

ANNEXURE D

STUDY TEAM'S LETTER TO COUNCIL OF 27 AUGUST
FOLLOWING TECHNICAL MEETING AT COUNCIL
ON 24 AUGUST 2012

Colston Budd Hunt & Kafes Pty Ltd

as Trustee for C & B Unit Trust
ABN 27 623 918 759

Our Ref: LBH/7453.2/jj

27 August, 2012

Transport Planning
Town Planning
Retail Studies

The General Manager
Strathfield Council
PO Box 120
STRATHFIELD NSW 2135

Attention Messrs Hazeldine, Falato, Stavis

Dear Sirs,

**RE: MPI0-0143 COLUMBIA PRECINCT MIXED USE DEVELOPMENT
MATTERS FOR COUNCIL REGARDING CONCEPT APPLICATION**

- I. Thankyou for meeting with us on Friday (24/8) to discuss a number of procedural issues requiring Council attention, flowing from the Department's Letter of Issues dated 19 April 2012 (copy attached). The matters discussed on which we seek your written feedback, based on a hypothetically favourable Part 3A assessment on the part of the Department, are listed as follows and further elaborated below:-

- a) Dedication and improvement of public open space lands;
- b) Inclusion of community uses and facilities;
- c) Public works within public lanes owned by Council;
- d) Section 94 Contributions and works-in-kind off-sets.

A. Public Open Space Lands – Figure A Attached

2. That part of the Columbia Consortium land fronting Parramatta Road on the western side of the Powells Creek stormwater channel (Lot1/814227 of 3673m²) is currently zoned 6(d) Proposed Open Space, and the owner David Lhuede Pty Ltd has a statutory right to require Council to acquire it for its market value. The Columbia Precinct Concept Application however, proposes to dedicate and improve this land, including pedestrian/cycle bridges across the stormwater channel and Parramatta Road as part of the Powells Creek linear park to Homebush Bay.
3. The Concept Plan includes an indicative layout of this proposed open space area only at this stage, and it is accepted that Council will no doubt seek more involvement in the design. As discussed, CBHK and Mayohs were involved in a similar situation in Willoughby LGA, where we worked with Council in designing and then constructing and dedicating a wholly new public park for Council, known as Mashman Park (UBD

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23/P6), worthy of inspection as a good example of genuine and successful collaboration between Council and developer. Greg Woodhams or Julie Whitfield at Willoughby Council can provide further detail.

4. This is considered a good and cost-effective way of achieving a timely result with minimal disruption to Council's usual activities, however it is acknowledged that Council may wish to deal with it differently. Either way, the agreed value of the land and any construction costs is seen as a Section 94 offset pursuant to S.94 subsection (5). It is certainly not for the sole use of Columbia occupants, nor is it required to satisfy usual resident open space requirements, as they are wholly satisfied within the Precinct itself, by a combination of the various open space shown at Figure A and the SEPP65-compliant balconies to every unit.
5. From our discussions on Friday, it is understood that Council's preference is that all other landscaped areas shown at Figure A, hard and soft, would remain in private ownership. *[This does not include public roadways, discussed at 'C' below].*

B. Community Uses and Facilities – Figure B Attached

6. The Columbia Concept Plans are designed to locate ground level spaces to activate the public realm with a range of 'shopfront' type tenancies for retail, commercial and community purposes, serving both the resident and working populations of the site and, to a lesser extent, clientele from beyond the site as well. Some community uses, such as children's playground activities, skateboard park, toilets, pedestrian bridge lift, could locate within the new Powells Creek public park. Figure B notionally indicates prime locations for various other community uses within the proposed buildings, purposely opening onto landscaped areas and the new public plaza. Several of those tenancies are capable of splitting into smaller areas where appropriate. Possible community uses could include the following:-

