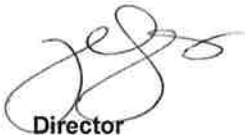


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure, under delegation dated 14 September 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Director
Metropolitan & Regional Projects South

Sydney

16 April

2013

SCHEDULE 1

| | |
|--------------------|--|
| Concept Plan: | MP09_0191 granted by the Planning Assessment Commission on 19 March 2012 |
| For the following: | Authorise the use of the existing building for retail premises and business premises, and expand the Marrickville Metro Shopping Centre including a first floor addition to the existing building at 34 Victoria Road, a new 2 level retail building at 13-55 Edinburgh Road and two levels of rooftop parking above each building. |
| Modification: | <p>MP09_0191 MOD1 including:</p> <ul style="list-style-type: none">• 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 4,300m² to 4,500m² and decrease in mini-major size from 1,991m² to 1,791m² (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. |

SCHEDULE 2 CONDITIONS

The Concept Plan for MP09_0191 is modified as follows:

- (a) Condition A1 is amended by the insertion of the **bold and underlined** words / numbers as deletion of the ~~struck-out~~ words / numbers as follows:

Development description

A1 Development approval is granted only to carrying out the development described in detail below:

- demolition of existing warehouse buildings and associated structures on the Edinburgh Road site
- upon the issue of the first Construction Certificate, use of the Victoria Road site for retail premises and business premises.
- refurbishment and construction of a first floor addition to the existing retail building on the Victoria Road site and a construction new building with two levels of retail on the Edinburgh Road site comprising:
 - a discount department store (5,000m²), supermarket (4,300**4,500**m²), mini major (1,991**1,791**m²) and specialty retail (4,464m²)
 - an additional 21,780m² GFA (16,767m² GLFA) to provide a total of 50,705m² GFA (39,700m² GLFA)
- Authorise the use of 4628**1606** car parking spaces comprising 1,100 existing spaces and 528**506** additional car parking spaces.

- (b) Condition A2 is amended by the insertion of the **bold and underlined** words / numbers as deletion of the ~~struck-out~~ words / numbers as follows:

A2 The development shall be undertaken generally in accordance with:

- the Environmental Assessment dated 15 July 2010 prepared by Urbis Pty Ltd, except where amended by the Preferred Project Report received by the department on 23 December 2010, including all associated documents and reports;
- the Revised Statement of Commitments prepared by Urbis Pty Ltd; and
- the following drawings:

| Architectural Drawings prepared for the Preferred Project Report by Lend Lease Design (Project Number 160496) | | | |
|---|---------------------|----------------------------|--------------------------------------|
| Drawing No. | Revision | Name of Plan | Date |
| EA006 | 03 <u>04</u> | Proposed Ground Floor Plan | 29.10.2010 <u>21.12.12</u> |
| EA007 | 03 <u>04</u> | Proposed Level 1 Plan | 29.10.2010 <u>21.12.12</u> |

