



Bupa Care Services Pty Ltd
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21/3/2014

Necola Chisholm
Development Assessment and Approvals
Planning & Infrastructure
GPO Box 39 | Sydney NSW 2001

By email: necola.chisholm@planning.nsw.gov.au

Subject: Response to council email in relation to through site link of 2 Alfred St Campsie

Dear Necola,

Thank you for providing a copy of the email dated 6 March 2014 from Stephen Pratt at Canterbury council.

Bupa Care Services Australia (BCSA) as owner of the land have on a number of occasions provided in principle support for the proposed through site link given the public and community benefit. It is believed that Australand has communicated this to Council.

BCSA through its project manager SDH & associates, has also directly confirmed its support to the link, to Council at meetings with Council officers and informed council of the communications between it and Australand.

Below is an outline of two communications made to Australand in 2013 in support of the concept and the circumstances under which Bupa's support would be provided.

- On the 6 September Savvas Hadjimichael of SDH & associates wrote to Australand on behalf of BCSA and outlined the position of BCSA in relation to a through site link. See appendix 3;
- Further email communications between BCSA and Australand on the 18 November reaffirming support to the proposed through site link to the southern boundary. See appendix 4;

BCSA in the above two communications clearly outline the circumstances under which the support to the link was being extend; such being satisfactory resolution of matters associated with indemnity, costs, impact on the proposed facility and ownership.

In respect of Councils comments regarding Sydney Water approval, BCSA have received minutes of a meeting between Australand and Sydney Water the subject of which was the through site link and the proposed crossing of cup and saucer creek, (see appendix 1 for the minutes of the meeting). The minutes clearly note that Sydney water is supportive of the proposal.

BCSA would also note that they have received a copy of a letter from NSW transport in relation to bus routes in the area and the support that they give for a through site link to Bexley road this is provided in appendix 2 of this letter.

BCSA believe that Australand are doing everything to gain approval for a through site link to the southern boundary and provide copy of a letter sent to council on the 3 February (see appendix 5) outlining Australand's position and requesting a response to the letter in order for things to proceed further. To the best of our knowledge a response to that letter from Council is yet to be received by Australand.

BCSA has reviewed the preliminary plans and whilst there are some minor concerns around the design of the bridge, BCSA supports the concept and has communicated with Australand accordingly.

It is noted that council has received the plans but have not assessed the plans or provided any approval for the concept. In responding to the submitted plans Council would also need to address the points raised in communications to Australand from BCSA (see appendix 3 and 4).

For clarity the through site link proposed by Council to run across the southern boundary of the site owned by Bupa Care services Australia (BCSA) does not actually run along the southern boundary of the site as the boundary is on the southern side of cup and saucer creek.

BCSA note that they have provided support for the concept to the southern boundary as this is in an area that works for the layout of the site and the ability to care for residents of the facility. Locating the proposed link anywhere else within the BCSA, would not work for the aged care facility as it would impede on BCSA to provide a safe and secure environment for its residents.

BCSA note that the need/desire for the pathway arises from the other elements of the overall project and not from the proposed aged care facility. The pathway will benefit the occupants, residents and visitors of those other elements of the overall development with little if any benefit to the aged care facility. Consequently BCSA, while it will extend its support to the creation of the pathway it can only do so to the extent it does not adversely affect its interests and its ability to deliver to the community an efficient functional facility that meets the needs of the community and is compatible with its environment.

BCSA believes that this letter addresses the matters raised in Council's letter and trusts it will assist in the early completion of the assessment of the application by the department.

Should you require any additional information or clarification please contact the undersigned or BCSA project manager at SDH & associates, James Heeks, 0431 450 255, james@sdha.com.au

Yours sincerely



Matthew Galvin
Development Manager
Bupa Care Service's Australia



**CLEMTON PARK VILLAGE – Australand and Bupa
BEXLEY RD LINK – SWC LIAISON MEETING**

HELD at 1pm on 27 FEB 2014, HO 7-01 Tambourine Bay Room, SWC Parramatta

APPENDIX 1

1/2

Present

Richard McLachlan	Australand	Senior Development Manager	0408 675 973	rmclachlan@australand.com.au
Alasdair Cameron	Craig and Rhodes	Civil Engineer	(02) 9869 1855	acameron@crhodes.com.au
Jayson Blaine	Metro Water	Water servicing co-ordinator	(02) 9869 1855	jblaine@crhodes.com.au
Mitchell Hoffmann	SWC	Senior Development Services Officer	(02) 8849 3440	Mitchell.hoffmann@sydneywater.com.au
Ray Parsell	SWC	Asset and Flood Management	(02) 8849 4182	Raymond.parsell@sydneywater.com.au
Jeya Jeyadevan	SWC	Stormwater Asset Planner	(02) 8849 6118	Jeya.Jeyadevan@sydneywater.com.au
Nad Balgunan	SWC	Civil Engineer	(02) 9644 0320	Nad.balgunan@sydneywater.com.au