- | | |
|--|-------------------------------------|
| • Council meeting room/hall for general purpose use; | • Rehearsal and performance spaces; |
| • The Powells Creek park and possible community facilities therein (e.g. toilets, skateboard rink, children's playground etc); | • Youth drop-in Centre; |
| • Children's playgroup; | • ESL Assist/Translation Services; |
| • Childcare/occasional care/holiday care; | • Tresillian Care; |
| • Child health; | • KidsHelp/Family Support; |
| • Book/toy library branch; | • DoCs office; |
| • Senior services; | • Health services; |
| • Emergency accommodation; | • Centre Link office; |
| | • Charities office; |
| | • Cultural associations; |
| | • Community Arts 'n Crafts; |
| | • Men's shed. |

7. Depending upon Council need, those of the above uses traditionally provided by Council could potentially locate at Columbia Precinct, either in strata premises to be deeded to Council or in fitted-out premises leased at subsidised or nil rental. (Those uses not provided by Council would be the responsibility and decision of the particular provider and would most likely locate in leased premises). Again the agreed value to Council of such freehold or leasehold spaces would be off-set against Section 94 dollar contributions (see 'D' below). This represents a significant opportunity for the community, particularly in light of Council's need for additional community uses to serve increased population projections. Council's views are sought on the issues raised, either to nominate community uses it might seek here, or to suggest a consent condition mechanism by which such uses might be agreed upon at subsequent DA stage, with Section 94 off-sets on agreed valuation.

C. Works within Public Lanes

8. Strathfield Council owns parts of Columbia Lane, Railway Lane and Parramatta Road on which access works related to the Columbia Project will be necessary. These works relate to kerb realignment and 'making good' works where new roads meet existing roads, and some services works to upgrade existing services in accordance with utility providers' wishes, given the current opportunity to do so afforded by the project – (for example, high voltage conduits below-ground between Parramatta Road and Ausgrid's sub-station).
9. The first stage of the Columbia development will include the construction of the George Street extension from the upgraded Parramatta Road intersection south to cross over Railway Lane and extend through to the southern section of Columbia Lane. At that point the disused central section of Columbia Lane will no longer need to remain a trafficable road, (*this is the same situation as is contemplated by the Council's proposed local roads 9(a) zonings under its existing and proposed statutory Instruments*), and it would go through the road closure procedures to enable its incorporation into the plaza improvements shown at Figure B. The northern part of Columbia Lane would remain open to traffic between the highway and Railway Lane, which would also remain open (*it being noted that Railway Lane is not a public road to the east of Columbia Lane, as all of that land is in the ownership of Kennards Self-Storage and is occupied by Kennards improvements*). This new road construction will significantly improve vehicular access to the RailCorp and Ausgrid land, (*both of whom have requested that the new George Street be a public road*).
10. These are all roadworks essentially as contemplated already by Council in its statutory documents, and it is proposed to undertake these works at no cost to Council as part of the project. Council's landowner's written agreement to this Concept Application including those roadworks is therefore sought to enable those works to be approved, (should that be the Department's decision). See Mott Macdonalds Engineering concept plan attached for information, at Figure C.

D. Section 94 Contributions

11. The Project Team's calculations of Section 94 Contributions payable by the Columbia Precinct development were included in the exhibited Environmental Assessment documentation of October 2011, based on the quantum of development, the then applicable S.94 Contribution rates, and the anticipated staging of the development. Since that time, there has been some modification of areas and unit yield, and the calculation total included in Section 4.3 of the October 2011 report has been updated to reflect those modifications, and that revised table is attached. Having regard for the credits available for the industrial/commercial floorspace currently on-site, the Section 94 liability of the development is calculated to total \$6.5 million subject to CPI adjustment, and will be payable in development stages as indicated in the following table:-

Table: Section 94 Contributions by Project Stage ⁽¹⁾ (Precinct 3C Rates) at June 2010 Dollars			
Type of space	s.94 rate	Total Site	
		no.units	\$
Studio/1 Br Unit	\$10,647	249	2,651,103
2/Br	\$14,216	302	4,293,232
3/Br	\$17,655	94	1,659,570
Commercial ⁽²⁾	\$165/m ²	-15,630m ²	-2,578,950
Retail/Showroom	\$90/m ²	4,760m ²	428,400
Total			\$6.45m

