

Modification of Project Approval

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

As delegate of the Minister for Planning, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Modification Assessments

Sydney 3 APRIL 2018

SCHEDULE 1

Project Approval:	MP 11_0009 granted by Deputy Director General, Development Assessment Systems Performance on 23 August 2012
For the following:	Project Approval for demolition and construction of a part 6 / part 7 storey dental hospital in Miranda, Sutherland.
Proponent:	Russo Family Trust
Approval Authority:	Minister for Planning
The Land:	84-86 Kiora Road, Miranda
Modification:	MP 11_0009 MOD 4: to modify the finishes of the southern facade, make other minor changes to external elements, erect an additional sign, and modify the level of the lower ground floor

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Term of Approval A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out words / numbers~~ as follows:

A1 Development Description

Development approval is granted only to carrying out the development described in detail below:

Demolition of existing buildings and excavation and construction of a part 6 / part 7 storey dental hospital with a GFA of 2,164.5m² comprising:

- various specialist dental treatment services, day surgery facilities, and in patient accommodation and medical specialists, diagnostic and other services as described in the following table:

Category	Medical Uses
Specialist dental services	General dentist Paediatric dentist

	Orthodontist Endodontist Periodontist Dental therapist Dental education centre Dental hygienist Dental technician
Medical specialists	Oral surgeon Neurologist Trigeminal neuralgia Cosmetic surgeon Psychologist Ears, nose and throat specialist Endocrinologist
Diagnostic services	Radiology Pathology Pharmacist
Other related uses	Sleep Apnoea Clinic Pain clinician Gastrologist Dietician Thoracic specialist Myofunctional specialist Cardiologist Urologist Orthopaedic surgeon

- shop / café on the upper ground floor;
- fully automated 3 level basement car stacker containing 38 spaces and one bicycle pallet; and
- ~~six~~ **seven** signs along the northern and western facades of the building.

- (b) Schedule 2 Part A – Term of Approval A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. 11_0009 and the Environmental Assessment dated November 2011, prepared by Economia PDS and all Appendices except where varied by:

- the Preferred Project report, and all Appendices;
- the Proponent's Statement of Commitments included in the PPR (Schedule 3); and
- the following drawings:

except as varied by the Section 75W Modifications including the following documents and the following drawings:

- i) Environmental Assessment Report Miranda Dentist Hospital dated November 2012, prepared by CIT Group; and
- ii) Detailed Cost Report prepared by Washington Brown Quantity Surveyors, dated 23 November 2011; and
- iii) Section 75W Modification (3) Environmental Assessment Report dated 10 August 2016, prepared by PPD Planning Consultants and the Response to Submissions dated 15 December 2016 prepared by PPD Planning Consultants; and
- iv) Operational Traffic Management Plan prepared by Traffix dated 12 August 2016 Version 1.4 as amended by condition F13 **and**
- v) **Section 75W Modification (4) Environmental Assessment Report dated 30 November 2017 prepared by PPD Planning Consultants, the Response to Submissions dated 27 February 2018 prepared by PPD**

Planning Consultants, the additional information submitted on 15 March 2018 and the additional information submitted on 3 April 2018.

Amended Architectural (or Design) Drawings prepared by Geoform Design Architects			
Drawing No.	Revision	Name of Plan	Date
1.01	C	Title Sheet	01/08/16
1.02	C	Site Plan	01/08/16
2.01	C	Basement floor plan	01/08/16
2.02	C <u>D</u>	Lower & Upper Ground Floor Plans	01/08/16 <u>28/11/17</u>
2.03	C <u>D</u>	Level 1 & 2 Floor Plans	01/08/16 <u>28/11/17</u>
2.04	C <u>D</u>	Level 3 & 4 Floor Plans	01/08/16 <u>28/11/17</u>
2.05	C <u>D</u>	Level 5 Floor Plan & Roof Plan	01/08/16 <u>28/11/17</u>
3.01	C	Context Elevations	01/08/16
3.02	C <u>E</u>	South & West Elevations	01/08/16 <u>03/04/18</u>
3.03	C <u>D</u>	North & East Elevations	01/08/16 <u>28/11/17</u>
3.04	A <u>D</u>	Signage – North	01/08/16 <u>28/11/17</u>
3.05	A <u>D</u>	Signage West	01/08/16 <u>28/11/17</u>
4.01	C <u>D</u>	Sections A & B	01/08/16 <u>28/11/17</u>
4.02	C <u>D</u>	Section C	01/08/16 <u>28/11/17</u>
4.03	C <u>D</u>	Sections D & F	01/08/16 <u>28/11/17</u>
Engineering (or Design) Drawings prepared by EFWF			
Drawing No.	Revision	Name of Plan	Date
SW - 00	B	Stormwater Services Site Soil Erosion & Sediment Erosion Plan	26/04/2011
SW – 01	C	Stormwater Services Roof Plan Basement Plan	26/04/2011
SW – 02	C	Stormwater Services Upper & Lower Ground Plans	26/04/2011
SW - 01	C	Stormwater Services Levels 1 to 4 Plans	26/04/2011
SW – 01	C	Stormwater Services Section	26/04/2011

except for:

- 1 any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and

2 otherwise provided by the conditions of this approval.

- (c) Schedule 2 Part C – Term of Approval C26 is added by the insertion of the **bold and underlined** words / numbers as follows:

C26 External Walls and Cladding Flammability

The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate and Occupation Certificate the Certifying Authority must:

- a) **Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and**
- b) **Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.**

A copy of the documentation required under (b) must be provided to the Secretary within 7 days of being accepted by the Certifying Authority.

- (d) Schedule 2 Part G – Term of Approval G14 is added by the insertion of the **bold and underlined** words / numbers as follows:

G14 Access to Carpark

The security lift panel door to the driveway is to remain open during trading hours and when the valet is on duty.

End of Modification