

ASSESSMENT REPORT

Marrickville Metro Shopping Centre Redevelopment MP 09_0191 MOD 3

1. INTRODUCTION

This report is an assessment of a request to modify the Project Approval (MP 09_0191) for the expansion of the Marrickville Metro Shopping Centre redevelopment at 34 Victoria Road and 13-55 Edinburgh Road in the Marrickville local government area.

The request has been lodged by Urbis Pty Ltd on behalf of AMP Capital Ltd (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to amend conditions of approval relating to traffic and tree management requirements.

2. SUBJECT SITE

The Marrickville Metro Shopping Centre site is located approximately 8 kilometres south west of the Sydney CBD and approximately 2.5 kilometres from Marrickville Railway Station (see Figure 1).

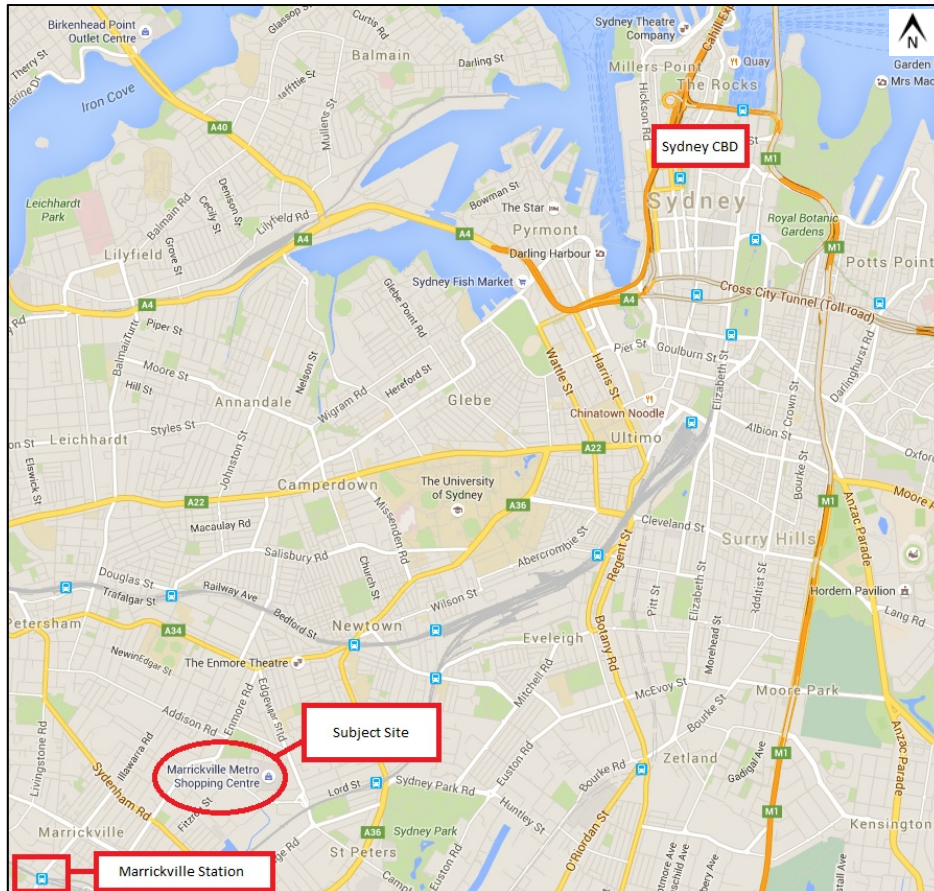


Figure 1: Site Location

The site comprises two parcels of land at 34 Victoria Road and 13-55 Edinburgh Road (see **Figure 2**).



Figure 2: Aerial View of Site

3. APPROVAL HISTORY

On 19 March 2012, the Planning Assessment Commission (the Commission) approved a Concept Plan (MP 09_0191) for the expansion of the Marrickville Metro Shopping Centre. The Commission approved the development, subject to conditions without the need for any further environmental assessment.