Notes: ⁽¹⁾ See anticipated staging drawings in Annexure A

⁽²⁾ 'Commercial' includes non-retail offices and self-storage space

12. We ask that Council check these figures and either confirm their accuracy or otherwise indicate Council's alternative calculations, (noting that the implementable Part 4 DA's that will necessarily follow any Concept Approval will allow S.94 liability to be re-examined at that time. Council will be provided with floorspace details for staging purposes at the time of Part 4 DA's.)
13. These figures make no allowance for any works-in-kind offsets, such as the Powells Creek open space or possible on-site community facilities. Such allowance will need to be made at the time, in accordance with agreed valuations, and any Concept Approval might be anticipated to be conditioned accordingly. Similarly, S.94 offsets would be due for any facilities made available to Council for community purposes, either in freehold or leasehold, and those values would also need to be agreed at the time. That process can be covered by Condition(s) of any approval.

E. Summary of Response Sought

14. In summary, Council is requested to consider and respond to the following, using the order A to D adopted above:-

Colston Budd Hunt & Kafes Pty Ltd

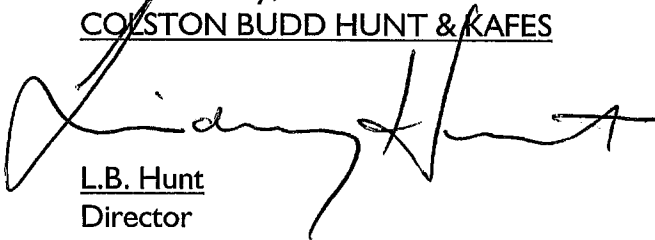
- a) **Open Space Lands** – Please confirm if Council is happy to adopt the design and construct methodology as outlined in paragraphs #2 to #4 of Part A of the submission.
- b) **Community Uses/Facilities** – Please indicate which community uses Council may wish to see incorporated in the Columbia Precinct (including within the new Powells Creek park), either under leasehold or freehold arrangement, or in the alternative, whether this should be agreed at time of subsequent Part 4 DA in accordance with suitable consent procedure (see Part B of this submission).
- c) **Public Works within Public Lands** – Please forward us a letter as Council landowner of these public roads agreeing to the inclusion of those works within the current Concept Application (see Part C of this submission).
- d) **Section 94 Contributions** – Please confirm that our Section 94 Contributions are calculated with the correct methodology (see Table above), to be provided to Council by a combination of land/works-in-kind and monetary contribution to be agreed under Concept Approval condition at the time of Part 4 DA's.

15. We look forward to Council's early response, and take the opportunity to reiterate our offer at the meeting to assist further in any way we can – for example, in briefing the Council Executive.

Happy to discuss any of the above.

Yours faithfully,

COLSTON BUDD HUNT & KAFES



L.B. Hunt
Director

Attached:

- Department's Letter of Issues
- Figure A – Open Space
- Figure B – Ground Floor Tenancies
- Figure C – Mott Macdonald Engineering Concept Design of Parramatta/Columbia intersection



Planning & Infrastructure

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Mr Lindsay Hunt
Colston Budd Hunt & Kafes Pty Ltd
PO Box 5186
WEST CHATSWOOD NSW 1515

Our ref: MP 10_0143

Dear Mr Hunt,

Mixed Use Development, at Columbia Precinct, 2-20 Parramatta Road & 11-13 Columbia Lane, Homebush- MP 10_0143

I refer to your Environmental Assessment (EA) for the Project at the above site. As you are aware, the Department publicly exhibited the Project from 18 January until 29 February 2012.

I have forwarded a copy of the submissions received to date, pursuant to Section 75H(5) of the *Environmental Planning and Assessment Act, 1979*. These submissions include a response from Strathfield Council, relevant Government agencies and members of the public.

