difference
<b>Smidmore Street (north)</b>	14.7m	14.48m	- 220mm
<b>Edinburgh Road (south/west)</b>	14.7m	14.48m	- 220mm
<b>Murray Street (east)</b>	14.7m	15.6m	+ 900mm

The proponent has stated that the above changes to building height are a result of the broader redesign of the elevations. The amendments also ensure that uniform parapet heights are established for each elevation and, in the case of Murray Street, an otherwise conspicuous roof top fire escape stair is concealed.

The Department notes that the Marrickville LEP 2011 does not impose height restrictions on the Edinburgh Road site, and that Marrickville Council supports the changes in building height.

The Department considers that the proposed alterations to the approved building heights are of a minor nature when considered against the approved 14.7 metre building height. In regards to 900mm height increase at Murray Street the Department notes that:

- the façade faces onto an industrial estate;
- the resulting revised façade design represents an improvement over the approved design.

The Department therefore considers that the proposed height increase is acceptable.

## Building design/appearance

The modification proposes to refine the overall design and appearance of the elevations of the Edinburgh Road site building (refer to **Figures 3 to 7**). The redesigned building has acknowledged its context, being sandwiched between clearly defined residential and industrial neighbourhoods that both have their own unique character. The design of the modified elevations has drawn on both these residential and industrial characters to assist with the building's integration into the urban fabric. The elevations consist of:

- an earthy and urban, wood and stone façade treatment to the residential facing Smidmore Street elevation;
- a calmer, more utilitarian and rectilinear treatment to the industrial facing Murray Street elevation; and
- a combined slatted and solid stone finish to the part industrial part residential facing Edinburgh Road elevation.

Marrickville Council have not objected to the revised design/appearance of the building façades.

The Department considers that the architectural approach to the modified Edinburgh Road building presents a more modern and visually acceptable façade treatment. The appearance of the building, when compared to the original Concept Plan approval, is more contextual. The elevations relate better to their immediate industrial and residential context and are consequently more visually engaging and offer an improved visual aesthetic. The overall design and use of modern materials has drawn on the established industrial and residential

character of the immediate surrounding areas, which assists in helping the building blend into the surrounding urban form. The Department considers the proposed façade design and the appearance of the building is an improvement on the approved scheme and is therefore considered appropriate.

## 5.2 Vehicular and Bicycle Parking

### Vehicular Parking

The Marrickville Metro Shopping Centre is located within a residential and industrial area and is accessed from local and collector roads rather than regional or sub-regional arterial higher order roads. The road and intersection capacity of the local road network is therefore limited.

At present, the Marrickville Metro Shopping Centre has 1,100 car parking spaces. A comparison of the car parking provision for the approved development and proposed modification is provided below:

**Table 2: Difference in car parking provision between the approved Concept Plan and the modification**

	Victoria Road Site	Edinburgh Road Site	Total Spaces
<b>Approved</b>	1,195	433	<b>1,628</b>
<b>Modified</b>	1,195	411	<b>1,606</b>
<b>-/+</b>	0	- 22	<b>- 22</b>

The reduction of 22 car parking spaces within the Edinburgh Road site is a result of the reduction in roof top area arising from:

- the removal of the approved spiral vehicular access ramp to the western end of the site and replacement with a regular vehicular access ramp rising along the southern elevation; and
- the area of roof space created by the westward extension is less than the floor space lost due to the insertion of the new ramp at southern façade.

The Department considers the reduction of 22 car parking spaces to be modest in nature given the overall parking provision for the Centre. The Department notes that Marrickville Shopping Centre is located within 'Parking Area 2' as defined within the Marrickville MDCP 2011 and therefore is not within the most constrained area for parking within the local government area. Furthermore, the Department notes that a reduction of 22 car parking spaces equates to 0.01% of the total 1628 car parking spaces originally approved for the site.

Marrickville Council, Roads and Maritime Services and Transport for NSW all raise no objection to the proposed reduction of car parking spaces.

In its assessment of the approved Concept Plan the Department adopted the parking rates as indicated within RMS' *Guide to Traffic Generating Development*, which provides a recommended car parking rate for large scale retail developments of this nature of 4.1 spaces per 100m<sup>2</sup> of gross lettable floor area. Since the Department's consideration of the case, Council has adopted the Marrickville Development Control Plan 2011, which recommends a car parking rate of 3.3 spaces per 100m<sup>2</sup> of gross lettable floor area. Given that the Marrickville Development Control Plan is more recent than the RMS Guide and as it is locally specific the Department considers it reasonable to adopt the new car parking rate of 3.3 spaces per 100m<sup>2</sup> for this site. The application of this rate would equate to the required provision of 1,310 car parking spaces for the development.

