

5 September 2017

Ms Gail Connolly
General Manager
Georges River Council
Attention: Mr Bernard Moroz

(by email: mail@georgesriver.nsw.gov.au , Bernard.Moroz@georgesriver.nsw.gov.au)

Dear Mr Moroz,

Re: Amended Plans & Additional Information
The Site: 2-10 Woniora Parade, Hurstville

I have been instructed by the Applicant to provide an explanation of the additional information and amendments being lodged to address a range of issues raised by the design review panel, Sydney Trains and Council. We hope that this fully resolves all the issues and that no further information is required to report this matter.

If you require any additional information please contact the Applicant and carbon copy me so that any loose ends can be wrapped up quickly.

The Amendments

Basement 1, 2 & 3

- Half of the piled retaining wall along Woniora Road stepped back to allow for deep soil provision for significant ground floor level street trees.
- Lift core for Block A moved back to allow for stepped back façade treatment in the building above as a transition to the old ATO site further to the east.

Ground Floor

- Planting area for the Trees planted along Woniora Road to be the same level as the footpath utilizing either the deep soil provided by the amended piling profile or a recessed planter. No raised planters.
- Trees specified along Woniora Road to be Blueberry Ash, a tall, long and thin species that will soften the bulk and scale of the building.
- Lift core for Block A moved back to allow for stepped back façade treatment in the building as a transition to the old ATO site further to the east.
- Bench/waiting space allowed for in both Lift Lobbies
- Commercial Space 01 increased in depth to 3m setback line
- Bike storage originally on northern boundary removed to be filled in with soil for planting above. Bike parking now relocated on various basement levels
- Fire stair in western corner next to communal open space reconfigured to exit within the site onto the open landscaped area.

Level 1

- Block A & B lobbies re-planned to allow access to new communal area on the northern boundary with access to northern foot path.
- Unit 101, 102, 103, 104, 106, & 107 re-planned to accommodate change for access to northern boundary communal area.
- Northern Boundary communal area significantly enlarged and made private with fence increased seating amenity. Opportunities for a pleasant extensively landscaped area provided.
- Significant soil depth provided for the planting of replacement trees (removed and replaced T65 & T66) to be planted in the Northern Boundary communal area.
- Lift core for Block A moved back to allow for stepped back façade treatment in the building as a transition to the old ATO site further to the east.
- Screens added to South western balcony elevations for anti -throw as required by Sydney Trains, and for sun and wind mitigation.

Level 2 – 10

- Lift core for Block A moved back to allow for stepped back façade treatment in the building above as a transition to the old ATO site further to the east.
- Screens added to South western balcony elevations for anti -throw as required by Sydney Trains, and for sun and wind mitigation.

Level 11

- Lift core for Block A moved back to allow for stepped back façade treatment in the building as a transition to the old ATO site further to the east.
- Communal area to be provided with bi-fold glass doors to allow enclosure of BBQ area for shelter from the wind if needed.
- Screens added to South western balcony elevations for anti-throw as required by Sydney Trains, sun and wind mitigation.

Level 12 & Roof

- No Change

Sydney Trains (previously Railcorp)

We assume Council's reference to State Rail to be a reference to Sydney Trains.

We have held a meeting to go through the structural design issues including collision, support for the rail corridor and risk management. We have separately supplied additional information to Sydney Trains and Council. We expect concurrence under the ISEPP. We understand there are significant delays with attaining concurrence from Sydney Trains and we will be chasing Sydney Trains for that concurrence and will be providing a copy of this amended package to Jim Tsirimiagos, Town Planning Manager, Property Division, Finance and Corporate Services, Sydney Trains.

We have not sighted but hope that Council has sighted the formal reply from Sydney Trains. As is commonly the case, we expect that the reply from Sydney Trains

will be to impose a deferred commencement development consent condition and that prior to the activation of any development consent the developer will have to comply with that condition.

It is a futile exercise to oppose such a condition as this is generally the only way that Sydney Trains are prepared to give concurrence. We will not oppose the imposition of such conditions if Sydney Trains requires their imposition.

Notice requirements

Council having complied with Part 6, Division 7 of the Regulation with respect to the original application may decide to dispense with further compliance with this Part 6, Division 7 of the Regulation in relation to a replacement application and, in that event, compliance with this Part 6, Division 7 of the Regulation in relation to the original application is taken to be compliance in relation to the replacement application.

We submit that the amended, substituted or later application differs only in minor respects from the original application and makes significant improvements reducing the impacts of the proposal, such that further notification of the replacement application may be reasonably set aside in the circumstance of this case.

The neighbor notification requirement advised by Council's website refers to the Hurstville City Council DCP whereas we believe that the appropriate DCP is the Kogarah Development Control Plan 2013 (KDCP 2013). Obviously, Council will address clause 90 of the Regulation.

Conclusion

It is submitted that the additional information and design changes address the substantive issues in contention and in our submission, Council should be able to finalise the assessment and report to the District Panel.

Having proper regard for the effect of clause 90 of the Regulation, the amendments do not introduce any new or increased environmental impacts that warrant further public consultation under Part 6, Division 7 of the Regulation.

Public submissions made with respect to the original application must be assessed under section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* (Act) and in the context of the amendments the replacement application makes addressing submissions.

Please don't hesitate to contact me on 0408 463 714 or by email brett@daintry.com.au.

Yours faithfully,



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