

Stithos Pty Ltd
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25th May 2015

Regional Panels Secretariat
JRPP Sydney Region East
Department of Planning & Environment,
GPO Box 39
Sydney NSW 2001

ATTN: Lisa Foley

By Email: Lisa.Foley@planning.nsw.gov.au

Dear Ms Foley,

I refer to your email seeking the applicant's response to the draft conditions of development consent proposed by Leichhardt Council to be attached to the determination of the application for 30-40 George Street Leichhardt (2014SYE144 – D/2014/646).

Whilst the majority of the conditions are agreed to, the applicant wishes to bring to the specific attention of the JRPP a number of matters of particular concern that were either not raised by the JRPP in its deliberation, are new matters not previously raised, or will insert conditions that are deferred commencement conditions or have the same effect as deferred commencement conditions requiring further Council sign off on various matters.

In particular the following are brought to your attention:

1. **Deferred Commencement Conditions:** The applicant does not accept that it is necessary or desirable that the consent have Deferred Commencement Conditions. The matters dealt with in proposed condition 1 can be specified with sufficient clarity so as to be standard conditions of approval. These conditions are set out in the attached document and can be approved by the JRPP subject to the Principal Certifying Authority being satisfied they have been met prior to the issue of the Construction Certificate.
2. **Amended Plans (Various Conditions):** Can be satisfied and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate,
3. **Voluntary Planning Agreement Obligations (Condition 4)** To be amended as indicated in the schedule.
4. **Solid Metal Balustrades (Conditions 5 e):** This matter was not raised by the JRPP as a matter of contention and should be deleted. Such amendments to the balustrade design would have significant detrimental impacts upon the architectural design quality of the developments well as an adverse impact on the residents of the units.
5. **Excessive Road Works (Conditions 9):** There is no reasonable nexus between the development and road works / civil works outlined and this condition should be amended by the deletions indicated in the schedule.
6. **Removalists (Condition 92):** Should be permitted to load/unload on street and the vehicles required to comply with all NSW road rules.
7. **Graffiti Removal Within 72 Hours (Conditions 93):** This condition should be deleted; it is not a reasonable condition to impose on the development

The proposed conditions of approval are set out as a schedule with suggested amendments / deletions and commentary as appropriate in the attached pages.

Should our submission not provide sufficient background to our reasoning of specific comments we are more than happy to attend a meeting to provide clarification for the JRPP panel.

Please do not hesitate to contact the undersigned should you require further information, clarification or confirming documentation.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'A Skelton', with a long horizontal stroke extending to the right.

Andrew Skelton
General Manager
Stithos Pty Ltd

Cc: Elizabeth Richardson

Leichhardt Council

(by email)