



Office of the Director General

Ms Penny Holloway
General Manager
North Sydney Council
PO Box 12
NORTH SYDNEY NSW 2059

12/08095

Attention: Geoff Mossemeneer

Dear Ms Holloway

Re: Director-General's Certification pursuant to clause 28C(3) of the North Sydney Local Environmental Plan 2001 – DA 205/2011, 177-199 Pacific Highway, North Sydney

I refer to your letter of 12 April 2012 concerning the railway contribution for 177-199 Pacific Highway, North Sydney.

Under clause 28C(3) of the North Sydney Local Environmental Plan 2001, where proposed development within the North Sydney centre would result in an increase in the total non-residential gross floor area of buildings lawfully existing on the development site, Council may only grant consent if the Director-General of the Department of Planning and Infrastructure has first certified that satisfactory arrangements have been made for the provision of railway infrastructure to meet the increased demand on the infrastructure generated by the development.

The development application involves the development of land located within the North Sydney centre, and would result in an increase of 39,045m² in the total non-residential gross floor area of buildings lawfully existing on the development site.

I am advised the developer has entered into a legal agreement, the 'Developer Commitment Deed', with Council, requiring it to make a financial contribution towards the cost of upgrading North Sydney railway station based on a rate of \$0.88 per square metre (multiplied by the Consumer Price Index) of additional non-residential gross floor area to be created.

Council referred the proposed development application to Transport for NSW on 12 April 2012 seeking its views as required pursuant to cl.28C(4) of the North Sydney Local Environmental Plan 2001. Transport for NSW replied to this Department that it is satisfied arrangements are in place to deliver improvements to the railway infrastructure. I am therefore satisfied adequate arrangements have been made for railway infrastructure to support the proposed development. A certificate to this effect is enclosed.

Should you require further information in relation to this matter, I have arranged for Mr Neil McGaffin, Executive Director, Planning Operations, to assist. Mr McGaffin can be contacted on 9228 6565.

Yours sincerely

SHaddad
Sam Haddad
Director General

16/5/2012.



**Director General's Certificate
Pursuant to clause 28C(3) North Sydney Local Environmental Plan 2001**

I hereby certify that satisfactory arrangements have been made for railway infrastructure that will provide for the increased demand for railway infrastructure generated by the development proposed in Development Application No. 205/11 lodged on 12 May 2011 by Winten Property Group, to demolish the existing commercial building and construct a 31 storey commercial building with basement parking and garden plaza

Dated at Sydney this
day of 16 / 5 / 2012

SHaddad

Signed by me, Sam Haddad,
Director General, of the
Department of Planning and
Infrastructure.