The Department considers that the reduction of 22 car parking spaces is acceptable as the reduction is minor in the context of the overall provision (being 0.01% of the total) and as the

reduced total of 1,606 car parking spaces exceeds the recommended provision of the Marrickville Development Control Plan.

### Bicycle Parking

Condition B22 requires a minimum provision of 142 secure bicycle parking spaces, of which 80 are required to be located within the Edinburgh Road Site. Marrickville Council has recommended that the Proponent engage with an experienced bicycle planning consultant with regard to the cycle provision. The Department acknowledges the Council's comments, however, notes that the Proponent has not proposed any change to bicycle parking provision as part of this modification request.

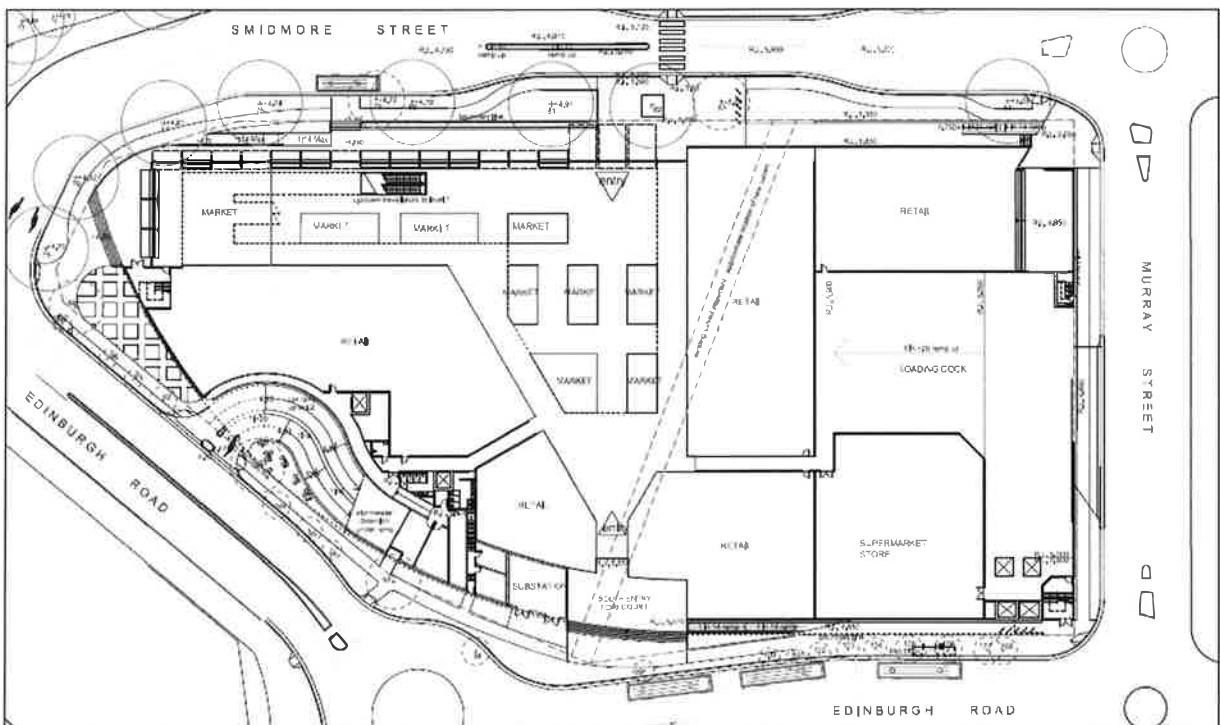
## 5.3 Tree Removal and Landscaping

### Tree Removal

At present there are 108 trees surrounding both the Victoria Road and Edinburgh Road sites. The Concept Plan approval allows the removal of 15 existing trees (surrounding the Victoria Road site only), no trees are approved to be removed around the Edinburgh Road site. As existing, a total of 31 trees surround the Edinburgh Road site with 30 of these growing within the existing road reserve and one growing at the western end of the site.

