

## Marcus Jennejohn

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**From:** Brett Daintry <brett@daintry.com.au>  
**Sent:** Tuesday, 29 September 2020 5:33 PM  
**To:** Marcus Jennejohn  
**Cc:** Alex Wilson; Danny Daher; Frank Stanisic  
**Subject:** MP10\_0101 Mod 3 - 21 – 35 Treacy Street, Hurstville  
**Attachments:** Attachment 1\_GFA Calculation\_210920.pdf; Attachment 2\_Wintergarden GFA Calculation\_210920.pdf

Marcus Jennejohn  
Senior Planning Officer, Key Sites Assessments  
Planning and Assessment  
Department of Planning, Industry and Environment

Dear Marcus,

Thank you for your email Friday, 18 September 2020 5:06 PM to the Applicant.

Please note that we are currently finalising our formal "Response to Submissions" and that this will be provided to you before this Friday's closing date.

In relation to the specific points raised in your email, please note the following responses:

***1. Please identify any proposed change to residential, retail and community components of the gross floor area (GFA) within Condition A1(c) of the Concept Approval***

Stanisic Architects has provided an updated Gross Floor Area Calculation dated 21 September 2020 which details the proposed changes to the components of GFA (**Attachment 1\_GFA Calculation\_210920**).

***2. Please provide further information to clarify the GFA attributed to the enclosed winter gardens***

Stanisic Architects has provided an updated Wintergarden Gross Floor Area Calculation dated 21 September 2020 which details the GFA attributed to the wintergardens and the snorkels (**Attachment 2\_Wintergarden GFA Calculation\_210920**).

***3. The Department questions the proposed 5% variation to the dwelling mix and car parking in Condition A2 noting that the Concept Approval does not approve a specific dwelling or car parking provision. Please consider whether this is necessary and/or an alternative approach.***

The current Modification Application seeks to include "a variance of 5% for unit mix and car parking to provide flexibility for the Local Planning Panel and/or Georges River Council during the assessment of the Development Application for the West Stage".

The Applicant's requirement for a condition such as this was to ensure that there is some flexibility available during the development application and construction certificate stage provided that we stay within the approved envelop and GFA. Georges River Council has been very clear that they will not approve anything that is not consistent with MOD 3. This request is clear and consistent with the intention that this is a concept approval with increasing detail provided through the DA and CC stages. The further and more detailed environmental assessment through the DA process is to follow.

In this regard, we are proposing a new amendment, but any words to same effect would be acceptable:

**Condition A2 "Development in accordance with Plans and Documentation" to read:**

"All previous Plans and documentation relating to the West Stage of the Concept are superseded by the following drawings prepared by Stanistic Associates Architects (Appendix 5). The final building envelope must be delivered in accordance with these plans and to a maximum height RL 108.75. The allocation of GFA within the building envelope may be subject to a 5% variation."

**4. The Department questions the proposed amendment to Condition B3 as the condition relates to the southern setback.**

The Applicant does not intend to remove the existing Condition B3 but rather add an additional condition relating to the western boundary. The Applicant recommends the following proposed modification to **Part B - Modifications** as follows:

**"b) New Modification B4 is added, and reads as follows:**

**B4 Zero Lot Line - Western Boundary**

**A zero lot line is provided on the western boundary of Lot 5 DP11931 to ensure consistency with the existing and desired future character of Treacy Street and specifically the effect of Council's Planning Proposal PP\_2017\_GRIVE\_002\_00 and the Gateway Approved NIL setback. The NIL setback has environmental planning and urban form justification as any future development of 37-41 Treacy Street should replicate the existing character dominated by NIL setbacks within Treacy Street and those fronting Forest Road with rear setbacks to Treacy Street."**

Please let me know if you would like to discuss this further in a conference or video call with the Applicant's consultant team to ensure that we fully satisfy your request for clarification of these points.

Regards

Brett

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