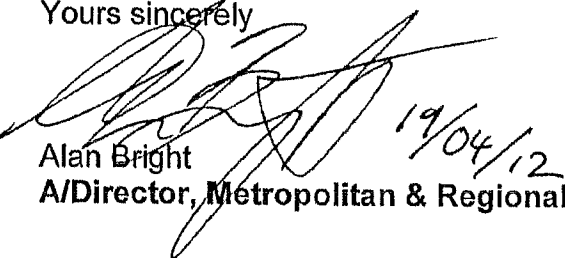
The Department has reviewed the submissions received and considered the proposal as detailed in the EA. The Department has identified a number of key issues and additional information to be addressed, outlined in **Attachment 1**. The key issues identified with the proposal relate to bulk and scale, residential amenity and access.

The Director-General, pursuant to Section 75H(6) of the Act, requires that you provide a response to the issues raised in the submissions. A Preferred Project Report should be prepared identifying how you have addressed these issues (including those raised by the Department), to minimise the environmental impacts of the proposal.

A revised Statement of Commitments is also to be provided incorporating any amendments following your response to the submissions.

Should you wish to discuss the issues raised in this letter, please contact Caroline Owen, Planning Officer, on (02) 9228 6574 or caroline.owen@planning.nsw.gov.au.

Yours sincerely


Alan Bright
A/Director, Metropolitan & Regional Projects South

ATTACHMENT 1

KEY ISSUES

Land Owner's consent

- In accordance with Clause 8F of the *Environmental Planning & Assessment Regulations 2000*, prior to the determination of Part 3A projects, owner's consent of all land affected by the proposal is required. The development shall be modified to delete any references to land owned by RailCorp or Council, unless land owner's consent is obtained. Evidence of this must be submitted to the Department.

Bulk and Scale

- Consideration should be given to increasing building separation distances, consistent with minimum recommended separation distance within the Residential Flat Design Code (RFDC). Consideration should specifically be given to between buildings B & D, Q & R and K & O.

Residential Amenity

- Consideration should be given to modified building footprints, orientation and indicative residential unit layouts to maximise solar access to buildings H, T, R and P, in accordance with the RFDC rules of thumb.

Confirmation is also required that the stated percentage of units achieving minimum solar access requirements in each building, takes into consideration the cumulative affects of other buildings within the proposed development.

- Concern is raised regarding the likely noise levels which will be experienced by future residents from surrounding roads and the Western Rail Line, the Northern Rail Line and the North Strathfield Goods Loop.

Consideration should be given to alternative building layouts and increased setbacks to assist with noise mitigation. This may include a 3D acoustic model developed in SoundPLAN of the building footprints within Council's DCP No. 20 Parramatta Road Corridor.

- Confirmation is requested as to the ability of the proposal to comply with rules of thumb of the RFDC including recommended unit sizes and the provision of adequate private open space to residential units.

Transport/ Access

- The proponent is asked to address comments from Roads & Maritime Services in relation to the proposed upgrades to the Parramatta Road/ George Street intersection.
- Further consideration should be given to the establishment of a clear and permanent pedestrian and cycle link from the site to Homebush Train Station and Homebush centre. This link should be able to function as part of this development, rather than having to rely on any future potential development on adjoining land.

Environmentally Sustainable Development

- Clarification is sought as to the locations of the proposed tri-generation plant, grey water storage systems and on-site stormwater detention, as referred to in the EA.
- Further consideration should be given to the achievement of best practice Green Star ratings for the development as a whole (under the pilot Communities tool) and individual buildings, as part of future development applications.

Land Uses

- The Department raises concerns regarding the amount of proposed commercial/retail uses at ground floor levels, especially along the western edge of the site, in terms of the ongoing viability of these uses.

ADDITIONAL INFORMATION REQUIRED

- A response is requested to concerns raised by Strathfield Council in relation to the proposed building heights and building layouts.