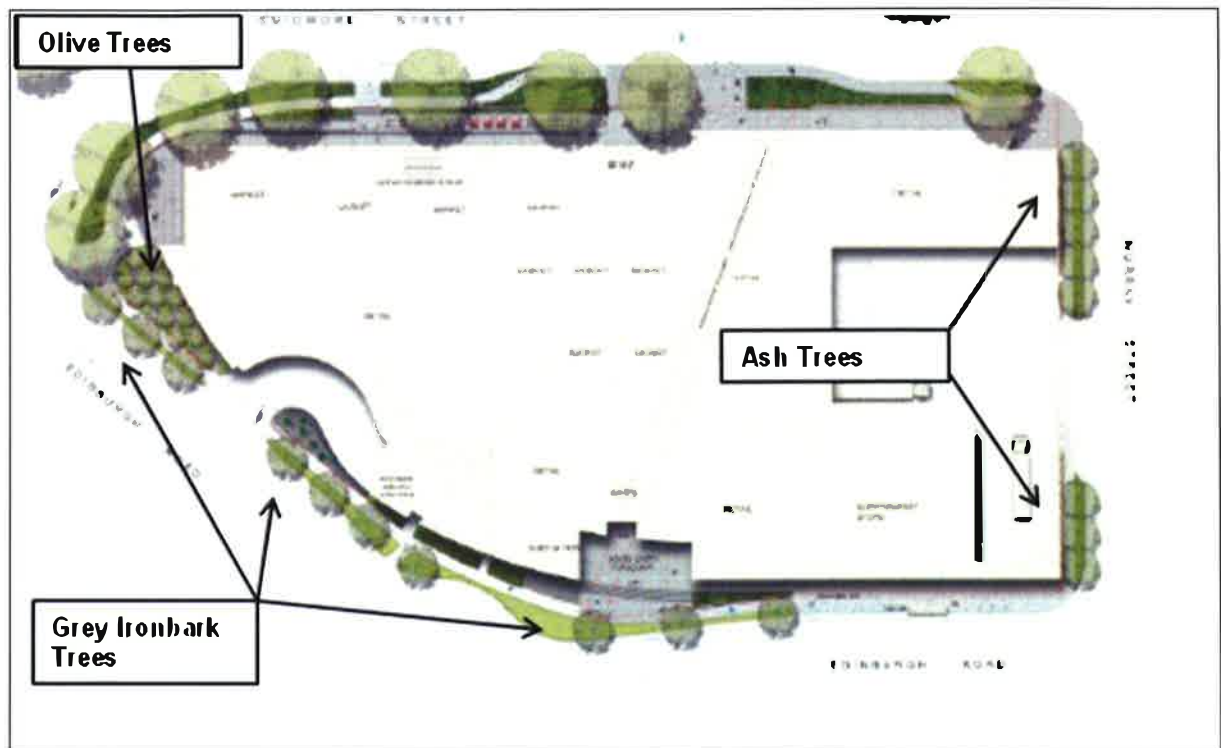
The modification proposes the removal of 23 trees from the Edinburgh Road site (21 from Edinburgh Road and 2 from Smidmore Street), refer to **Figure 8**. A landscaping strategy for the Edinburgh Road site is proposed, which includes the provision of 30 replacement trees (refer to **Figure 9**) as follows:

- 9 Grey Ironbark trees to Edinburgh Road;
- 8 Evergreen Ash trees to Murray Street; and
- 13 European Olive trees to the new entrance at the corner of Smidmore Street and Edinburgh Road.



**Figure 8: Tree removal plan (Source: proponent's Environmental Assessment)**





**Figure 9: Landscaping plan (Source: proponent's Environmental Assessment)**

Eighteen trees proposed to be removed are noted within the Proponent's Arboricultural Assessment as having 'low landscape significance'.

Five trees proposed to be removed are noted within the Proponent's Arboricultural Assessment as having 'moderate landscape significance', in particular these are:

- T79 and T83: Small Leaf Peppermint, only of fair health and life expectancy of 5-15 years
- T88: Lemon Scented Gum, located at junction of masonry walls, has potential to reach greater size
- T93 and T97: Broad-Leafed Paperbark, repeated lopping due to powerline clearance, trees have developed poor asymmetrical crowns.

The Department considers the removal of the 18 trees of 'low landscape significance' to be acceptable given they are of low significance and the good quality of the replacement street tree planting shown in the landscape masterplan.

Having regard to the five trees noted as having 'moderate landscape significance', the Department notes the following:

- although T79 and T83 are of fair health and contribute to the visual amenity of the streetscape, they are of a noticeably poorer standing than the surrounding lemon scented eucalypts being retained. The removal of these two trees would result in a uniform street tree presence and therefore an improvement in the overall streetscape;
- T88 is poorly located with regard to the development and is likely to conflict with the development if allowed to reach full maturity; and
- the removal of T93 and T97 have suffered ongoing and extensive pruning, which has adversely distorted their form.