Apologies

James Heaks	SDH & Associates	Project Manager (for Bupa)	0431 450 255	james@sdha.com.au
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1.	Stormwater		
a.	The link, bridge, handrails, ramps and fencing should be designed to ensure there is no impact on flood flows. To ensure this outcome SWC will require the stormwater engineer to carry out a flood impact assessment for the proposed foot path and the bridge crossing and to ensure that the work does not have any flood impact on adjoining properties	Note / AHL/Metrowater	
b.	SWC is supportive of the proposal given the public benefit.	Note	
c.	Wherever possible the path and associated infrastructure should be 1.0m from the back edge of the canal. This will also assist with management of flood flows.	Note / AHL/Metrowater	
d.	Underside of bridge should be 300-500mm above freeboard, and 2.2m clear of invert (ie 2.2m above lowest point of canal.).	Note / AHL/Metrowater	
2.	Sewer		
a.	All footings etc for the bridge and ramps should be clear of sewerage infrastructure.	Note / AHL/Metrowater	
b.	"Before and After" CCTV inspections of the affected infrastructure will be required.	Note / AHL/Metrowater	
3.	Approval Issues		
a.	Further to more design work and another liaison meeting, the application can be lodged as a Building Plan approval. At the time of the application a new case number will be created.	Note / AHL/Metrowater	
4.	Property Issues		
a.	Any queries related to the ownership of the canal, the easement etc should be referred to Gwendy Arnot in the SWC Group Property Area	Note / AHL/Metrowater	
b.	Council must own the public asset (ie the link) but this does not	Note /	



	necessarily mean they own the land that the asset/easement sits within.	AHL/Metrowater	
c.	Australand confirmed that Bupa has made it very clear they will not take on public liability for this asset.	Note / AHL/Metrowater	

Minutes updated 14-3-14 with input from Jeya Jeyadevan (SWC)

End of meeting 2.00pm

APPENDIX 1
2/2



SE13/21544

30 October 2013

Andrew Johnson
Traffix
PO Box 1061
POTTS POINT NSW 1035

Dear Mr Johnson

Transport for NSW and Sydney Buses are currently planning the provision of bus services along Charlotte Street to service new residential and retail development at Clemton Park Village.

In addition to bus services along Charlotte Street, residents and visitors to Clemton Park Village, would benefit greatly from the provision of direct pedestrian access between the site and bus stops on Bexley Road near the intersection of Viccliffe Avenue.

These bus stops on Bexley Road are served by Routes M41 and 412, which provide direct access to a number of major regional shopping and employment areas, which would increase public transport accessibility to and from the site and make public transport usage more attractive for residents and visitors.

From these stops, the local community can access the following bus services:

- **Metrobus Route M41** - frequent 7-day direct service between Hurstville and Macquarie via Bexley North, Campsie, Burwood, Rhodes, Top Ryde, Macquarie Shopping Centre and Macquarie University.
- **Route 412** - 7 day service to Campsie to Sydney CBD service via Earlwood, Dulwich Hill, Petersham, Camperdown, RPA and Broadway.

If possible, it would be highly desirable for a physical pedestrian link to be provided between the Clemton Park Village site/Alfred Street and these bus stops. Not only would future residents and visitors benefit, but also other existing residents in surrounding streets would have increased access to buses, as well as improved access from the area into the Clemton Park Village site itself.

If you need further information on this matter, please call Edward Osiowy, Bus Service Planner, on 8202 2108

Yours sincerely

A handwritten signature in black ink, appearing to read "W. Finnan".

Warren Finnan
Principal Manager, Service Planning (Bus and Ferry)



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FILE:

From: Savvas Hadjimichael
Sent: Friday, 6 September 2013 1:08 PM
To: Richard McLachlan (RMcLachlan@australand.com.au)
Cc: James Heeks
Subject: FW: RM-JH.CPV5.Footpath Link.2-9-13

Richard

The proposal while in principle it is something that Bupa may support, it is one that before it can be considered further by Bupa needs some more definition and agreement on the conditions / terms that will apply, in the event Bupa accepts it; such include the following:

1. How wide is the footpath? how much of the area of Lot 31 will the footpath occupy?
2. Bupa would expect a fence be installed at no cost to it to separate the path from its land;
3. Bupa would expect that the pathway land would be excised from its lot;
4. Bupa would expect that all costs associated with the creation/construction of the path would be met by others;
5. Bupa would expect a consideration be paid/credited to it for the diminution in lot area;
6. Bupa would not concur with creation of the path if doing so, in any way, inhibits its ability of getting an acceptable development consent for its facility e.g. FSR, boundary setbacks etc; getting an acceptable consent for the RACF would be a condition precedent to the creation of the path/excising of the path area;
7. Bupa would not concur with creation of the path if doing so, in any way diminishes its rights under the contract for sale;

Please consider the above points (there probably are others that will come to light as discussions evolve) and provide your initial thoughts / advice on each.

