

Cracknell & Lonergan

Architects Pty Limited

156a Church Street Camperdown NSW 2050

Tel: (02) 9565 1554 Fax: (02) 9550 1224

email@cracknellonergan.com.au

Peter Joseph Lonergan (Arch. Reg. No. 5983)

ABN 55 100 940 501

RE: Excerpts from letter to the Department Of Planning dated 2 April 2008

Point Three: Bona fide commitments and achievability of mixed use development

Point Four: Details of long term governance arrangements

Point Eight: Wind impact, with reference to prevailing winds

Re: MP 06.0101 Aboriginal Housing Company

Three: Bona fide commitments and achievability of mixed use development

The land is approximately 9000m² and there is an application to develop approximately 15000m² of floor space, where 40% is residential, and 60% is non-residential, of which 75% is commercial/retail.

It is the intention of the AHC to enter into a partnership arrangement with a developer/developers and a lessee or number of lessees prior to the commencement of each development. This will determine to some extent the sequence or staging of the development, however it is fair to assume that the partner will expect a metre for metre arrangement with the AHC, and any future lessee would expect a non-disruptive program to completion.

Stage 1

The AHC is committed at Stage 1 to the provision of 62 apartments, a health and fitness facility for all of the community to cater for the replacement of the existing Elouera Gym and its growing demand in the local community, and an elders centre which will be a place where senior Aboriginal people can go to meet and talk to the community; and will exhibit some of the history of the place and ensure its healthy future. Thus Stage 1 will consist of residential, community and sporting uses.

Other Stages

Ideally the total development would proceed at the one time, to maximize the attractiveness of the residential development. However, if there is a delay to the remaining projects, Stage 1 can stand alone as a completed project which consolidates the sites which contain the Redfern Community Centre and open spaces.

Lawson Street Site

It is the intention of the AHC to remain 'on site'. It will take commercial space in the redeveloped Lawson Street site above the retail base along with other commercial tenants in the business centre. The existing building will not be altered until a contract for its redevelopment has been finalised so that there will not be an empty site at this important point.

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Medical Centre

In partnership with the Aboriginal Medical Service it is the intention of the AHC to establish a short-term respite facility and clinic (defined as a hospital) on Caroline Street. There will be 24 rooms to provide respite care for out of city visitors to the AMS or State hospitals and in some instances emergency respite for local Aboriginal people. This project should attract funding and negotiations for its provision will commence once development consent is granted.

Art Gallery

Art is an important cultural activity for Aboriginal people throughout the country and the Art Museum and cultural centre at the 'Block' is an essential and viable facility. The AHC is currently in discussions with partners for this iconic development, which will adjoin the business centre (6500m² of commercial leaseable space). These sites are on the periphery of the total site.

Four: Details of long term governance arrangements

In general terms it is submitted that just how a developer chooses to obtain a return from a development is not a matter that should be of concern to the development consent authority in this case the NSW Dept of Planning. The public purpose can be served if the design:

- enables separate titling, access and servicing of the various parcels that will be created,
- demonstrates that any common property can be the clear responsibility of a corporate body,
- ensures public roads provide access to all separate allotments, and
- public access is assured over areas of public open space.

Generally development control authorities do not concern themselves as to whether a developer intends to lease or sell and which type of corporate body is used to hold common property. Nor do they concern themselves with the terms on which developed properties are marketed.

Essentially the normal management process of this part of the City will apply to the AHC land. There is therefore no need for any special management arrangements.

The development has been designed so as to enable the strata titling of all apartments and the creation of separate titles for the community, recreation and commercial sites. If necessary, the residential buildings could include an arrangement for a two level body corporate.

The options of using a corporate body under the Strata legislation or under the general Corporations or Co-operatives legislation are currently open and will be considered once development consent is obtained and serious discussions can be held with developers and end users. The important matter for government is that the design allows for the possibility of a variety of options.

The major difference from typical development practice is that is the AHC intends to retain the land.

Accordingly, for example, the owners of strata title apartments will be bound by the by-laws of the strata corporation, which will hold a long-term lease from the AHC. It is likely that the AHC will also be a strata owner of a number of the apartments being available for rental. This is no different from a developer owner retaining some of the product as an investment. The AHC will not have any special powers with respect to the decisions of the strata corporation, although, it being an owner, will allow it to monitor progress.

The similar management arrangements would apply if the 'titles' were in the form a share in a company or co-operative, with the latter providing perhaps a more participatory environment.

The other buildings will be rented by the AHC. The exact terms and conditions of such arrangements will not be decided until development consent has been given and negotiations with users are concluded.

The roads will be public roads and the open space will either be retained and managed by the AHC, as it is at present, or transferred to the Sydney City Council as public open space.

Eight: Wind impact, with reference to prevailing winds

Wind minimisation is controlled by the height of buildings. All of the buildings are generally in accordance with the height described within the Redfern Waterloo Authority's Built Environment Plan. To the west, commercial buildings protect the residential component and public open spaces.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Lonergan', with a stylized, flowing script.

Peter Lonergan