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5 July 2012

Caroline Owen
Acting Team Leader – Metropolitan & Regional Projects South
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Caroline,

Re: Addendum to S75W Modification Request for 21-35 Treacy Street, Hurstville (MP 10_0101)

As requested in your e-mail dated 4 July 2012 the following outlines a proposed modification to concept plan approval for MP 10_0101 that was not included in the S75W application dated April 2012.

Background:

The existing approved concept plan provides for a 1-metre setback from the southern boundary with the rail corridor for all the four (4) basement levels and the ground level of the proposed building. The residential levels above these levels are then set back further to create a podium.

The 1-metre setback was created as a result of comments by Railcorp dated 17/09/2010 that the building have an adequate setback from the rail corridor to enable access for the construction and future maintenance of the building without the need to utilise RailCorp land.

Proposed Modification:

It is proposed to reduce the 1m setback from the rail corridor to a zero lot line boundary for all four (4) basement levels and the ground level as detailed in the architectural plans lodged with the S75W application.

The proposed modification will require a minor amendment to Condition of Approval A4 in Schedule 2 Part A to recognise the amended building footprint.

Environmental Assessment

It is considered that the provision of a zero lot line boundary for a significant portion of the rear boundary with the rail corridor will not detrimentally impact on the merits of the proposed development and remains consistent with the key conditions of the concept plan approval because of the following:

- The use of the site for retail and residential purposes with associated car parking does not change.



- There are no changes to the height of the building.
- There are no changes to the maximum Gross Floor Area for the site.
- There are no changes to the
- The change in setback is relatively minor and will not result in a perceived change to the overall bulk and scale of the building.
- The car parking is improved with additional parking spaces increased to comply with the PAC conditions of consent and the efficiency of the car park layout is improved with split level parking arrangement.
- There are only 2 levels above ground at the rear of the site that have the reduced setback.
- Construction of the proposed building can and will be undertaken without requiring access to the rail corridor lands. This is reflected in the revised Statement of Commitments.
- The external wall that will be located on the boundary with the rail corridor is to be sealed and coated in anti-graffiti product that provides for long-term permanent protection. Any access requirements for future maintenance of the boundary wall will be infrequent and negotiated with Railcorp on an "as needs" basis. This is reflected in the revised Statement of Commitments.

Revised Statement of Commitments

In response to the proposed modification the following is appended to the revised Statement of Commitments made by Earljest Pty Ltd in the S75W application (shown in *italics* below).

5.13 Construction

Construction of the proposed building will be undertaken without requiring access to Railcorp owned rail corridor to the southern boundary of the site.

5.14 Building Maintenance

The southern boundary wall will be sealed and coated in anti-graffiti product that provides for long-term permanent protection. Any access requirements for future maintenance of the boundary wall will be infrequent and negotiated with Railcorp on an "as needs" basis.

Please do not hesitate to contact me should you require further information.

Yours sincerely

Tony Polvere
Director