| EA008 | <u>0304</u> | Proposed Level 2 | 29.10.2010 <u>21.12.12</u> |
|--|-----------------|---|-------------------------------|
| EA009 | <u>0304</u> | Proposed Rooftop car park Level 2A | 29.10.2010 <u>21.12.12</u> |
| EA010 | <u>0304</u> | Proposed Roof Plan | 29.10.2010 <u>21.12.12</u> |
| EA011A | 03 | Overall Elevations Sheet 1 | 29.10.2010 |
| EA011B | 03 | Overall Elevations Sheet 2 | 29.10.2010 |
| EA011C | 03 | Overall Elevations Sheet 3 | 29.10.2010 |
| EA011D | <u>0304</u> | Overall Elevations Sheet 4 | 29.10.2010 <u>21.12.12</u> |
| EA011E | <u>0304</u> | Overall Elevations Sheet 5 | 29.10.2010 <u>21.12.12</u> |
| EA011F | 03 | Overall Elevations Sheet 6 | 29.10.2010 |
| EA011G | <u>0304</u> | Overall Elevations Sheet 7 | 29.10.2010 <u>21.12.12</u> |
| EA011H | <u>0304</u> | Overall Elevations Sheet 8 | 29.10.2010 <u>21.12.12</u> |
| EA012 | <u>0304</u> | Overall Elevations Proposed | 29.10.2010 <u>21.12.12</u> |
| EA013 | <u>0304</u> | Overall Sections | 29.10.2010 <u>21.12.12</u> |
| EA013A | <u>0304</u> | Overall Sections Sheet 1 | 29.10.2010 <u>21.12.12</u> |
| EA013B | <u>0304</u> | Overall Sections Sheet 2 | 29.10.2010 <u>21.12.12</u> |
| EA018 | <u>0304</u> | Proposed Ground Floor Plan Stage 1 | 29.10.2010 <u>21.12.12</u> |
| EA019 | <u>0304</u> | Proposed Level 1 Plan Stage 1 | 29.10.2010 <u>21.12.12</u> |
| EA020 | <u>0304</u> | Proposed Stage 1 Level 2 Plan (Smidmore Street Open) | 29.10.2010 <u>21.12.12</u> |
| EA021 | <u>0304</u> | Proposed Level 2A plan Stage 1 | 29.10.2010 <u>21.12.12</u> |
| Landscape Plans prepared for the Preferred Project Report by Site Image (Job Number: SS10-2128) | | | |
| <i>Drawing No.</i> | <i>Revision</i> | <i>Name of Plan</i> | <i>Date</i> |
| 000 | D | Title Page | 09.11.2010 |
| 100 | D | Landscape Master Plan | 09.11.2010 |
| 100 | D | Landscape Master Plan – Vision Smidmore Street Treatment | 09.11.2010 |
| 401 | D | Landscape Detail Plan | 09.11.2010 |
| 402 | D | Landscape Detail Plan | 09.11.2010 |

| | | | |
|-----|---|--|------------|
| 103 | D | Landscape Detail Plan | 09.11.2010 |
| 104 | D | Landscape Detail Plan | 09.11.2010 |
| 105 | D | Landscape Detail Plan | 09.11.2010 |
| 106 | D | Landscape Detail Plan | 09.11.2010 |
| 107 | D | Landscape Detail Plan | 09.11.2010 |
| 107 | D | Landscape Detail Plan – Vision Smidmore Street Treatment | 09.11.2010 |
| 108 | D | Landscape Detail Plan | 09.11.2010 |
| 108 | D | Landscape Detail Plan – Vision Smidmore Street Treatment | 09.11.2010 |
| 501 | B | Landscape Details | 01.11.2010 |
| 601 | B | Landscape Sections & Specification Notes | 01.11.2010 |
| 602 | N | Landscape Sections & Specification Notes | 01.11.2010 |

Architectural Plans prepared by Francis-Jones Morehan Thorp for the S75W Application (MOD 1)

| <u>Drawing No.</u> | <u>Revision</u> | <u>Name of Plan</u> | <u>Date</u> |
|--------------------|-----------------|-----------------------------------|-------------------|
| <u>EA106</u> | <u>01</u> | <u>Ground Floor Plan</u> | <u>21.12.2012</u> |
| <u>EA107</u> | <u>01</u> | <u>Level 1 Floor Plan</u> | <u>21.12.2012</u> |
| <u>EA108</u> | <u>01</u> | <u>Level 2 Floor Plan</u> | <u>21.12.2012</u> |
| <u>EA109</u> | <u>01</u> | <u>Level 2A Floor Plan</u> | <u>21.12.2012</u> |
| <u>EA110</u> | <u>01</u> | <u>Roof Plan</u> | <u>21.12.2012</u> |
| <u>EA111</u> | | <u>South and North Elevations</u> | <u>21.12.2012</u> |
| <u>EA112</u> | | <u>West and East Elevations</u> | <u>21.12.2012</u> |
| <u>EA113</u> | | <u>Long Sections</u> | <u>21.12.2012</u> |
| <u>EA114</u> | | <u>Short Sections</u> | <u>21.12.2012</u> |

