

Colston Budd Hunt & Kafes Pty Ltd

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

Our Ref: LBH/7453.2/ek

Transport Planning
Town Planning
Retail Studies

21 October, 2012

The Director-General
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Caroline Owen

Dear Caroline,

RE: MP 10-0143 'COLUMBIA PRECINCT', STRATHFIELD LGA
PREFERRED PROJECT REPORT DOCUMENTATION FOR
CONCEPT PLAN MAJOR PROJECT APPLICATION

1. Further to our recent meeting and correspondence, I have pleasure in submitting the Preferred Project Report (PPR) required by your Department in its Letter of Issues dated 19 April 2012, in both bound and electronic copy.
2. The PPR has been written so as to clearly demonstrate that the Issues raised in your 19/4 letter have been satisfactorily addressed. To assist the Department in that assessment, we have included a Schedule of the Department's Issues at the end of the Executive Summary, listing the sections in the PPR where each of those issues has been addressed. It is my opinion that the PPR achieves that goal. It also seeks to include relevant documentation (in the Attachments and Annexures sections of the PPR) arising since the Environmental Assessment documentation was lodged and exhibited earlier this year.
3. Two of those documents are detailed technical responses, found at Annexures E and C, to Strathfield Council's draft LEP and to Council's submission to the exhibited Environmental Assessment documentation respectively. These technical responses were prepared by the Columbia design team, calling on the appropriate specialist design skills as required, to demonstrate the extent of detailed consideration given to this project over a considerable length of time.
4. Another of those documents (at Annexure D) is our submission to Strathfield Council dated 27 August 2012, a copy of which I attach for ease of reference, following a meeting between our Study Team and senior Council planners. Our

submission outlined the suggested approach and sought Council's response in several areas. These included (a) landowner's consent to the Concept Application covering public works in public roadways land, (b) Section 94 Calculations and (c) S.94 land-in-lieu and works-in-kind. I invite you to read that 27/8 document as it provides useful insight into those particular elements of the proposed development and how they might best be approached.

5. Unfortunately we have not been able to obtain Council's response to our submission. Accordingly the following approach has now been adopted by the PPR:-

- a) **Landowner's agreement** – The road widening and intersection works along Parramatta Road (see Figure 7 to the PPR) are a pre-requisite of the Columbia development and so can be required as a condition of any Concept Approval, therefore not requiring inclusion within the application area nor landowner's approval to the making of the application. The proposed public works within the public laneways (Columbia and Railway Lanes) can as suggested in the Department's Letter of Issues be removed from the Part 3A application and included under subsequent Part 4 Development application. See Pikes Verekers' legal advices at Attachment K, and latest Mayoh drawing A003C illustrating how it is intended these areas be treated.
- b) **Section 94 Contributions** – Such S94 developer contributions are payable by the landowners/developers. Section #2.8.2 of this attached PPR report deals with the principles of their calculation, and suggests how the applicable consent conditions might be structured. The revised Statement of Landowners' Commitments found in Annexure B at the rear of the report has been written to reflect that suggested approach.
- c) **S94 Land-in-Lieu and Works-in-Kind** – Public open space dedication and possible embellishment are addressed in section #2.8.2 of the report while potential community uses are discussed in section #2.8.6. Suggested approaches to conditioning any Concept Approval to facilitate and accommodate future Council decisions on these matters, are found in those two sections of the PPR, and again reinforced in the Statement of Commitments.

6. We understand that the Department may need to put the MP10-0143 Columbia Precinct Concept Application out to external consultants to produce the planning assessment report. Given the extended background to the design development of this scheme, the numerous issues addressed and consultations

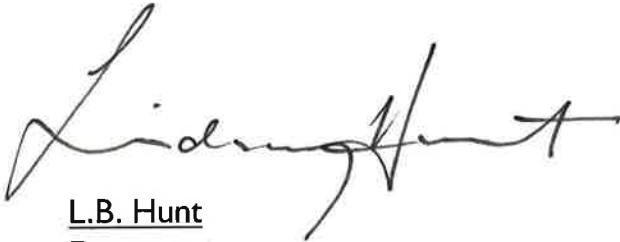
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undertaken pertaining to it, and the sheer volume of its documentation, it would be preferable that the project is not referred to an external consultant because of the lengthy consultations and project knowledge built up within the current DoP officers. However, in the event that the Department does not have the necessary resources in-house we would we suggest at least one briefing session be held between applicant, the Department and its selected consultant in order to discuss the project in detail.

By all means call me with any questions or feedback, and I am happy to take your phone calls at any time in order to expedite the project, given its length to date and the need now for timely determination.

Yours faithfully,

COLSTON BUDD HUNT & KAFES

A handwritten signature in black ink, appearing to read 'L.B. Hunt', written in a cursive style.

L.B. Hunt
Director

Encl. Attachments

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
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COPY

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**

1. 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 Mayo's 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

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.

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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:-

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- 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

COPY

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