



Planning

Mr Oliver Klein
Principal Planner
JBA Urban Planning Consultants
Level 7, 77 Berry Street
North Sydney NSW 2060

Our ref: MP09_0209
File: 09/03800-1

Dear Mr Klein,

Request for Declaration of Major Project, 396 Lane Cove Road (32-46 Waterloo Road) & 1 Giffnock Avenue, Macquarie Park (MP09_0209)

Thank you for your recent correspondence seeking the Minister's opinion as to whether your proposal is a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* for the above site.

I am writing to advise you that as the delegate for the Minister, I have formed the opinion that your proposal meets the mandatory criteria for a Major Project under the *State Environmental Planning Policy (Major Projects) 2005* and is therefore a project to which Part 3A of the Act applies. I have also authorised the submission of a Concept Plan under Section 75M of the Act.

In forming the opinion to declare the project, I note that the amount of proposed commercial floorspace is inconsistent with Council's existing and draft planning controls. Any future application will be required to provide a clear justification for the additional GFA, including any bonus floorspace being sought under the Draft LEP 2009 (Macquarie Park Corridor). I also note that the proposal includes a temporary above ground carpark. The proposed carpark will also need to be carefully considered and fully justified given its close proximity to the Macquarie Park West Railway Station.

The Director General's Environmental Assessment requirements (DGR's) will identify these issues which will need to be addressed in your Environmental Assessment.

Please note that Section 75E of the Act requires you to lodge a Major Project application with the Director-General. You should also include a completed application form and a Political Donations Declaration Statement with your application (if required).

If you have any enquiries I have arranged for Michael Woodland, Director, Metropolitan Projects to assist you. Michael may be contacted on telephone number (02) 9228 6150 or via email at michael.woodland@planning.nsw.gov.au.

Yours sincerely,

 5/3/10
Richard Pearson
Deputy Director-General
Development Assessment & Systems Performance