


Modification of Major Project Approval

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

I, the Executive Director, Major Projects Assessment, as delegate of the Minister for Planning, under Instrument of Delegation dated 4 March 2009, modify, under s.75W of the *Environmental Planning and Assessment Act 1979*, the Project approval referred to in Schedule 1 in the manner set out in Schedule 2.



Chris Wilson
Executive Director
Major Projects Assessment

Dated this 7 day of August 2009

MP 07_0149 - MOD 1

SCHEDULE 1

Approval for the construction of an IKEA showroom and warehouse comprising the following;

- **Redevelopment** of the site for the construction of a two storey rectangular - shaped building to house the IKEA showroom and warehouse. The lower floor consists of a market-hall, self-serve furniture area and warehousing. The **showroom, café and staff amenities** are located on the first floor and **warehouse/bulky goods** and **light industrial** use on the ground level of the ATECO building.
- **Retention and adaptive reuse** of the façades of the heritage-listed ATECO building and use for **commercial** floor space which will form the IKEA headquarters';
- **Car parking at grade for a maximum of 1,775 vehicles** to service the bulky goods showroom and warehouse and commercial building;
- **Public domain** improvements, infrastructure works and associated landscaping;
- **Demolition** of all buildings and structures on the site comprising of the KAS Auto, Kennard's and former Council tip sites and excavation; and
- **Signage** consisting of signage on each of the warehouse buildings elevations, and a circular configuration of 8 x 12m high flag poles with "IKEA" flags adjacent to the main vehicles entry on the Princes Highway frontage.

Concept Plan Application (MP 07_0149) was granted by the Planning Assessment Commission on 27 April 2009.

SCHEDULE 2

The above approval is modified as follows:

(a) Condition A1 is amended by inserting the underlined words:

A1 Development Description

(1) Development consent is granted only to carrying out the development described in detail below:

- **Redevelopment** of the site for the construction of a two storey rectangular - shaped building to house the IKEA showroom and warehouse. The lower floor consists of a market-hall, self-serve furniture area and warehousing. The **showroom, café and staff amenities and associated offices** are located on the first floor and **warehouse/bulky goods** and **light industrial** use on the ground level of the ATECO building.
- **Retention and adaptive reuse** of the façades of the heritage-listed ATECO building and use for **commercial** floor space which will form the IKEA headquarters’;
- **Car parking at grade for a maximum of 1,775 vehicles** to service the bulky goods showroom and warehouse and commercial building;
- **Public domain** improvements, infrastructure works and associated landscaping;
- **Demolition** of all buildings and structures on the site comprising of the KAS Auto, Kennard’s and former Council tip sites and excavation; and
- **Signage** consisting of signage on each of the warehouse buildings elevations, and a circular configuration of 8 x 12m high flag poles with “IKEA” flags adjacent to the main vehicles entry on the Princes Highway frontage.

(b) Condition A2 is amended by deletion of the struck out letter and insertion of the underlined letter:

A2 Development in Accordance with Plans

The approval shall be in accordance with Major Project No. 07_0149 and with the Environmental Assessment dated October 2008 prepared by Urbis including all Appendices, except where amended by the Preferred Project Report and appendices dated February 2009 and prepared by Urbis, and the Statement of Commitments prepared by Urbis dated 19 February 2009 and the following drawings:

Architectural (or Design) Drawings prepared by Krikis Tayler Retail at Appendix D of the Environmental Assessment except where superseded by the Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
DA-001	C	Existing Site Plan Analysis Plan Location Plan	16.10.08
DA-002	D <u>E</u>	Proposed Site Analysis Plan	03.02.09
DA-101	G	Lower Ground Floor General Arrangement	16.10.08