Thanks

Savvas Hadjimichael
 SDH & Associates
 Suite 1003, Level 10,
 276 Pitt Street
 Sydney NSW 2000

t (61 2) 9264 5570
 f (61 2) 9283 5580
 m 0411 879 409

email savvas@sdha.com.au



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FILE:

Regards

Tim Tait

-----Original Message-----

From: Tony Pizzolato [TPizzolato@australand.com.au]

Sent: Tuesday, November 19, 2013 03:16 PM AUS Eastern Standard Time

To: Tim Tait

Subject: RE: Bupa Clemton Park development - through site link

Hi Tim , we agree to work with the scope as noted below . The final outcomes will be dependent on gaining Council approval for the future maintenance of the pedestrian path on your site. (which seems logical as they will be maintaining the rest of the link to Bexley Road))

Thanks for your cooperation, we will now discuss this with Council and get back to you once we have some feedback .

Tony Pizzolato

Development Director, New Business
Australand Property Group

Mob 0400 408 794 Tel 02 9767 2335

1 Homebush Bay Drive, Building C, Level 3, Rhodes NSW 2138

australand.com.au | People driven people.



From: Tim Tait [mailto:Tim.Tait@bupacare.com.au]

Sent: Monday, 18 November 2013 7:16 PM

To: Tony Pizzolato

Subject: Bupa Clemton Park development - through site link

Hi Tony

As discussed we understand that Canterbury Council and Clemton Park 1 & 2 are negotiating a "Development Agreement" in relation to the overall development and part of the agreement includes provision by the developer of a through site link

1. Clemton Park 1 & 2 suggest that a "good" route for the link is alongside the drainage culvert that is along Bupa's southern boundary, on Bupa's land. The link would be fenced and paid for by Clemton Park 1 & 2, including any bridge and related works at no cost to Bupa
2. Clemton Park 1 & 2 expect that Council will accept a right of way over Bupa's land and will maintain the access way in the long term, including lighting

Provided both points are confirmed, Bupa will assist in allowing this to happen

Can you please reply confirming your concurrence with this



3 February 2014

Mr Jim Montague
General Manager
Canterbury City Council
137 Beamish Street
CAMPSIE NSW 2194

1 Homebush Bay Drive
Building C, Level 3
Rhodes NSW 2138

02 9767 2000

PO Box 3307
Rhodes NSW 2138

australand.com.au

Dear Sir

**RE: PROPOSED THROUGH SITE LINK FROM CLEMPTON PARK VILLAGE
(CPV) THROUGH TO BEXLEY ROAD**

Council have requested that Australand undertakes further reviews of a possible site link from CPV through to Bexley Road.

It is important to note that previous proposals for a through site from Lot 31 through Council's land in Viking Street were put to Council but rejected due to advice that Council were to dispose of this land.

Subsequently Lot 31 has been sold to Bupa for an aged care facility.

We have discussed with Bupa if they would consider making provision for public access along Cup & Saucer Creek as per the attached site plan.

Bupa have advised their in principle approval to grant access subject to Council maintaining the dedicated area, including all repairs and maintenance.

In noting the site plan one of the other critical areas would be a pedestrian footbridge over the creek. This would require Sydney Water approval.

Craig & Rhodes have prepared an estimate for the majority of the works (attached).

This totals approximately \$400,000. With other works such as legal fees, LPI fees, fencing, possible lighting and miscellaneous other items estimated at \$100,000 being a total estimate of \$500,000 for these works.

Should Council consider the above works to be feasible then Australand would continue to work with Bupa, Sydney Water and Council to determine if this through site link could be developed and a VPA agreement could be put in place to deliver this outcome.



Australand would be acting on behalf of the Landowners of CPV (being Clemton Park Developments No.1 & No.2 Pty Ltd).

Could Council please review the above proposal and advise their position on the matter.

Should you have any queries, please do not hesitate to contact myself.

Yours faithfully
AUSTRALAND HOLDINGS LIMITED

Tony Pizzolato
Development Director

Attached:

- **Overall Site Plan**
- **Proposed Easement Plan**
- **Craig & Rhodes Estimate**
- **Perspective of Footbridge**