

11683
10 July 2012

Joint Regional Planning Panels
Panel Secretariat
23-33 Bridge Street
Sydney NSW 2000
GPO Box 39
Sydney NSW 2001

Dear Sir

**DEVELOPMENT APPLICATION - D/136/2012
621 PACIFIC HIGHWAY, ST LEONARDS**

We refer to the above application at 621 Pacific Highway, St Leonards (D/136/2012) that is scheduled for determination at the Joint Regional Planning Panel on 12 July 2012.

This correspondence seeks to advise that we will be asking for the matter to be deferred at the JRPP meeting. The basis for this request is that we were not aware that Council would be recommending the application for refusal until last Thursday (5 July 2012).

Based on the DA chronology of events to date detailed below, we believe that we have not had the opportunity to address Council's concerns:

- Council's Design Review Panel was held on 5 June 2012. Council have advised that correspondence was sent to the applicant regarding the meeting time. This correspondence was not received by the applicant. Based on one piece of stray correspondence, inadvertently neither the applicant nor its representatives were in attendance at this meeting.
- The minutes of this meeting were received from Council on 18 June 2012. Concerns were raised by the Design Review Panel indicating that design changes are required. The project team currently have these matters under consideration and are formulating design changes and/or responses to each of these issues.
- Prior to providing a response to Council, we had been awaiting formal correspondence from Council regarding its issues with the DA and if it had requests for additional information from their internal departments (health, traffic, waste etc) as is standard practice.

We think that it is in the best interest of the JRPP, the Council and the Applicant if we can work together to prepare revised plans in response to Council and any concerns raised by the Panel. Based on the preliminary work undertaken to date, we believe that we are able to address the Council's concerns in a meaningful way, and have already commenced this work addressing:

- the internal layout, arrangement and ground floor plane activation to Atchison Street;
- basement parking arrangements and loading dock access;
- exploration as to whether re-orientating the majority of units north would improve solar access or whether these units would be overshadowed by existing buildings to the north; and

- exploration of the proposed height limit in the context of Council's consideration that a public benefit should be tied to this.

Based on the preliminary work undertaken, we believe that an amended proposal in response to Council's concerns would represent the normal extent of changes that could ordinarily occur as the DA assessment process progresses, and would not represent a substantial re-design warranting a new development application.

It is noted that we had the opportunity to meet Council's senior planning officers (Mr Stephen Beattie and Mr George Youhanna) on 9 May 2012 to begin this dialogue regarding responses to Council's issues. Council indicated they were conscious of the time frames the JRPP set for the timely assessment of DAs and would remain neutral to a deferral, with the ultimate decision resting with the JRPP.

The matter of deferment was also considered by the elected members of North Sydney Council at its Council (Assessments) Meeting on Monday 9 July 2012. At this point in time the official resolution has not been made available, however, it is our understanding that the Council unanimously resolved that it would make a submission to the JRPP supporting deferral of the DA to allow the applicant to respond to Council's issues.

In light of the above, we believe it would only be fair to defer the matter to allow the applicant to respond to Council and any issues identified by the Panel. Should you have any queries about this matter, please do not hesitate to contact Michael Rowe or myself on 9956 6962

Yours faithfully



Michael Rowe
Senior Planner



Clare Swan
Associate