

Modification of Concept Approval

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

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the concept approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Key Sites Assessments

Sydney 7 July 2020

SCHEDULE 1

Concept Approval:	MP 09_0191 granted by the Planning Assessment Commission Minister for Planning and Infrastructure on 19 March 2012
For the following:	Authorise the use of the existing building for retail 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 on at 13-55 Edinburgh Road and two levels of rooftop parking above each building.
Proponent:	AMP Capital Investors
Approval Authority:	Minister for Planning
Land:	34 Victoria Road and 13-55 Edinburgh Road, Marrickville (Lot 100 DP 715231 and Lot 10 DP 1255587)
Modification:	MP 09_0191 MOD 10: the modification includes: <ul style="list-style-type: none">• Amendment to Condition B3 - Surrender of Development Consents• Amendment to Condition B15 – Local Area Traffic Committee Approval• Amendment to Condition E19 – Noise from Plant

SCHEDULE 2

The Concept approval (MP 09_0191) is modified as follows:

- (a) In Part B, Condition B3 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

Surrender of Development Consents

- B3. In accordance with Section 104A of the Environmental Planning & Assessment Act 1979, the proponent must issue a surrender notice to ~~Marrickville~~ **Inner West** Council under clause 97(3) of the Environmental Planning & Assessment Regulation 2000 in respect of all development consents applying to the land in existing as at the date of this approval **except for the following consents:**

- **DA 215D/86 – Approved 22nd June 1987**
- **DA 650/00 – Approved 8th January 2001**

The proponent must issue the surrender notice prior to the issue of the Construction Certificate for Stage 1B of the approved development. Any such surrender may be expressed conditionally to operate only upon issue of the first Construction Certificate.

- (b) In Part B, Condition B15 of Schedule 2 is amended by deletion of the ~~struckout~~ words/numbers as follows:

Local Area Traffic Committee Approval

- B15. The proponent shall obtain Local Area Traffic Committee approval for the following works as relevant to Stage 1B and Stage 2 respectively and prior to issue of the relevant Construction Certificate:
- (b) design of the roundabout at the intersection of Edinburgh Road and Sydney Steel Road;
 - (c) redesign of the roundabout at the intersection of Edinburgh Road and Railway Terrace;
 - (d) detailed design of the bus terminal in Smidmore Street;
 - (e) prohibition of right turn movements from Victoria Road to Edgeware Road during the afternoon peak and Saturday morning peak;
 - (g) the installation of a pedestrian ~~traffic signals and a~~ crossing on Smidmore Street between the pedestrian entrances of the two shopping centre buildings, and the provision of proposed signage, line marking, speed zones and other traffic management in the proposed Smidmore Street Shared zone in accordance with Condition B16;
 - (h) no parking restrictions to cover the afternoon peak and Saturday morning peak at the following locations:
 - i. northbound approach of Edgeware Road to the intersection with Alice Street and Llewellyn Street (distance of 100 metres);
 - ii. southbound approach of Edgeware Road to the intersection with Alice Street and Llewellyn Street (distance of 50 metres); and
 - iii. westbound approach Alice Street to the intersection with Edgeware Road and Llewellyn Street (distance of 50 metres);
 - iv. eastern side of Edgeware Road between Alice Street and Llewellyn Street (distance of 50 metres);
 - v. from Smidmore Road and Edinburgh Road as identified in Figure 8. of the Response to Submissions Report prepared by TTPP dated 15 May 2018: and
 - (i) detailed design of the right turn access from Edinburgh Road to the Edinburgh road car park.

(j) “no-stopping” restrictions on the eastern side of Murray Street between Edinburgh Road and the Stage 1B loading dock as shown on Drawing No. 16065CAD42-Figure 1 in the letter prepared by TTPP dated 8th May 2019.

(c) In Part E, Condition E19 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

Noise from Plant

E19. Prior to issue of the Occupation Certificate for Stage 1B and the Occupation Certificate for Stage 2, a certificate from an Acoustic Engineer is to be submitted to the Certifying Authority certifying that the garbage compacting system, air-conditioning, lift motors, pumps and plant rooms have been installed so as:

- not to exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm to 6.00 am) when measured at the boundary of **any residential** the property,
- ~~and will to~~ comply with the DECC Industrial Noise Policy **at the boundary of any commercial or industrial property**.

End of Modification

(MP 09_0191 MOD 10)