

16 May 2012

Mr. Peter McManus
Senior Planner, Metropolitan and Regional Projects North
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Peter.McManus@planning.nsw.gov.au

Dear Peter,

Re: MP10_0070 MOD 3 – Section 75W Modification, Education Centre

Further to the Department's correspondence, dated 2 March 2012, regarding the above application, I am pleased to provide this response to submissions received regarding the above application. In total four submissions were received - from Ku-ring-gai Council, the Office of Environment & Heritage, the Roads & Maritime Services and from a nearby resident.

Ku-ring-gai Council Submission

Our specific responses to the concerns raised by Ku-ring-gai Council are outlined below.

1. **Building Height** - Council views the reduction in the height of buildings to two levels as a positive modification (previously the building contained four levels). It is not deemed relevant to correct the drawings to reflect actual height of buildings opposite the site as the modification seeks a reduction in height and any impact on adjacent buildings has been reduced (as shown in drawing A_75W-114).
2. **Boundary Line and Setback** - the boundary line and setback have been altered as a result of the changes to the building's shape. Proposed setbacks accurately account for the proposed road-widening of The Comenarra Parkway and have been determined by survey. The attached drawing (*Comenarra Parkway Boundary*) depicts the existing site boundary and the actual fixed boundary dimension having regard for current and proposed road widths.
3. **Setback to The Comenarra Parkway** - the modification proposes a reduction in the height of the building which has resulted in an expansion of the building's footprint, i.e. the building has been 'flattened'. This has resulted in a decreased setback to The Comenarra Parkway. Any visual impact associated with this change is offset by the reduction in building height to two storeys or 11.7 metres (as opposed to the previous four storeys building or 14.9 metres) and by selective site landscaping that is proposed in this location. The 12 metre setback requested by Council does not take into consideration the building's function as a stand-alone development for education purposes. It is not a residential apartment building and is not permanently occupied. The use of the building is not compromised by the reduced setback. There will be no other buildings on the Wahroonga Estate that will be used for such purposes so the reduced setback is not likely to establish a precedent for the site.

We note also that the Concept Approval designates a 10 metre setback for buildings fronting the Fox Valley Road but has not specified a setback for The Comenarra Parkway. The proposed modification therefore is consistent with previous approvals. Council's request for a 12 metre setback is unnecessary given the reduced the scale and function of the Education Centre. Sufficient landscaping will be provided to buffer the building from the road.

While Figure 76 in the Final Preferred Project Report designates a setback of six metres along The Comenarra Parkway, this setback was not a designated provision in either of the Concept or Project Approvals. Furthermore, Figure 76 has regard for a six metre setback in relation to a four storey building. The modification will reduce the height from four to two storeys, thus resulting in a less visually imposing building than the approved design.

4. **Landscaping** - while the reduction in the height of the building along The Comenarra Parkway has altered the boundary line and setback, the reduced scale of the building makes it far less visually prominent than the previously approved design.

The now-proposed two level building is easier to screen. Appropriate vegetative screening is proposed on submitted landscape drawings. The landscaping proposed for the building provides an adequate visual screen and incorporates shrubbery and tall natives such that the proposed building does not impact negatively on the overall site appearance.

5. **Carparking** - justification for the number of parking spaces now proposed for the Education Centre has been provided in separate correspondence. A greater number of parking spaces than previously approved for the Centre are now proposed, with no significant external impact on the site or its surrounds. Council's request for the split carpark to be combined into one area and located closer to the internal ring road is not feasible.

Resident Submission

The submission lodged by the nearby resident (from across The Comenarra Parkway) raises concern with respect to the building setback, site landscaping and carparking provisions. These issues have been addressed above and in the separate correspondence with respect to parking needs.

Additional screen landscaping can be provided between the building and The Comenarra Parkway if considered necessary. Overall, however, the visual impact of the proposed building has been lessened by the reduction in building height from 14.9 to 11.7 metres. The modified proposal therefore represents an improvement in visual appearance when viewed from The Comenarra Parkway.

OE&H and RMS Submissions

No objections in principle were received from either the Office of Environment & Heritage or the Roads & Maritime Services regarding Section 75W application.

I trust that the above response satisfactorily addresses the concerns that have been raised with respect to the current application.

Our client of course is readily able to attend your offices to explain any part of this response that may require further clarification. We would welcome the opportunity for such discussions. We await your further advice.

Yours sincerely,



Wayne Gersbach
General Manager – NSW