The response should specifically address Council's alternative layout, as illustrated in Figure 3 of Council's submission and in relation to the draft controls within the recently exhibited Draft Strathfield LEP 2012.

- Additional information should be provided regarding any further discussions with Council in relation to S94 Contributions and details of any agreements relating to any proposed contributions-in-lieu.
- The Proponent is requested to respond to Council's comments in terms of required on-site parking requirements, taking into consideration the Strathfield DPC Part I.
- Confirmation is requested that acceptable access can be maintained to the electricity substation and RailCorp land throughout the construction process and after completion.
- A response shall be provided to comments made by Strathfield Council in relation to the accuracy of the submitted photomontages.
- Details shall be provided of any discussions with Council/ organisations regarding potential uses of the proposed community use areas.
- Clarification is requested as to whether the 'potential' serviced apartments proposed within Building C are included within the proposed 650 residential units on the site.

9.0 Landscape Concept Plan

The overall landscape concept plan has been developed to closely respond to the landscape design objectives and aims as set out above. The landscape plan complements the architectural masterplan and associated documents, providing further detail on landscape design proposals for streetscapes, open space and gardens. The Landscape Plan illustrates the structure and intent of the design, with indicative detail of the hardscape finishes and specific plant species, which are to be subject to further approval for the developed design documentation for subsequent applications.

The following sections describe the detailed intent of the landscape design for specific areas of the project, including highlighting the design considerations addressed. The supportive design example photographs provide a further indication of the desired intent and design response that will be provided by subsequent design development upon approval of the landscape concept proposals.