The proposal has been modified on two occasions:

- On 16 April 2013, MOD 1 was approved under delegation for internal and external amendments to the Stage 1 site at 13-55 Edinburgh Road that also included a reduction in car parking; and
- On 23 April 2015, MOD 2 was approved under delegation to split Stage 1 into two stages (Stage 1A and Stage 1B). Stage 1A comprises works to the main entry of the Shopping Centre at Victoria Road, traffic management works and geotechnical works on the Edinburgh Road site. Stage 1B comprises the new Shopping Centre building on the Edinburgh Road site. The remainder of the development remains as approved in Stage 2 (see **Figure 2** of the approved construction staging plan).

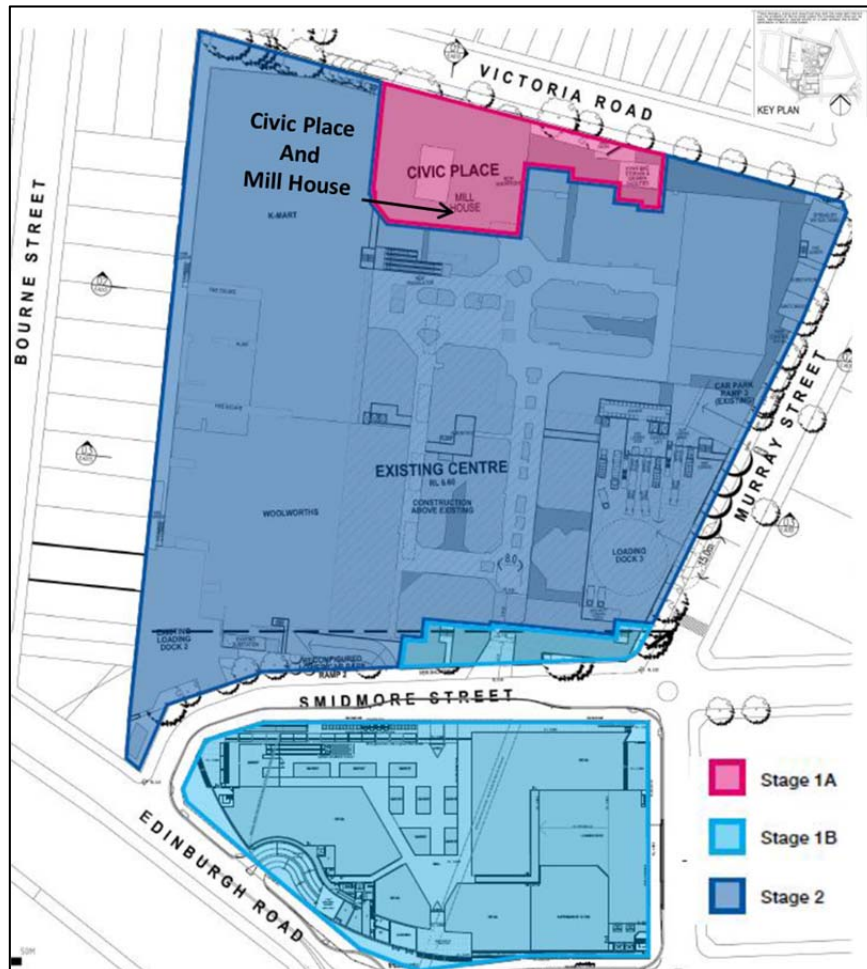


Figure 3: Approved Site Layout and Construction Staging Plan

4. PROPOSED MODIFICATION

The proposal seeks approval to amend conditions (B17 and E22A) relating to traffic improvements and management requirements for Victoria Road, from the intersection of Murray Street (see **Figure 4**). This part of Victoria Road is a residential street that ends in a cul-de-sac and also provides a main entry to the Shopping Centre and Civic Place.



Figure 4: Subject site location

The conditions currently require traffic works to be designed to prevent vehicles over 6 metres in length from accessing Victoria Road from Murray Street. However, this would not allow Council garbage trucks and removal trucks to service the residential properties in this part of Victoria Road. The proposal therefore seeks approval to allow larger vehicles (up to 8.8 metres in length) to access Victoria Road.

