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DA Coordinator
Industry, Key Sites & Priority Projects
Attention: Amy Robertson
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

GM (CIS)

22 March 2017

Dear Amy

RE: 1 Denison Street North Sydney - MP 08_0238 MOD 6; MP 08_0238 MOD 7

I refer to your email of 10 March 2017 inviting North Sydney Council to comment on the proponent's response to submissions. This letter deals with the changes only.

MOD 6:

The proposal with regard to the public parking is not acceptable to Council where the proponent retains ownership and management of the public parking spaces. The current approval requires 42 spaces to be allocated to Council. Council therefore seeks to retain condition B5. Council does not have issue with 10 car share spaces but these spaces should be part of the allocation of 42 spaces to Council. The reduction of 27 public motor bike spaces to 21 spaces is acceptable. As detailed previously, Council's position is based on the loss of metered parking spaces as well as other spaces and the substantial revenue lost from those spaces.

The conditions should read as follows:

B5 Public Car Parking

The Proponent shall allocate to Council a minimum of forty-two (42) car parking spaces and 21 motorcycle spaces and ~~twenty-seven (27) motorcycle spaces~~ commencing at Basement 1 level of the commercial tower as public parking. Details of the allocation of the required spaces shall be provided to the Department and the Certifying Authority prior to the issue of the relevant Construction Certificate for the Commercial Tower excluding for any initial works.

B41 Number of Car/Motorcycle Spaces

The maximum number of car/motorcycle spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate:

<i>Commercial/Retail Car Parking Spaces</i>	120-161
<i>Number of Commercial/Retail Car Spaces to be Disabled Spaces</i>	4 5
<i>Public Cars</i>	42
<i>Public Motorcycle</i>	18-21
<i>Motorcycle</i>	14 17
<i>Car Share</i>	10
<i>Loading/service</i>	17

E11 Line Marking

226-166 off-street car-parking spaces, 10 car share spaces, 17 loading and services spaces and 42 17 motorcycle parking spaces, including 42 public parking spaces and 21 public motorcycle spaces, together with access driveways, shall be constructed, paved, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards and industry best practice as appropriate. The plans shall also nominate the allocation of parking spaces for specific purposes as required by conditions of this consent. A certificate prepared and certified by an appropriately qualified and practicing Civil Engineer for the construction of these areas in accordance with this requirement shall be submitted to the Certifying Authority prior to issue of the final Occupation Certificate.

With regard to the bicycle spaces, Council is pleased with the increase and accepts the change.

B43 Bicycle Storage and Parking

The bicycle storage area shall accommodate a minimum of ~~one hundred and sixty-one (161)~~ five hundred and seventy bicycles plus sixty four visitor spaces. Some of the visitor parking bicycle rail(s) shall be provided within the public domain adjacent to the approved commercial building. Such bicycle storage lockers and bicycle rail shall be designed in accordance with the applicable Australian Standards. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate for such storage and parking, fully satisfy the requirements of this condition.

MOD 7

Council understands that the following changes were made:

- Minor changes to finished surface levels within ground floor and through site link;
- Internal changes to core and building services locations; and
- Relocation of plant/building services from L2 to L10.

Council has no objection to the changes outlined in the proponent's letter of 2 March 2017.

There is a decrease in GFA so that the proposed modification will have a GFA of 65,387m².

New amounts will need to be inserted in Section 94 conditions based on 2016-2017 rates and 65,387 proposed GFA minus 6,261 existing GFA minus 264m² (level 2 77 Berry Street demolition) contribution calculated on 58862m² increase. It is important to indicate in the condition what the contribution is based on so that the amount can be adjusted at the time of payment in accordance with the quarterly consumer price index (All Groups Index of Sydney):

B4 Monetary Contributions for the Commercial Building

The Proponent shall pay the following monetary contributions prior to the issue of the first Construction Certificate in accordance with the North Sydney Section 94 Contributions Plan:

(1) Amount of Contribution

<i>Contribution Category</i>	<i>Amount</i>
<i>Public Domain Improvements</i>	<i>\$5,305,585.23</i>
<i>Traffic Improvements</i>	<i>\$320,327.00</i>
<i>Total</i>	<i>\$5,625,912.23</i>

E25 Section 94 Contributions for the Commercial Building

The Proponent shall pay the following monetary contributions prior to issue of interim or final Occupation Certificate in accordance with the North Sydney Section 94 Contributions Plan:

<i>Contribution Category</i>	<i>Amount</i>
<i>Administration</i>	<i>\$129,761.28</i>
<i>Child Care Facility</i>	<i>\$549,388.48</i>
<i>Community Centres</i>	<i>\$316,353.82</i>
<i>Library Acquisition</i>	<i>\$64,512.75</i>
<i>Library Premises and Equipment</i>	<i>\$196,128.18</i>
<i>Multi-Purpose Indoor Sports Facility</i>	<i>\$74,224.98</i>
<i>Olympic Pool</i>	<i>\$241,834.53</i>
<i>Open Space Acquisition</i>	<i>\$236,507.52</i>
<i>Open Space Increased Capacity</i>	<i>\$468,835.23</i>
<i>Total</i>	<i>\$2,277,547.37</i>

New amounts inserted in Railway Contribution condition based on December quarter 2016 rate @ \$124.48 per m² and 65,387 proposed GFA minus 6,261 existing GFA minus 264m² (level 2 77 Berry Street demolition) contribution calculated on 58862m² increase. It is important to indicate in the condition what the contribution is based on so that the amount can be adjusted at the time of payment in accordance with the quarterly consumer price index (All Groups Index of Sydney):

B6 Railway Infrastructure

The Proponent shall enter into a Voluntary Planning Agreement (VPA) in accordance with the offer made on 21 December 2009 with the Minister for Planning to provide a Railway Infrastructure Contribution totalling \$7,327,141.76 to be paid to the Transport Administration Corporation. Evidence of the Agreement shall be provided to the Certifying Authority prior to the issue of the relevant Occupation Certificate for the Commercial Tower, except in respect of the initial works.

*The final contribution payable may be required to reflect the GFA approved as part of this approval. In this case, a report by an appropriately qualified Surveyor shall be submitted to and approved by the ~~Director-General~~ **Secretary** demonstrating the total amount of constructed GFA.*

Contributions will be adjusted at the time of payment in accordance with the quarterly consumer price index (All Groups Index of Sydney).

Please contact the undersigned on 9936 8100 if you have any queries.

Yours faithfully



GEOFF MOSSEMENEAR
EXECUTIVE PLANNER