Landscape Plans prepared by Site Image for the S75W Application (MOD 1)

| <u>Drawing No.</u> | <u>Revision</u> | <u>Name of Plan</u> | <u>Date</u> |
|--------------------|-----------------|-----------------------------------|-------------------|
| <u>000</u> | <u>B</u> | <u>Coversheet</u> | <u>13.12.2012</u> |
| <u>001</u> | <u>C</u> | <u>Landscape Design Statement</u> | <u>17.12.2012</u> |
| <u>002</u> | <u>B</u> | <u>Landscape Character Plan</u> | <u>13.12.2012</u> |
| <u>010</u> | <u>B</u> | <u>Tree Removal Plan</u> | <u>13.12.2012</u> |
| <u>100</u> | <u>B</u> | <u>Landscape Masterplan</u> | <u>13.12.2012</u> |

| | | | |
|-------------|----------|------------------------------------|-------------------|
| <u>C100</u> | <u>B</u> | <u>Colour Landscape Masterplan</u> | <u>13.12.2012</u> |
| <u>101</u> | <u>B</u> | <u>Landscape Plan</u> | <u>13.12.2012</u> |
| <u>102</u> | <u>B</u> | <u>Landscape Plan</u> | <u>13.12.2012</u> |

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- otherwise provided by the conditions of this approval.

- (c) Condition B19 is amended by the insertion of the **bold and underlined** words / numbers as deletion of the ~~struck-out~~ words / numbers as follows:

B19 In total, ~~4628~~**1606** car parking spaces and ~~324~~**2** motorcycle spaces shall be provided on-site for the development. For Stage 1 of the development, not less than ~~433~~**411** new car parking spaces and 9 motorcycle spaces shall be provided on-site for that part of the development.

- (d) Condition D29 is amended by the insertion of the **bold and underlined** words / numbers as deletion of the ~~struck-out~~ words / numbers as follows:

D29 Approval is given for the following works to be undertaken to trees on the site, as identified in 'Appendix 3 – Site Survey' in the *Arboricultural Impact Assessment Report* prepared by Integrated Vegetation Management (Report No. MA/ME/AIARTPS/E dated 2 November 2010):

| Tree No. | Name | Approved Works |
|---|---|---|
| 37 | <i>Celtis sinensis</i> (Nettle Tree) | Removal |
| 48, 56, 57, 58, 59, 60, 67 | <i>Ficus microcarpa</i> var. 'Hillii' (Hills Weeping Fig) | Removal |
| 68 | <i>Acacia</i> spp (Wattle) – Group of 7 | Removal |
| 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18 | <i>Ficus microcarpa</i> var. 'Hillii' (Hills Weeping Fig) | Selective Branch Pruning |
| 75, 76, 77, 78, 80, 81, 82, 84 | <i>Corymbia citriodora</i> (Lemon-scented Gum) | Canopy Pruning |
| 79, 83 | <i>Eucalyptus</i> sp. (Gum Tree) | Canopy Pruning <u>Removal</u> |
| <u>88-108 (inclusive)</u> | <u>Various</u> | <u>Removal</u> |

Removal or pruning of any other tree on the site shall be the subject of approval by Council.

- (e) Condition E12 is amended by the insertion of the **bold and underlined** words / numbers as deletion of the ~~struck-out~~ words / numbers as follows:

Works as Executed - drainage works and ground floor slab

E12 Before the issue of the Occupation Certificate written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work, **and the suspended concrete ground floor slab** has **have** been designed and constructed in accordance with the approved plans. In addition, full works -as -executed plans, prepared and signed by a registered surveyor, shall be submitted to Council. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground levels and pavement surface levels.

- (f) Condition D35 is to be added by the insertion of the **bold and underlined** words / numbers as follows:

Relocation of 4 Cabbage Palm trees

D35. The proponent shall provide a strategy for the relocation of the 4 Cabbage Palm trees located within the Edinburgh Road road reserve in consultation with Marrickville Council.