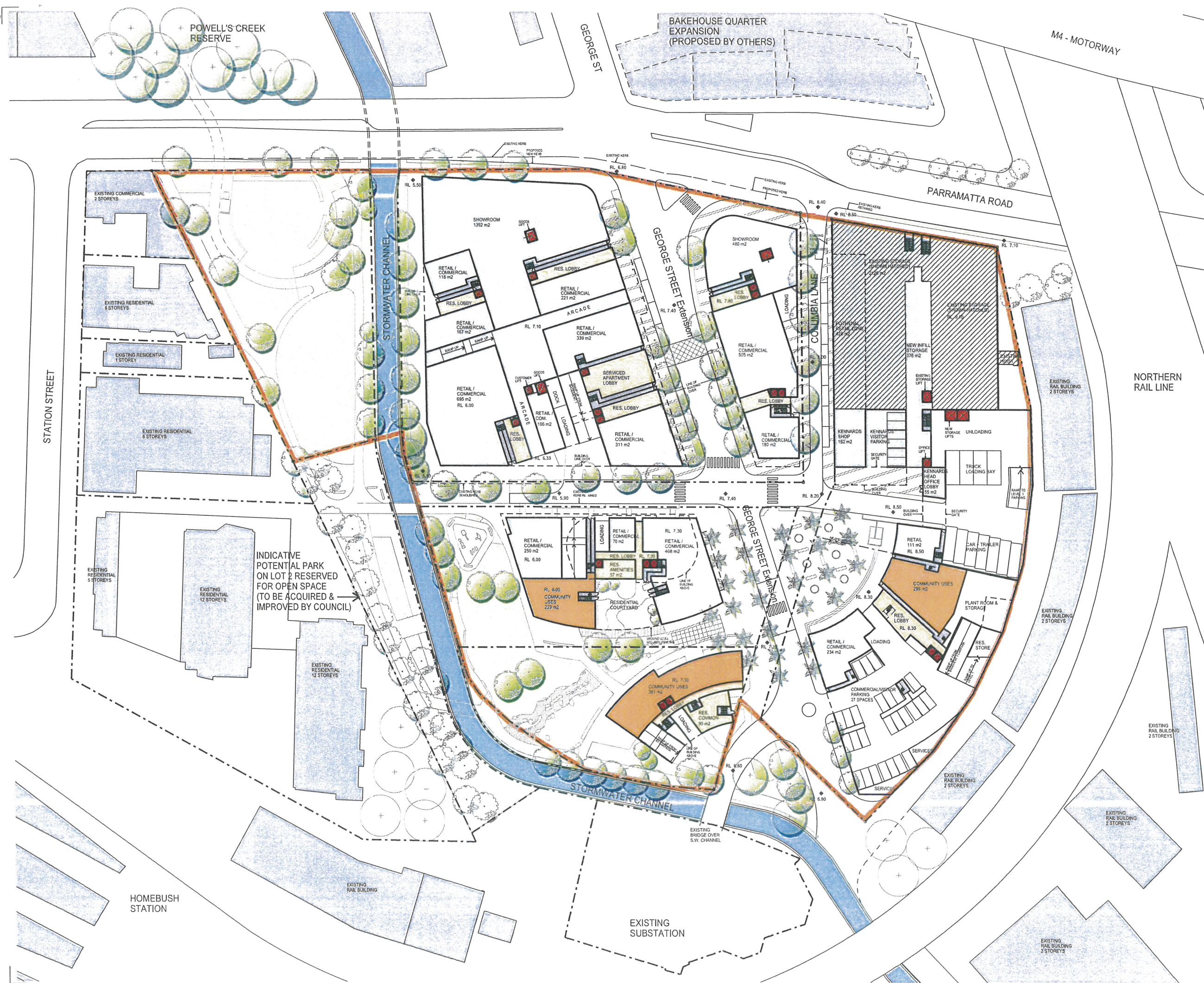


SITE IMAGE

FOR INFORMATION ONLY

COLOUR LEGEND :

- RESIDENTIAL
- COMMUNITY USES
- MIXED COMMERCIAL / RETAIL USES
- STORAGE CENTRE
- CARPARK / ACCESS, SERVICE BAYS
- LIFT
- PROPERTY BOUNDARIES
- SITE PERIMETER



C	ISSUE FOR REVIEW: AMENDMENTS TO GEORGE ST EXTENSION, LUEDE'S BUILDING FACADES AT THE CORNER OF PARRAMATTA RD & GEORGE ST, KENNARDS RES. BUILDING FACADE FACING GEORGE ST, ALSO NEIGHBOURHOOD SQUARE, TO SUIT ROAD/TRAFFIC ARRANGEMENT	27-08-12
B	ENVIRONMENTAL ASSESSMENT ISSUE - SITE PERIMETER HIGHLIGHTED	18-10-11
A	CONCEPT PLAN DRAFT SUBMISSION	05-07-11
Issue	Amendment Description	Date

