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Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

21 November 2014

Dear Ms McNally

**Subject: Modification applications to Concept Plan (MP10\_0112 MOD3) and Stage 1 Project Approval (MP10\_0113 MOD3) for Mixed Use Redevelopment at 110-114 Herring Road, Macquarie Park**

I refer to the Department's letter dated 10 October 2014 referring the above applications to the Planning Assessment Commission for determination under Ministerial delegation of 14 September 2011. Mr David Furlong and I constituted the Commission to determine the applications.

The modification applications seek to amend the car parking rates contained in the '*Future Assessment Requirement*', condition C5 of the Concept Plan approval; and condition B1 of the Stage 1 Project approval. The Department's report supports the modifications as proposed.

While no public submissions were received in response to the exhibition both the Council and State agencies raised concerns in their submissions to the proposed modifications. The Commission held discussions on the 31 October 2014 in separate meetings with senior representatives of: the Council; Transport for NSW; the applicant; and the Department.

After careful consideration of the issues the Commission has determined the proposed modifications in accordance with the attached report. In summary, the Commission agrees with the Department that the commercial parking rate is capable of being reduced. However, the Commission has refused the other proposed modifications for: the residential car parking rate of one space per unit (an increase overall to the quantum); a decrease in the visitor parking rate; and deletion of the restriction on residential car parking for the residential floor space over 46,420 sq m.

This Commission, as previous Commissions have held, is of the opinion that an increase in the number of residential car parking spaces is not justified for this transit-oriented development well served by public transport and infrastructure, and given the limited capacity of the existing road network. Indeed the previous increase in residential floor space was justified on the basis of this TOD location.

In accordance with the Commission's determination the signed modification instruments are attached together with the file (14/10140-2).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jan Murrell', with a stylized, cursive script.

Jan Murrell  
Planning Assessment Commission

cc. The Hon. Pru Goward, MP  
Minister for Planning, and Minister for Women  
GPO Box 5341 SYDNEY NSW 2001