

# 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

3 February 2021

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### SCHEDULE 1

<b>Concept Approval:</b>	<b>MP 09_0191</b> granted by the Planning Assessment Commission Minister for Planning and Infrastructure on 19 March 2012
<b>For the following:</b>	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.
<b>Proponent:</b>	AMP Capital Investors
<b>Approval Authority:</b>	Minister for Planning and Public Spaces
<b>Land:</b>	34 Victoria Road and 13-55 Edinburgh Road, Marrickville (Lot 100 DP 715231 and Lot 10 DP 1255587)
<b>Modification:</b>	<b>MP 09_0191 MOD 11:</b> the modification includes: <ul style="list-style-type: none"><li>• rearrangement of GFA</li><li>• minor internal and external alterations;</li><li>• amendment to conditions E5, E14, E16 and E22 to defer the delivery of the new roundabout at the Edinburgh Road and Sydney Steel Road intersection; and</li><li>• removal of one car parking space.</li></ul>

## SCHEDULE 2

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

- (a) In Part A, Condition A1 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

### Development description

A1. Development approved 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 surrender of development consents required under Condition B3 of this approval, 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 main levels of retail with car parking above on the Edinburgh Road site comprising:
  - a discount department store (~~5000m<sup>2</sup>~~ **4,448m<sup>2</sup>**), supermarket (4,449m<sup>2</sup>) and retail premises and business premises (6,318m<sup>2</sup>)
  - an additional 21,780m<sup>2</sup> GFA (16,767m<sup>2</sup> GLFA) to provide a total of 50,705m<sup>2</sup> GFA (39,700m<sup>2</sup>)
  - authorise the use of 1623 car parking spaces comprising 1,018 existing spaces and 605 additional car parking spaces

- (b) In Part A, Condition A2 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

### Development in accordance with plans

A2 the development shall be undertaken generally in accordance with:

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

<b>Architectural Drawings prepared for the Preferred Project Report by Hames Sharley (Project Number 50980)</b>			
<b><i>Drawing No.</i></b>	<b><i>Revision</i></b>	<b><i>Name of Plan</i></b>	<b><i>Date</i></b>
EA006	B	Ground Floor Plan Part 3A (2012)	04.04.18
EA007	<b>A</b>	Level 1 Plan Part 3A (2012)	<b>11.10.17</b>
	<b>B</b>		<b>28.09.20</b>
EA008	A	Level 02 Part 3A (2012)	11.10.17
EA009	A	Rooftop car park Level 2A Part 3A (2012)	11.10.17
EA010	A	Roof Plan Part 3A (2012)	11.10.17
EA011A	A	Overall Elevations Sheet 1	11.10.17
EA011B	<del>D</del>	Overall Elevations Sheet 2	<del>18.09.19</del>
	<b>E</b>		<b>28.09.20</b>

EA011C	E	Overall Elevations Sheet 3	11.12.19
EA011E	B	Overall Elevations Sheet 5	04.04.18
EA011F	E	Overall Elevations Sheet 6	12.12.19
EA011G	A	Overall Elevations Sheet 7	11.10.17
EA011H	B	Overall Elevations Sheet 8	04.04.18
EA013	A	Overall Sections	11.10.17
EA013A	A	Overall Sections Sheet 1	11.10.17
EA013B	A	Overall Sections Sheet 2	11.10.17
EA018	B	Proposed Stage 2 Ground Floor Amendment	04.04.18
<b>Landscape Plans prepared for the Preferred Project Report by Site Image (Job Number: SS10-2128)</b>			
<b><i>Drawing No.</i></b>	<b><i>Revision</i></b>	<b><i>Name of Plan</i></b>	<b><i>Date</i></b>
100	D	Landscape Master Plan	09.11.2010
100	D	Landscape Master Plan – Vision Smidmore Street Treatment	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
108	D	Landscape Detail Plan	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
<b>Architectural Plans prepared by Hames Sharley for the S75W Application (MOD 6)</b>			
<b><i>Drawing No.</i></b>	<b><i>Revision</i></b>	<b><i>Name of Plan</i></b>	<b><i>Date</i></b>
EA106	E	Proposed Ground Floor Plan	11.12.19
EA107	<del>C</del> D	Proposed Level 1 Floor Plan	<del>01.04.19</del> 28.09.20
EA108	<del>E</del> F	Proposed Level 2 Floor Plan	<del>14.01.20</del> 28.09.20
EA109	<del>F</del> G	Proposed Level 2A Floor Plan	<del>31.03.20</del> 28.09.20
EA110	<del>B</del> E	Proposed Roof Plan	<del>04.04.18</del> 20.09.20
EA111A	B	Proposed Signage South and North Elevations	04.04.18
EA112A	B	Proposed Signage West and East Elevations	04.04.18
EA113	A	Proposed Long Sections	11.10.17
EA114	A	Proposed Short Sections	11.10.17

