

Modification of Minister's Approval

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

As delegates of the Minister for Planning under delegation executed on 14 September 2011, we the Planning Assessment Commission approve the modification of the Concept Approval referred to in Schedule 1, subject to the Terms of Approval in Schedule 2.

Member of the Commission

Sydney

2015

SCHEDULE 1

Application No.:	MP10_0112
Proponent:	Stamford Property Services Pty Ltd
Approval Authority:	Minister for Planning
Land:	110 -114 Herring Road, Macquarie Park (Lot 1 DP 780314).
Concept Approval:	Mixed use residential, retail and commercial development incorporating: <ul style="list-style-type: none">• residential apartments, retail and commercial floor space;• basement car parking;• publicly accessible open space and through site links;• road works; and• pedestrian pathways
Modification:	MP10_0112 MOD 5 - Modifications include: <ul style="list-style-type: none">• reduction and amendment to basement footprints;;• changes to car parking provision consistent with approved car parking rates; and• revised basement layout including provision of additional basement storage and changes to waste management arrangements.

SCHEDULE 2

The Concept Approval for MP10_0112 is modified as follows:

- (a) Term of Approval A2 is modified by the insertion of the **bold and underlined** words/numbers and deletion of struck out words/numbers as follows:

Development in Accordance with the Plans and Documentation

A2 The development shall be undertaken generally in accordance with:

- the Environmental Assessment prepared by JBA Planning (dated June 2011), except where amended by:
 - the Preferred Project Report (incorporating Response to Submissions) prepared by Urbis Pty Ltd (dated February 2012) including all associated documents and reports; and
 - the Section 75W Modification Application prepared by Urbis Pty Ltd dated January 2013, including all associated documents and reports; and
 - the Section 75W Modification Application prepared by Urbis Pty Ltd (dated August 2013), including all associated documents and reports; and
 - the Section 75W Modification Application prepared by Urbis Pty Ltd (dated August 2014); and
 - **the Section 75W Modification Application prepared by Urbis Pty Ltd (dated January 2015 and amended 19 March and 13 April 2015); and**
- the Final Statement of Commitments prepared by Urbis Pty Ltd contained at Schedule 3; and
- the following drawings:

Architectural Drawings			
Drawing No.	Revision	Name of Plan	Date
DA0000	G	Cover Sheet	17.06.13
DA0100	C	Staging Diagrams	17.06.13
DA2001	E K	Level B1 Plan	17.06.13 14.04.15
DA2002	E J	Level B2 Plan	17.06.13 27.03.15
DA2003	E H	Level B3 Plan	17.06.13 19.01.15
DA2100	G	Level 00 Plan	31.07.14
DA2101	G	Level 01 Plan	31.07.14
DA2102	G	Level 02 Plan	31.07.14
DA2103	H	Level 03 Plan (Level 04 Omitted)	31.07.14
DA2105	H	Level 05 Plan (Level 04 Omitted)	31.07.14
DA2106	E	Level 06 Plan	31.07.14
DA2107	E	Level 07 Plan	31.07.14
DA2108	E	Level 08 Plan	31.07.14
DA2109	E	Level 09 Plan	31.07.14
DA2110	H	Level 10 Plan	31.07.14
DA2111	F	Level 11 Plan	31.07.14
DA2112	E	Level 12 Plan	31.07.14
DA2113	F	Level 13 Plan (Level 14 Omitted)	31.07.14
DA2115	E	Level 15 Plan (Level 14 Omitted)	31.07.14
DA2116	E	Level 16 Plan	31.07.14
DA2901	B	Resident's Outdoor Function Area Plan and Section	20.01.15
DA3100	G	South Elevation (Epping Rd)	31.07.14
DA3101	G	North Elevation	31.07.14
DA3102	G	East (Herring Road) and West Elevation	31.07.14
DA3110	G	Section 01	31.07.14

DA3111	G	Section 02	31.07.14
DA3112	G	Section 03 + Section 04	31.07.14
DA3113	F	Section 05	31.07.14
DA4100	C	Detailed Elevation Sheet 1	31.07.14
DA3610	F	Sunlight Access Diagrams Winter Solstice June 21	17.06.13
DA3611	F	Sunlight Access Diagrams Equinox March/September 21	17.06.13
DA3612	F	Sunlight Access Diagrams Summer Solstice December 21	17.06.13
DA3630	G	Views Sheet 01	04.08.14
DA3631	G	Views Sheet 02	04.08.14
DA3632	G	Views Sheet 03	04.08.14
DA3633	G	Views Sheet 04	04.08.14
DA3634	G	Views Sheet 05	04.08.14
Landscape Plans			
Drawing No.	Revision	Name of Plan	Date
3		Landscape Concept Plan	31 July 2014
4		Illustrative Sections Section A & B	31 July 2014
5		Illustrative Sections Section C & D	31 July 2014
6		Illustrative Sections Section E, & F	31 July 2014
7		Illustrative Sections Section G & H	31 July 2014
8		Illustrative Sections Sections I, J & K	31 July 2014
9		Public Space Diagram	31 July 2014

except for as modified by the following pursuant to Section 75O (4) of the Act.

