

Our Reference: DA-11/067 – RJ Dowsett

30 November 2011

JRPP Secretariat
NSW Department of Planning and Infrastructure
Level 13, Thakral House
301 George Street
Sydney NSW 2000

Attention: Angela Kenna

Dear Ms Kenna,

This letter is an addendum to the planning report submitted for Development Application No. 11/067 (2011SYE072). It provides a correction to Condition 38 which should be replaced with the condition provided below together with an explanation in respect of condition 26:

“38 The development shall make provision for the following car parking allocations:

<i>Car Parking Rates</i>	<i>Required</i>
<i>1 space per studio and 1 bedroom units</i>	<i>35 spaces</i>
<i>2 spaces per 2 and 3 bedroom units</i>	<i>226 spaces</i>
<i>1 space / 60sqm commercial floor space</i>	<i>4 spaces</i>
<i>1 visitor space per 7 dwellings</i>	<i>22 spaces (Note: this includes provision for parking for those persons with a disability)</i>
<i>Car Wash Bays / Spaces</i>	<i>2</i>
<i>TOTAL SPACES REQUIRED</i>	<i>289</i> <i>(being 287 parking spaces and 2 car wash bays)</i>
<i>TOTAL PROVIDED</i>	<i>296</i>

This requirement shall be reflected on the Construction Certificate plans. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times”.

In respect of condition 26, I respond as follows:-

The works required by condition 26 will become part of a Voluntary Planning Agreement (VPA), however the offer to enter into a VPA has yet to be considered by Council.

The terms of condition 26 require a Development Application for public work, commonly referred to as public domain work i.e. roadwork, road drainage, service relocation, kerb and guttering, landscaping, all of which require specific design work and assessment followed by an approval (from the Council) and then, implementation.

The plot upon which public domain work is to occur, is at this stage, part owned by the developer (land to be dedicated) and part owned by the Council, namely, the existing road reserve, which in this case is John Street, Mascot.

The Mascot Station DCP requires land dedication to widen John Street. Land dedication occurs towards the end of development project. However, public domain work occurs during the course of the development and once approval is given, it is implemented conjointly on public and private land. Whilst I acknowledge that road work does not usually require development consent, its erection on both public and private land ahead of dedication requires an approval mechanism and construction control. A Development Application followed by the issue of a Construction Certificate was seen as an appropriate approach and has been adopted throughout Council's Local Government Area where specific controls require both land dedication and public domain work on the particular development site as well as land vested in Council's control.

Accordingly, condition 6 is for land dedication, condition 26 is for a standardised approach to the implementation of required public domain work which is to occur on land that will ultimately be held in public ownership.

If you have any further questions regarding this matter, please do not hesitate to contact Mr Pascal van de Walle of Council's Planning and Development Department on 9366 3665.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R J Dowsett', with a long horizontal line extending to the right.

R J DOWSETT
DIRECTOR - PLANNING AND DEVELOPMENT