An administrative error is also proposed to be rectified to include reference to an additional arborist report that was omitted at the time of Modification 1.

5. STATUTORY CONSIDERATION

5.1 Section 75W

The project was originally approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Although Part 3A was repealed on 1 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former section 75W of the Act.

The Department is satisfied that the proposed changes are within the scope of section 75W of the EP&A Act, and do not constitute a new application.

5.2 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Acting Director, Modification Assessments may determine the application under delegation as:

- the relevant local Council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

6. CONSULTATION

The Department made the modification application publicly available on its website, and consulted with Council and Roads and Maritime Services (RMS) about the proposed modification. Surrounding landowners along Victoria Road were also notified.

Council requested amendments to conditions B17 and E22A to ensure the traffic management works are designed and constructed to allow vehicles up to 8.8 metres in length (including Council's garbage trucks and removal trucks) to access to Victoria Road.

RMS did not object to the proposal.

There was one public submission received on the proposal that requested of the proposed changes.

7. ASSESSMENT

The Department has assessed the proposed modification to the traffic management conditions in Section 7.1. All other issues are considered in **Table 1** below.

7.1 Traffic Management

Condition B17 currently requires detailed design plans and specifications for traffic management works to be submitted to and approved by Council prior to a CC for Stage 1A. Part (a) of the condition requires:

- works and signage that prevent vehicles over 6 metres in length from accessing or exiting the Shopping Centre via the intersection of Victoria Road and Murray Street.

The condition sought to prevent Shopping Centre delivery trucks accessing the street causing disturbance to nearby residential properties.

Council requested the Proponent to amend the condition to allow Council garbage trucks and removal trucks (vehicles up to 8.8 metres in length) to service the residential properties along this section of Victoria Road.

The Department considers that the conditions should be amended to allow Council garbage trucks and removal trucks to access this section of Victoria Road to maintain these essential services. However, the Department considers that Shopping Centre delivery trucks over 6 metres in length should still be prevented from entering Victoria Road to maintain the original intention of the condition.

The Department therefore recommends that conditions B17 and E22A be amended to include:

- works to prevent vehicles over 8.8 metres in length from accessing Victoria Road via the intersection at Murray Street; and
- signage to prevent Shopping Centre delivery vehicles over 6 metres in length from accessing the site via the intersection of Victoria Road and Murray Street.

This would enable Council's operational requirements to be met, while still ensuring appropriate measures are in place to manage traffic movements associated with the Shopping Centre.

7.2 Other Issues

Table 1: Assessment of Other Issues

Issue	Consideration	Recommendation
<i>Tree Management</i>	<ul style="list-style-type: none">• The proposal seeks to include a reference to the arborist report that was submitted and assessed at the time of Modification 1 but was omitted in error from the Notice of Modification.• The Department's assessment concludes that the proposed modification is a minor administrative change and is appropriate on the basis that it would:<ul style="list-style-type: none">• allow for the previously approved tree management works to be carried out in accordance with the relevant reports;• not result in the removal of any additional trees;• provide consistency to the project approval (as modified); and• not impact the overall outcome of the approved development.	The Department has recommended a modified condition to include the appropriate arborist report (see Appendix A).

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the modified conditions of the approval continue to provide adequate traffic calming measures to manage traffic impacts along Victoria Road from the intersection of Murray Street; and
- the modified conditions would allow Council garbage trucks and removal trucks to service the residential properties on Victoria Road, while at the same time, prevent Shopping Centre delivery vehicles over 6 metres entering this section of Victoria Road.

Consequently, it is recommended that the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is **RECOMMENDED** that the Acting Director, Modification Assessments as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 75W, subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

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APPENDIX A: NOTICE OF MODIFICATION

The Notice of Modification can be found on the Department's website at the following address:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7456

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7456

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7456

3. Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7456