

Monday, 6 February 2017

Sydney Planning Panels
GPO Box 39
Sydney NSW 2001

Dear Panel Members,

RE: Request to amend Conditions of Consent
Ppty: 296-314 Burns Bay Road, Lane Cove
DA #: 172/16

We refer to application **2016SYE121**. Upon review of the Draft Conditions (Rev C) provided to Hyecorp (the "Applicant"), we request a review of the following Conditions of Consent:

#41-45 – This condition requires the Applicant to retain Tree 1. It is not possible to retain this tree for the following reasons (a sketch plan has been provided below):

- This tree is currently located on the North-Western boundary of the site and is within a 3.07m saw cut for courtyards located 2.65m below the Tree 1 RL as seen on plan. Further there will be basement excavation and shoring required.
- As part of existing conversation with Ausgrid, infrastructure works are required by the Applicant to:
 - o Redirect existing High Voltage cables which currently run through the site.
 - o Dig a 10m long trench in place of the existing Tree 1, in order to provide a 'Joining Bay' to carry out the redirection of High Voltage cables.
 - o As a result of the infrastructure redirection, Tree 1 will not survive these works.
- As per the Landscape Plans provided, including a Landscape Entry Statement on this specific corner of the site, there will be a significant amount of investment in mature tree planting (Conditions:51 & 52) and a substantial increase in the number of trees on this site.

Request: Given the above, we do not believe it is an efficient use of time and expense to lodge a separate section 96 application to remove this tree (as has been discussed with LCC prior). While we prefer to maintain as many mature trees on our site as possible for resident amenity, we do not believe it will be possible to retain Tree 1 and request these conditions be deleted.

#125 – We request to revert back to the text in the Draft Conditions Rev B (highlighted in *red*) with one minor addition of the word "*If*" so that the condition reads:

*Construction Methodology Report: **If there are structures on neighbouring properties that are deemed to be in the zone of influence of the proposed excavations.** A suitably qualified engineer must prepare a Construction*

Methodology report demonstrating that the proposed excavation will have no adverse impact on any surrounding property and infrastructure. The report must be submitted to Principal Certifying Authority prior to issue of a Construction Certificate. The details must include a geotechnical report to determine the design parameters appropriate to the specific development and site.

This will help remove any ambiguity for our Private Certifier and clarify which surrounding property and infrastructure needs to be accounted for. Currently the site is bound by Roads on three (3) sides, and a development to the south which is substantially far from the excavation line.

We hope the above is clear, if you have any further questions please do not hesitate to contact me.

Kind Regards



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Sketch of Ausgrid works and Excavation of Courtyards:

