



Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

31 May 2016

Dear Ms McNally

Subject: Determination of modification 45 to 47 Macquarie St & 134-140 Marsden St Parramatta (MP 09_0167 MOD5)

I refer to the Department's letter received 24 May 2016 referring the above modification request to the Planning Assessment Commission for determination under Ministerial delegation of 14 September 2011. I constituted the Commission to determine the modification.

The modification request proposes to:

- lower Block D from 64 metres (m) to 62.1m to comply with the Commonwealth's controlled action approval dated 22 January 2016. This results in the deletion of the five apartments on level 18 and the construction of a communal roof terrace instead;
- reconfigure the south-west part of level 18 in Block C to provide a studio apartment in place of a storage area, and a two-bedroom apartment in place of a one-bedroom apartment;
- nominate five apartments for affordable housing to address Parramatta City Council's concerns about the quality of affordable housing nominated under the existing performance based approval condition; and
- make various ancillary changes including a "Crown" business identification sign in place of a signage 'zone' on the south-west elevation, basement storage layout changes, deletion of two lightning masts, deletion of a duplicate floor area condition; and deletion of a condition requiring commercial parking to be available for visitors at night.

Roads and Maritime Services and Council did not object to the proposed modification and I note that Council and the Proponent have agreed on the nominated affordable housing units, which satisfy the Apartment Design Guide.

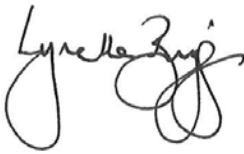
I also note that 'place of public worship' usage of the multi-purpose room is no longer proposed, which addresses both the one public objection and Council's concern that it should be subject to a separate development application.

I have carefully considered the proposed modification request and the submissions. I agree with the conclusions in the Secretary's environmental assessment report that the proposed modifications:

- are consistent with the conditions in the Commonwealth controlled action approval and therefore have minimal heritage impacts;
- maintain an appropriate level of residential amenity generally;
- nominate affordable housing apartments with an appropriate level of amenity; and
- are otherwise minor in extent without material impact on the local area.

Consequently, I have determined to approve the modification request, subject to the Department's recommended conditions. The signed instrument of approval and file (16/01168-2) are enclosed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lynelle Briggs', with a stylized, cursive script.

Lynelle Briggs AO
Chair
NSW Planning Assessment Commission

cc. The Hon. Rob Stokes, MP
 Minister for Planning
 GPO Box 5341
 SYDNEY NSW 2001