- (b) Future Assessment Requirement C15 is modified by the insertion of the **bold and underlined** words/numbers and deletion of ~~struck out~~ words/numbers as follows:

Design and layout of roads and carpark

- C15 Future development applications shall demonstrate that the layout of the proposed parking areas associated with the development including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions is in accordance with AS 2890.1-2004 and AS2890.2-2002.

Future development applications shall demonstrate an appropriate basement level car park layout in terms of parking, storage provision and waste management arrangements. In this regard basement level plans (DA 2001 – DA2003) described above in condition A2 are indicative only, and subject to final approval through future applications.

Modification of Minister's Approval

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

As delegates of the Minister for Planning under delegation executed on 14 September 2011, we the Planning Assessment Commission approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.

Member of the Commission

Sydney

2015

SCHEDULE 1

Application No.: MP10_0113

Proponent: Stamford Property Services Pty Ltd

Approval Authority: Minister for Planning

Land: 110 -114 Herring Road, Macquarie Park
(Lot 1 DP 780314)

Project: Mixed use residential, retail and commercial development incorporating:

- demolition and excavation;
- four residential buildings retail and commercial floor space;
- basement car parking;
- landscaping and public works around the buildings, including lift and stairs to Epping Road;
- publicly accessible open space and through site links; and
- road works.

Modification MP10_0113 MOD 5:

- reduction and amendment to basement footprints;;
- changes to car parking provision consistent with approved car parking rates; and
- revised basement layout including provision of additional basement storage and changes to waste management arrangements.

SCHEDULE 2

CONDITIONS

The Project Approval for MP10_0113 is modified as follows:

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

A2 Development in Accordance with Plans and Documentation

The Development shall be undertaken in accordance with the Environmental Assessment, except where amended by the Preferred Project Report (February 2012) and Response to PPR submissions (February 2012) including all associated documents and reports; the Section 75W Modification Applications prepared by Urbis Pty Ltd (August 2013) and (August 2014) **and (January 2015 amended 19 March and 13 April 2015)**, the Statement of Commitments prepared by Urbis Pty Ltd contained at Schedule 3; and the following drawings:

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DA2105	H	Level 05 Plan (Level 04 Omitted)	31.07.14
DA2106	E	Level 06 Plan	31.07.14
DA2107	E	Level 07 Plan	31.07.14
DA2108	E	Level 08 Plan	31.07.14
DA2109	E	Level 09 Plan	31.07.14
DA2110	H	Level 10 Plan	31.07.14
DA2111	F	Level 11 Plan	31.07.14
DA2112	E	Level 12 Plan	31.07.14
DA2113	F	Level 13 Plan (Level 14 Omitted)	31.07.14
DA2115	E	Level 15 Plan (Level 14 Omitted)	31.07.14
DA2116	E	Level 16 Plan	31.07.14
DA2901	B	Resident's Outdoor Function Area Plan and Section	20.01.15
DA3100	G	South Elevation (Epping Rd)	31.07.14
DA3101	G	North Elevation	31.07.14
DA3102	G	East (Herring Road) and West Elevation	31.07.14
DA3110	G	Section 01	31.07.14
DA3111	G	Section 02	31.07.14
DA3112	G	Section 03 + Section 04	31.07.14
DA3113	F	Section 05	31.07.14
DA4100	C	Detailed Elevation Sheet 1	31.07.14
DA3610	F	Sunlight Access Diagrams Winter Solstice June 21	17.06.13
DA3611	F	Sunlight Access Diagrams Equinox March/September 21	17.06.13
DA3612	F	Sunlight Access Diagrams Summer Solstice December 21	17.06.13

DA3630	G	Views Sheet 01	04.08.14
DA3631	G	Views Sheet 02	04.08.14
DA3632	G	Views Sheet 03	04.08.14
DA3633	G	Views Sheet 04	04.08.14
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7		Illustrative Sections Section G & H	31 July 2014
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9		Public Space Diagram	31 July 2014

except for:

- (1) 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
 - (2) otherwise provided by the conditions of this approval.
- (b) Condition B1 is modified by the insertion of **bold** and underlined words/numbers and deletion of ~~struck-out~~ words/numbers as follows:

B1 Design Modifications

In order to improve amenity for adjoining properties and future residents, the design of the proposed development should be amended as follows:

Car Parking

~~335~~ **340** car parking spaces shall be provided within the basement of the development including:

- ~~233~~ **237** standard residential spaces (at a rate of 0.6 space per 1 bedroom apartment and 0.9 space per 2 bedroom apartment);
- 34 accessible spaces (at a rate of 1 space per adaptable apartment); and
- ~~68~~ **69** visitor parking spaces (at a rate of 1 space per 5 apartments).

Car parking for commercial on-site car parking must be provided in addition to the above at the rate of 1 space per 100m² of commercial GFA.

In addition to the above, 7 on-street car parking spaces shall be provided as part of the development.

Relevant Construction Certificate for car parking: prior to the issue of construction certificate for detailed architectural design of the below ground car park.

(c) Insertion of Condition E5 as follows:

E5 Basement Storage Restrictions

The basement level storage spaces are not to be used for the parking of motor vehicles or converted to be capable of parking motor vehicles. This requirement is to be enforced through a restrictive covenant placed on any title incorporating a storage cage (other than the small cages measuring 2.4m x 0.8m) pursuant to Section 88E of the Conveyancing Act 1919 in favour of City of Ryde Council. All costs associated with this requirement are to be borne solely by the Proponent.