EA119	C	Proposed Public Domain Plan	17.07.19
EA120	B	Proposed Bridge Plan, Section and Elevation	04.04.18
EA122	A	Proposed External Finishes	11.10.17
EA123	A	Ground Floor Plan Shops with Extended Trading Hours	11.10.17
<b>Landscape Plans prepared by Site Image for the S75W Application (MOD 6) (Project Number SS16-3593)</b>			
<b><i>Drawing No.</i></b>	<b><i>Revision</i></b>	<b><i>Name of Plan</i></b>	<b><i>Date</i></b>
000	E	Coversheet	09.05.2018
001	E	Landscape Design Statement	17.12.2012 09.05.2018
002	E	Landscape Character Plan	09.05.2018
010	E	Tree Removal Plan	09.05.2018
100	E	Landscape Masterplan	09.05.2018
101	E	Landscape Plan	09.05.2018
102	E	Landscape Plan	09.05.2018

- (c) In Part E, Condition A8 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struckout~~** words/numbers as follows:

Limits of **the** MP09\_0191 MOD **6 and MOD 11** Approvals

- A8 No approval is granted or implied the following:
- (a) fit-out and use of a pub, small bar or restaurant\* and associated outdoor seating areas
  - (b) hours of operation for any pub or small bar
  - (c) removal of trees C, D and E
  - (d) fit-out and use of a carwash**

Separate applications are to be lodged with the relevant consent authority for fit-out and use of a pub, small bar or restaurant\*.

Separate approval for the removal of trees C, D and E will need to be sought from Council under Section 138 of the Roads Act 1993

\*Note: Restaurants with the capacity for more than 50 seats, other than premises where the seating is provided within a common food court or food hall.

- (d) In Part E, Condition E5 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struckout~~** words/numbers as follows:

- E5. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development, **with the exception of the roundabout construction at the intersection of Edinburgh Road/Sydney Steel Road,** shall be completed before the issue of the relevant Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS SPEC#2- "Roadworks Specifications".

- (e) In Part E, Condition E14 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struckout~~** words/numbers as follows:

Infrastructure Repair and Completion Works

- E14. Prior to issue of any Occupation Certificate all required works in the road reserve, necessary for the stage of the development, **with the exception of the roundabout construction at the intersection of Edinburgh Road/Sydney Steel Road,** must be completed in full and any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council Engineers at no cost to Council.

- (f) In Part E, Condition E16 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struckout~~** words/numbers as follows:

Public domain works

- E16. Prior to issue of the Occupation Certificate for each stage of the development, the proponent shall obtain from Council a Certificate(s) of Satisfactory Completion for public domain works stating that all road, footpath, drainage, traffic management, landscaping and civil works on Council property required to be undertaken as a result of this development, **with the exception of the roundabout construction at the intersection of Edinburgh Road/Sydney Steel Road,** have been completed satisfactorily and in accordance with Council approved plans and specifications.

- (g) In Part E, Condition E22 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struckout~~** words/numbers as follows:

Traffic Improvements Stage 1B

- E22. The following works shall be completed to the satisfaction of the Certifying Authority prior to issue of an Occupation Certificate for Stage 1B of the development, and shall be at no cost to Council:
- Roundabout construction at the intersection of ~~Edinburgh Road/Sydney Steel Road and~~ Edinburgh Road/Railway Terrace;
  - Construction of a new bus terminal in Edinburgh Road;
  - Smidmore Street upgrade works including pedestrian crossing, community bus and taxi zones; and
  - Amend the street address to Marrickville Metro Shopping Centre to have a Smidmore Street **or Edinburgh Road** address.

The above measures shall be implemented in accordance with the approval of the Local Area Traffic Committee and to the satisfaction of Inner West Council.

- (h) In Part E, Condition E35 of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**Traffic Improvements Prior to the Operation of Stage 1B**

- E35 The following works shall be completed to the satisfaction of the Certifying Authority and Council prior to the operation of the Stage 1B retail development, and shall be at no cost to Council:**
- **Roundabout construction at the intersection of the Edinburgh Road/Sydney Steel Road.**

**End of Modification  
(MP 09\_0191 MOD 11)**