DA-102	G	Ground Floor General Arrangement	16.10.08
DA-103	I	Upper Ground Floor General Arrangement	24.02.09
DA-104	F	Roof General Arrangement	11.02.09
DA-111	E	IKEA Office Building Plans	16.10.08
DA-201	G	Overall Site Elevations	03.02.09
DA-202	E	Overall Site Sections	23.02.09
DA-203	G	IKEA Building Elevations	03.02.09
DA-204	E	IKEA Office Building Elevations	16.10.08
DA-402	C	Signage Details	03.02.09
Stormwater Drainage Concept Plans prepared by Taylor Thomas Whitting Consulting Engineers at Appendix F of the Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
C101	P4	Site Works & Stormwater Plan Sheet 1	10.10.08
C102	P6	Site Works & Stormwater Plan Sheet 2	09.02.09
C103	P4	Site Works & Stormwater Plan Sheet 3	10.10.08
C104	P5	Site Works & Stormwater Plan Sheet 4	10.10.08
C105	P5	Site Works & Stormwater Plan Sheet 5	10.10.08
C106	P7	Site Works & Stormwater Plan Sheet 6	16.02.09
C107	P6	Site Works & Stormwater Plan Sheet 7	09.02.09
C108	P4	Site Works & Stormwater Plan Sheet 8	10.10.09
C109	P7	Site Works & Stormwater Plan Sheet 9	16.02.09
Methane Gas Treatment Plans prepared by Taylor Thomas Whitting Consulting Engineers at Appendix M of the Environmental Assessment			
C400	P3	Methane Gas Treatment Plan	10.10.08
C401	P2	Methane Gas Treatment Sections	10.10.08
Landscape Plan prepared by Site Image Landscape Architects at Appendix H of the Preferred Project Report			
101	H	Landscape Plan	05.02.2009
Traffic Plan prepared by Taylor Thomson Whitting at Appendix A of the Preferred Project Report			
TR-102	D	Proposed Traffic Plan	20.01.09

except for:

- (1) any modifications which are 'Exempt Development' as identified in *Marrickville LEP 2001* or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the conditions of this consent.

(c) Condition B1 is amended by inserting the underlined word:

B1 Design Modifications

Prior to the issue of the relevant Construction Certificate the following modifications are to be made to the approved plans:

- (a) Signage: The pylon sign does not form part of this approval. A separate Development Application for any proposed signs (other than those approved under this approval) must be submitted to and approved by Council prior to the erection or display of any such signs.
- (b) Gas Ventilation Stacks: An amended plan showing details of the proposed heights and locations of the required gas ventilation stacks is to be provided to the Certifying Authority prior to the issue of a Construction Certificate. The ventilation stacks are to be setback a minimum of 5 metres from the adjoining property to the east in order to reduce any potential impacts on the future development of this site.
- (c) The at - grade car park layout shall be amended to provide 2 additional north - south pedestrian access aisles extending from the entry forecourt to the most northern line of parking bays. The additional aisles shall be of a similar design and dimension to the pedestrian access aisle detailed on Plan No. DA - 101 G: Lower Ground Floor General Arrangement, dated 16.10.08 prepared by Krikis Tayler Retail.
- (d) The at-grade car park layout shall be amended to provide for the planting of a total of 270 super-advanced trees (species as nominated on the approved landscape plan) to be planted at even spacing across the carpark at intervals of 1 tree per 4 carparking spaces.

(d) Condition B2 is amended by deletion of the struck out words and insertion of the underlined words:

B2 Structural Details

Prior to issue of the relevant Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- (a) the relevant clauses of the BCA,
- (b) the ~~relevant development consent~~ terms of this Part 3A Concept Approval,
- (c) drawings and specifications comprising the Construction Certificate, and
- (d) the relevant Australian Standards listed in the BCA (Specification A1.3).

Prior to works commencing, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia must be submitted to the satisfaction of the Certifying Authority.

(e) Condition B3 is amended by deletion of the struck out words and insertion of the underlined words:

B3 Stormwater and Drainage

Prior to release of any relevant Construction Certificate, details of the proposed stormwater disposal and drainage relating to the carpark as it relates to the approved buildings on the site (MP07_0149), in accordance with Council's standard requirements, and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

Any proposed connection to the Council's underground drainage system will require the separate agreement and approval of owner ~~to enter into a Deed of Agreement with the Council and may require obtain~~ registration on Title of a Positive Covenant prior to the commencement of any work within the public way.

(f) Condition B7 is is amended by inserting the underlined word:

B7 Landscaping of the Site

Prior to the issue of a relevant Construction Certificate, a detailed landscape plan, drawn to scale, by a landscape architect or approved landscape consultant, shall be submitted to and approved by the Department. The plan is to include specifies details in relation to:

- (a) Location of existing and proposed structures on the site including existing trees;
- (b) Details of earthworks including mounding and retaining walls and planter boxes;
- (c) Location, numbers and type of plant species;
- (d) Details of planting procedure and maintenance;
- (e) Details of drainage and watering systems;
- (f) An ongoing maintenance plan;
- (g) Proposed irrigation systems and location of water outlets; and
- (h) details of height, colour and material of all fencing within the development.

In particular the landscape plan is to demonstrate the following:

- Relocation of the existing Moreton Bay fig to the staff outdoor recreation area;
- Provision of a minimum of sixteen (16) trees along the Princes Highway frontage in cluster planting;
- Appropriate landscape screening of the gabion walls with climbing plants;
- A minimum of twelve (12) trees in planters at the entrance to the store; and
- A variation of tree species within the car park.

