



Planning



qB144298  
10/09672

Department Generated Correspondence (Y)

Mr Terry Carroll  
United Group Services Pty Ltd  
Level 2, 40 Miller Street  
NORTH SYDNEY NSW 2060

10/09672

Dear Mr Carroll

**RE: Application for Site Compatibility Certificate under State Environmental Planning Policy (Infrastructure) 2007 – 96 Bradleys Head Rd, Mosman (Lot 1, DP781262)**

I refer to your application for a Site Compatibility Certificate (SCC) under Clause 18(2) of the State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP).

Your application seeks to allow the land uses permitted under 3(a3) Mosman Junction Town Centre zone of the Mosman LEP 1998, on the subject site. The additional information which you submitted on 9 April 2010, as requested by the Department, also shows a future extension to the current building. Although the 3(a3) zone is adjacent to the subject site, your application does not nominate a specific land use or relate to a firm development proposal for the site.

Under Clause 18(2) of the Infrastructure SEPP, a development may proceed to the stage of lodgement of a development application if the Director General has issued a SCC for the site. In order to issue a certificate, the Director General must form the opinion that the development concerned is not likely to have an adverse effect on the environment and does not cause any unacceptable environmental risks to the land.

In the absence of the receipt of detailed information regarding a specific development proposal for the site, the Director General does not have sufficient information required to be considered by clause 19(6) (b) of the *Infrastructure SEPP*. This is because the 3(a3) zone of the Mosman LEP 1998 allows a wide range of possible development permitted with consent.

Should you wish to proceed with the application for a SCC, it is requested that you **urgently** provide additional information that indicates the specific development proposal and land use for the subject site. This would allow the Director General to properly consider the compatibility of the proposed development with the surrounding land uses.

You should note that once draft Mosman LEP 2008 is gazetted, a SCC cannot be issued for the site.

If you are unable to provide information on a more specific proposal, a Planning Proposal to amend the Mosman LEP may be a better way to proceed. Once Council forwards a Planning Proposal to the Department, under the new changes to the Environmental Planning and Assessment Act 1979, the Planning Proposal can be dealt with expeditiously.

Should you have any further enquiries about this matter, you may wish to contact Ms Tharani Yoganathan, Planner, Sydney Region East, of the Department of Planning. Tharani can be contacted on telephone number (02) 9228 6523.

Yours sincerely

 13.5.10  
Faye Roberts  
Regional Director  
Sydney Region East