



13289
13 December 2013

Panel Secretariat
Joint Regional Planning Panel
GPO Box 3415
Sydney NSW 2001

Dear Sir/Madam

**DEVELOPMENT APPLICATION JRPP REF - 2013SYE075 / DA REF - 292/13
225-235 PACIFIC HIGHWAY, NORTH SYDNEY**

We write with reference to the abovementioned Development Application (DA) and the upcoming Sydney East Joint Regional Planning Panel on 17 December 2013 where the DA will be determined. First and foremost, we support North Sydney Council officer's recommendation for approval of the DA, subject to conditions.

The purpose of this correspondence is to seek a minor amendment to a couple of conditions recommended by North Sydney Council. For ease of reference, a summary of proposed conditions sought to be amended is provided, along with the reasons/justification for the amendment sought.

1.0 CONDITIONS

Overall, the conditions recommended to be imposed by Council officers on any approval granted are considered to be reasonable and relevant. There are, however, a couple of conditions which we would request both Panel members and Council to re-consider and accordingly seek to have amended/deleted.

Where changes are proposed to the wording of the condition, words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in ***bold italics***.

Condition C31 - Section 94 Contributions

A monetary contribution pursuant to the provisions of Section 94 of the Environmental Planning and Assessment Act 1979, in accordance with the North Sydney Council Section 94 Contribution Plan for the public amenities/services detailed in column A below and, for the amount detailed in column B below, must be paid to Council.

A	B
Administration	\$16,165.83
Child Care Facilities	\$17,492.23
Community Centres	\$82,236.30
Library Acquisition	\$15,160.21

Library Premises & Equipment	\$47,013.22
Multi Purpose Indoor Sports Facility	\$12,165.97
Open Space Acquisition	\$573,987.16
Open Space Increased Capacity	\$1,137,741.38
Olympic Pool	\$39,629.42
Public Domain Improvements	\$307,464.10
Traffic Improvements	\$44,570.39
The total contribution is	\$2,293,626.21

The contribution MUST BE ~~paid prior issue of any Construction Certificate~~ ***paid prior to determination of the application for Construction Certificate of the building excluding demolition, excavation and shoring.*** The above amount, will be adjusted for inflation by reference to the Consumer Price (All Ordinaries) Index applicable at the time of the payment of the contribution.

A copy of the North Sydney Section 94 Contribution Plan can be viewed at North Sydney Council's Customer Service Centre, 200 Miller Street, North Sydney or downloaded via Council's website at www.northsydney.nsw.gov.au (Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

Justification: To allow excavation and construction of the basement to commence prior to payment of contributions. Contributions will still however be paid at an early stage in the construction programme and prior to occupation of the building.

Condition C39 – Driveway Entry to Carpark

~~The location of any security access point for driveway entry to the car park shall be located 12 metres within the boundary of the property, such that two queued vehicles can be contained wholly within the boundary of the property, as per AS 2890.1. Details demonstrating compliance are to be submitted to the Certifying Authority for approval with the Construction Certificate.~~

Justification: It is proposed to delete this to allow for the construction of the proposed development in accordance with the plans. Design of this area with a recessed gate raises safety and CPTED concerns as will create a potential area where people can hide and potentially corner unsuspecting residents or visitors. It also provides other opportunities for anti-social behaviour such as graffiti and vandalism.

The location of the entry door as proposed in the plans is considered more appropriate as it will minimise the opportunity for crime and anti-social behaviour. Angelo Street is a low trafficked low speed laneway and it is therefore not envisaged that the current design will cause major delay, disruption or safety issues in the event that cars are required to temporarily queue to enter the building. The current design solution is therefore considered to be a more appropriate and acceptable outcome on balance.

2.0 SUMMARY

We hope this submission to the Panel is useful in its consideration of the proposed DA.

In light of the merits of the proposal, we have no hesitation in supporting Council officer's recommendation for the proposed development to be approved, subject to reasonable and relevant

conditions. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Craig', with a long horizontal stroke extending to the right.

Benjamin Craig
Principal Planner

cc – North Sydney Council (Attention: Geoff Mossemeneear)