All new landscaping should be locally endemic species where appropriate.

(g) Condition B8 is is amended by inserting the underlined word:

B8 Accessibility

The development shall meet the requirements of AS1428 Parts 1, 2 and 4, AS 2890.1 with regards to accessible parking and AS 1735.12 in relation to lifts as identified in the "Access Report: IKEA Tempe, Princes Highway, Tempe" prepared by Accessibility Solutions dated 10 October 2008. A detailed plan demonstrating compliance with these requirements is to be submitted to the Certifying Authority prior to the issue of a relevant Construction Certificate.

(h) Condition B9 is is amended by inserting the underlined word:

B9 Accessible Car Parking Spaces

Of the 1,775 car spaces to be provided as part of the development a minimum of 28 accessible spaces with dimensions of 3.2m x 5.5m (with a minimum headroom of 2.5m) and must be clearly marked and appropriately located as accessible parking for people with mobility impairment.

The design and layout of the accessible car parking is to be provided in accordance with Australian Standard AS/NZS 2890.1 – 2004 Parking facilities Part 1: Off-street car parking. The

details must be submitted to and approved by the Certifying Authority prior the issue of a **relevant** Construction Certificate.

(i) **Condition B13 is is amended by inserting the underlined word:**

B13 Secure Bicycle Storage and Facilities

Details of the layout, design and security of bicycle facilities off-street are to be provided to the Certifying Authority prior to the issue of a **relevant** Construction Certificate. The parking must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 *Parking Facilities Part 3: Bicycle Parking*. Bicycle parking for the development is to be provided in accordance with the requirements of Marrickville Council Parking Strategy DCP 19.

The plan shall also include details of the location and number of showers (with change area) and personal lockers available.

(j) **Condition B14 is is amended by inserting the underlined word:**

B14 Outdoor Lighting

All outdoor lighting shall comply with, AS/NZS1158.3.1: 2005 Pedestrian Area (Category P) Lighting and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*, where relevant. Details demonstrating compliance with the relevant requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a **relevant** Construction Certificate for the development.

(k) **Condition B15 is is amended by inserting the underlined word:**

B15 Car Parking Spaces and Dimensions

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities (including driveways, grades, aisle widths, turning paths, sight distance requirements and parking bay dimensions) must comply with the minimum requirements of Australian Standard AS 2890.1 - 2004 and AS 2890.2 – 2002 for heavy vehicles. The details must be submitted to and approved by the Certifying Authority prior to a **relevant** Construction Certificate being issued.

(l) **Condition B16 is is amended by inserting the underlined word:**

B16 Vehicle Manoeuvrability

The swept path of the longest vehicles (including garbage trucks) entering and existing the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTRROADS. A detailed plan is to be submitted to and approved by the Certifying Authority prior to a **relevant** Construction Certificate being issued.

(m) **Condition B19 is is amended by inserting the underlined word:**

B19 Mechanical Ventilation

Prior to the issue of a **relevant** Construction Certificate details of all mechanical ventilation systems designed in accordance with Part F4.5 of the Building Code of Australia complying with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection shall be submitted to the satisfaction of the Certifying Authority.

(n) Condition B22 is is amended by inserting the underlined word:

B22 Noise Attenuation

Details of noise attenuation measures are to be incorporated into the design of the development in accordance with Australian Standard 2021-2000 in relation to interior design sound levels. Details are to be submitted to the Certifying Authority prior to the issue of a relevant Construction Certificate together with certification by a suitably qualified acoustical engineer that the proposed noise attenuation measures satisfy the requirements of Australian Standard 2021-2000.

(o) Condition B29 is is amended by inserting the underlined words:

B29 Crime Management and Safety

Prior to a relevant Construction Certificate being issued, details/plans are to be submitted to the Certifying Authority for approval demonstrating that development has been appropriately addressed with regards to crime management and safety of the development as detailed in the Statement of Commitments in Schedule 3.

(p) Condition B30 is is amended by deletion of the struck out number and inserting the underlined number:

B30 BCA Compliance

Prior to a Construction Certificate being issued, the Certifying Authority must ensure that the building complies with the Building Code of Australia as outlined in ***Condition A415***.

(q) Condition B32 is is amended by inserting the underlined word:

B32 Security Gates and Bollards – Smith Street Emergency Access

Prior to issue of the relevant Construction Certificate, the Proponent shall submit details showing that the gated access to the loading docks and Smith Street emergency access in keeping with those details shown on the Landscape Plan drawing number 101 (Rev H), dated 05.02.09 and prepared by Site Image Landscape Architects. Bollards at the Smith Street entrance are to be provided in accordance with the details shown on the Site Works & Stormwater Plan Sheet 6 (Rev P7), dated 16.02.09, prepared by Taylor Thomas Whitting Consulting Engineers to the satisfaction of the Certifying Authority.