The Department considers the removal of the 5 trees of 'moderate landscape significance' to be acceptable given that those trees are each compromised in some way and their removal would facilitate the good landscaping solution for the Edinburgh Road site as proposed by the modification.

Marrickville Council did not object to the proposed tree removal strategy and landscaping plan subject to the imposition of new conditions regarding:

- the potential sale of the palm trees to be removed;
- tree protection specifications;
- monitoring and certification by arborist;
- soil moisture monitoring and irrigation;
- tree pit design; and
- location of electrical cables.

The proponent has agreed to relocate/transplant the 4 cabbage palm trees and a new condition (Condition D35) is recommended accordingly. The Department notes that matters relating to tree protection, monitoring, soil moisture, tree pit design and electrical cables were all addressed and conditioned as part of the original approval (Conditions D17, D28 and D31).

The Department therefore considers that the proposed tree removal and resulting landscape

### Footpaths

The Council raised concern that the proposed pedestrian footpath at the north eastern and south eastern corners of the site at Murray Street and at the junction of Smidmore Street and Edinburgh Road would be contained within the development site rather than the road reserve (refer to **Figure 10**). The Department notes that the two instances the Council refers to on Murray Street are consistent with the approved scheme. At Smidmore Street the footway currently runs alongside the trunks of the existing eucalyptus street trees, the proposed relocated footway would allow for a more generously sized nature-strip and the increase distance from the road is likely to improve pedestrian safety.



**Figure 10: Site ownership boundary and locations where footpath would be contained within site boundary (Base source: Proponent's Environmental Assessment)**

It is noted that Condition E16 of the Concept Plan approval requires that public domain works (including footpath works) are to be completed satisfactorily in accordance with Council approved plans and specifications. The Department considers that Council will have the

opportunity to resolve this detail when the Proponent seeks to satisfy the requirements of this condition.

## 6. CONCLUSION AND RECOMMENDATIONS

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The Department is satisfied that this modification application falls within the scope of section 75W of the Act and does not change the original assessment as to the site's suitability for this development.

The Department has assessed the Proponent's request to modify the Concept Plan and has considered the Council's submission in response to the proposal.

The modified architectural approach to the design of the Edinburgh Road building is considered to present a modern façade treatment that would fit comfortably within the existing urban form. The revised height of the building represents a minor and acceptable alteration.

The reconfiguration of floor space and expansion of the Edinburgh Road building westward represents an improvement over the approved design. The new floor space will be supported by suspended concrete slab and will therefore not increase flood levels during a 1 in 100 year storm event. The provision of one large retail unit, market stalls and outdoor seating area fronting Smidmore Street will adequately activate the street.

The removal of the spiral vehicular ramp and replacement with a regular ramp along the southern façade would be an improvement in urban design terms and easier for motorists to navigate. The reduction of 22 car parking spaces is considered modest in nature given the overall parking provision.

The removal of 23 trees from the Edinburgh Road site is acceptable given the poor to moderate quality of the trees to be removed, the high standard of replacement trees and landscaping, and the relocation of 4 existing Cabbage Palms trees .

The three instances where the footway would encroach within the site boundary are considered acceptable noting that the alignment details may be resolved with Council through the satisfaction of condition E16.

The Department supports the proposed modifications as outlined within this report and it is therefore recommended that the application be approved subject to the modified conditions.

It is recommended that the Director, Metropolitan & Regional Projects South:

- (a) **consider** the findings and recommendations of this report;
- (b) **approve** the modification request under delegated authority, subject to modified terms of approval and conditions; and
- (c) **sign** the attached Instrument of Modification for MP09\_0191

Endorsed by:



12/9/13

**Team Leader**  
**Metropolitan & Regional Projects South**

Prepared by: Matthew Rosel  
Senior Planner  
Metropolitan & Regional Projects South

Approved by:



16/4/13

**Director**  
**Metropolitan & Regional Projects South**



## **APPENDIX A      MODIFICATION REQUEST**

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See the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=5763](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5763)

## **APPENDIX B SUBMISSIONS**

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See the Department's website at:

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## **APPENDIX C    RECOMMENDED MODIFYING INSTRUMENT**

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## **APPENDIX D    RELEVANT REPORTS OR DOCUMENTS**

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See the Department's website at:

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