

19 August 2013

Regional Panels Secretariat
GPO Box 39
SYDNEY NSW 2001

Dear Panel Secretariat,

Development Application for a Bulky Goods Development, 728-750 Princess Highway, Tempe - 2012SYE111

We thank you for the opportunity of providing the Panel with a submission prepared on behalf of the applicant for the proposed development.

Having reviewed Council's assessment report we note that Council considers the proposed development should be recommended for approval subject to the imposition of three deferred commencement conditions.

The conditions relate to the following:

1. Further Traffic Impact assessment and SIDRA analysis is required.
2. The proposed location of the Electrical Kiosks should be relocated clear of the driveway off Smith Street.
3. Amended plans are required detailing works to areas of heritage significance.

The applicant wishes to modify or delete each of the deferred commencement conditions and provides the following justification.

Deferred Commencement Condition 1

A response to Condition 1 has been prepared by Transport and Traffic Planning Associates and forms Attachment 1 of this response.

In summary the applicant proposes that if the condition cannot be deleted in its entirety, then it should be replaced with the following:

1. **That the applicant consult with RMS in relation to the need for further traffic assessment for operational performance of the Princes Highway and Smith Street intersection having regard to RMS TDT 2013/04. The applicant to provide evidence that:**
 - **RMS does not require further assessment; or**
 - **further assessment has been undertaken to the requirements of RMS and that RMS is satisfied with the findings of that further assessment.**

Deferred Commencement Condition 2

It is requested that the JRPP consider the deletion of the condition as a deferred commencement requirement, and impose the recommended condition as a standard condition of consent.

The proposed condition requires the applicant to submit amended plans detailing the relocation of the Electrical Kiosks away from the Smith Street vehicular access.

The relocation of the Electrical Kiosks is possible as the proposal gives provision of additional parking spaces above Council's maximum parking requirements where the kiosks could alternatively be located. In addition there are locations within the proposed landscaped areas that could accommodate the location of the kiosks.

It is therefore considered that the relocation of the electrical Kiosks should form part of a standard development consent condition, and should not be included as a deferred commencement condition.

This approach would avoid unnecessary administrative and assessment delays, and expedite the development process.

Deferred Commencement Condition 3

The proposed condition requires amended plans to be submitted detailing all works required to be undertaken to areas of heritage significance. These include methods and locations proposed to secure signage to the Princes Highway façade, and compliance of any works required to the existing openings in the heritage item with the access and BCA compliance reports.

It is noted on Page 37 of the council's assessment report that Council's Heritage and Urban Design Advisor commented that '*the signage proposal will not negatively impact the building. It is responsive to the architectural elements of the façade and is restricted to a limited area*'. Furthermore the application was referred to the Heritage Council of NSW who raised no objection to the proposal, especially in relation to signage and existing building openings.

It is therefore requested that the heritage deferred commencement condition be deleted, and included as a standard condition of consent.

Should the Panel Secretariat or Panel members wish to discuss these matters further prior to the scheduled meeting, please do not hesitate to contact me on 02 8233 7609.

Yours sincerely,



Matthew O'Donnell
Associate Director