(r) Condition B35 is is amended by inserting the underlined word:

B35 Contamination

The carrying out of works on the portion of the site identified as Lot 200 and Lot 201 in DP 1097238 must comply with the Environmental Management Plan "*Tempe Lands, Site Environmental Management Plan for Areas 1A and 1B*" dated 19 April 2006 by Tenix Projects.

(s) Condition B37 is amended by inserting the underlined word:

B37 Shared Pedestrian/Cycleway

A shared pedestrian/cycleway shall be constructed on the eastern alignment of the Princes Highway between Smith Street and Bellevue Street intersections. The works shall be designed and constructed to meet Marrickville Council standard specifications for such facilities and detailed design plans shall be submitted to and approved by Council prior to the commencement of any relevant works.

(t) **Condition C7 is amended by inserting the underlined letter:**

C7A Contact Telephone Number

Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number for the site manager to be operated for the duration of the construction works.

(u) **Condition C8 is amended by inserting the underlined word:**

C8 Aircraft Safety

An application for any of the following relevant works must be submitted to the Sydney Airport Corporation Ltd a minimum of 35 days prior to commencement of works in accordance with the Airports (Protection of Airspace) Regulations Statutory Rules 1996 No. 293 detailing:

- (a) The location and height of any buildings and signage structures proposed;
- (b) Location of any temporary structure or equipment, i.e. construction cranes, planned to be used during construction relative to Mapping Grid of Australia 1994 (MGA94);
- (c) The swing circle of any temporary structure/equipment used during construction;
- (d) The maximum height, relative to Australian Height Datum (AHD), of any temporary structure or equipment i.e. construction cranes, intended to be used in the erection of the proposed structure/activity;
- (e) The period of the proposed operation (i.e. construction cranes) and desired operating hours for any temporary structures.

(v) **Condition C9 is amended by deletion of the struck out words and inserting the underlined words:**

C9 Remediation

The site is to be remediated in accordance with the Remediation Action Plan (RAP) prepared by Coffey Environments Pty Ltd, reference ENVILCOV00315AH-R03d and dated 3 February 2009. Any variations to the RAP must be approved in writing by the Accredited Site Auditor and submitted to the Certifying Authority prior to the commencement of any work.

Prior to the commencement of any work, other than demolitions or excavation in association with remediation of the site, a Site Audit Statement is to be submitted to and approved by the Certifying Authority clearly stating that the site can be remediated to a standard consistent with the intended land use. ~~is suitable for the proposed use.~~

The final Site Audit Statement, prepared by an accredited Site Auditor, certifying that the site has been remediated to a standard consistent with the intended land use is to be submitted to the Director - General prior to occupation of the site.

(w) **Condition D14 is amended by deletion of the struck out number and inserting the underlined number:**

D14 Compliance with Arborists Report

All recommendations contained in the Arborist's Report approved under Condition B~~34~~ 28. must be implemented during construction and use of the development.

- (x) **Condition E1 is amended by deletion of the struck out words and inserting the underlined words:**

E1 Occupation Certificate to be Submitted

An Occupation Certificate must be obtained from the Certifying Authority and a copy submitted to the Department and Council prior to the commencement of occupation or use of the building.

The following documents should be forwarded to the Department and council within two (2) days of the date of the Certificate being determined:

- (a) A copy of the determination;
- (b) Copies of any documents that were lodged with the Occupation Certificate application;
- (c) A copy of Occupation Certificate, if it was issued;
- (d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
- ~~(e) by the PCA;~~
- ~~(f)~~ (e) A copy of any missed inspections; and
- ~~(g)~~ (f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.

- (y) **Condition E6 is amended by deletion of the struck out number and inserting the underlined number:**

E6 Landscaping

All landscaping in the approved plan referred to in this approval is to be completed in accordance with the requirements of Condition ~~B6~~ B7, the Statement of Commitments and the requirements of the maintenance plan, prior to an Occupation Certificate being issued.

The landscaping of the site is to be maintained at all times in accordance with the approved Maintenance Plan.

- (z) **Condition F7 is amended by deletion of the struck out words and inserting the underlined words:**

F7 ~~Hours of Operation~~ Trading Hours

The bulky goods retail store ~~and associated uses~~ shall be limited to the following hours of operation:

- 10am to 10pm Monday to Friday; and
- 9am – 10pm weekends.