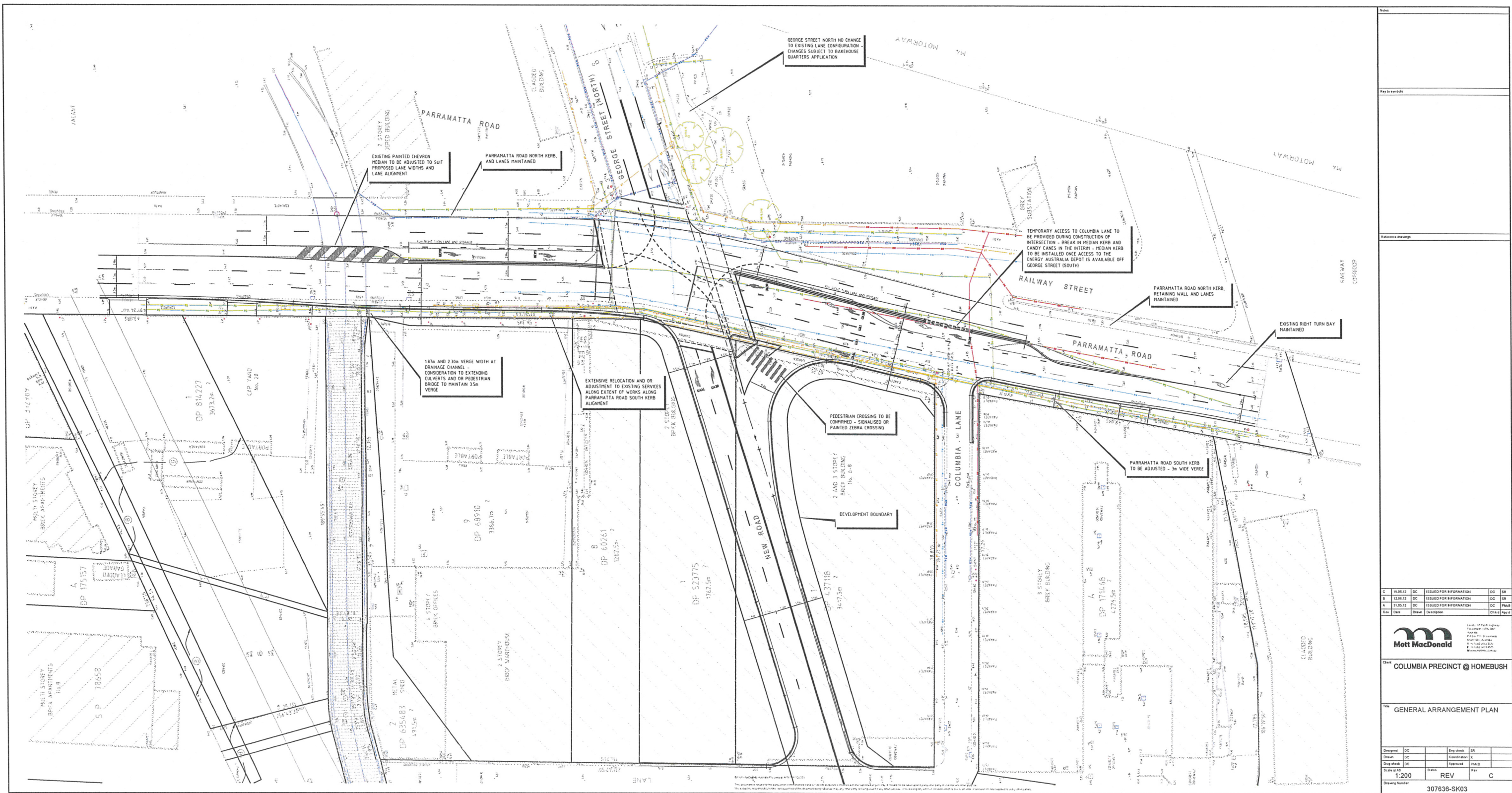
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Clients
David Lhuete Pty. Ltd.
Kennards Self-Storage Pty. Ltd.
Hai Phong Properties Pty. Ltd.

Drawing Title
**Indicative Design
GROUND LEVEL PLAN**

Project
CONCEPT PLAN APPLICATION FOR:
columbia precinct regeneration
HOMEBUSH
2-20 Parramatta Road & 11-13 Columbia Lane, Homebush NSW

True North
Scale: 1:500 @ A1
1:1000 @ A2
Check: PH DT TT
Drawn: [Signature]
Issue: [Signature]
A.103
C



C	15.06.12	DC	ISSUED FOR INFORMATION	DC	SR
B	12.06.12	DC	ISSUED FOR INFORMATION	DC	SR
A	21.05.12	DC	ISSUED FOR INFORMATION	DC	PMB
Rev	Date	Drawn	Description	DC	Appr
Mott MacDonald					
Client: COLUMBIA PRECINCT @ HOMEBUSH					
Title: GENERAL ARRANGEMENT PLAN					
Designed	DC	Eng check	SR		
Drawn	DC	Coordination	S		
Drawn by	DC	Approved	PMB		
Scale as	1:200	Rev	C		
Drawing Number	307636-SK03				