

Our Ref: 0325/16lt1

15 March 2017

Ms Maureen Miraziz
Liverpool City Council

Dear Ms Miraziz,

**ADDITIONAL INFORMATION REQUEST- DA-972/2016
NOS. 9-13 GOULBURN ST, WARWICK FARM**

We refer to the above development application and to Council's email dated 6 February 2017 requesting additional information. On behalf of the applicant, we hereby provide a response to the clarification requested by Council on the matter of isolation of No. 7 Goulburn Street (adjoining to the north of the subject site).

The proposed development adjoins No.7 Goulburn Street, which has a site area of approximately 816m² and site width of approximately 16m. Under the provisions of LLEP 2008 a minimum building street frontage of 24m is required for residential flat buildings in the R4 High Density zone. As such, No.7 Goulburn Street can only be developed as a residential flat building if variation to the lot width requirement was supported by Council. It is also noted that No.7 Goulburn Street is unable to be consolidated with the site to the north, Nos. 3-5 Goulburn Street as it contains a residential flat development. As such, a desirable outcome is for No.7 Goulburn Street to be acquired and integrated into the proposed development.

In this regard, the owners of the subject site forwarded correspondence dated 18 December 2015 to the owner of No.7 Goulburn Street (NSW Land & Housing Corporation (LAHC)) with an offer to acquire their property. The NSW LAHC provided a response dated 7 January 2016 stating that they were committed to undertake a review of the said property and also stated that it was against the policy of the NSW LAHC to negotiate the sale of their assets. Subsequent to this, a letter dated 16 March 2016 was sent to the NSW LAHC outlining the proposal to purchase No. 7 Goulburn Street. The letter requested a response from the NSW LAHC by 30 March 2016, to which no response has been received.

It is evident that from this correspondence with NSW LAHC that No. 7 Goulburn Street is not available for amalgamation and redevelopment with the subject site. The relevant documentation referenced above is attached to this letter.

Please contact the undersigned for related discussions.

Yours faithfully,
Planning Ingenuity Pty Ltd



Benjamin Black
DIRECTOR



PLANNING INGENUITY

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Miranda NSW 2228
P 02 9531 2555

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SMY INVESTMENTS PTY LTD

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1/11 NELLO PLACE WETHRILLPARK NSW 2164

Babylonwelding@bigpond.com

PHONE: 02 9756 0940

FAX: 02 9756 0945

MOBILE: 0418 473 320

18th December 2015

NSW Departments of Housing Parramatta

ATT: Department of housing - Parramatta

To : Garry Gunton Director

FAX: 9821 6035

Regarding: 7 Goulburn street Warwick Farm

To : Garry Gunton Regiond Director

Hi Garry my name same youkhana just to let know the reason of this letter is we are the owner of the property 9 &11 next the one owned by your department of housing we have been asked from Liverpool council after we had a meeting with one of the town planning its we have to send you a letter and approach you if you have interest of selling that property least at 7 Goulburn street Warwick farm please we have send a lot of letters before and we had no respond only what we need is answer
Please respond back to this email

Purchase price:

Deposit: 10%

Settlement: 60 days

For further assistant please do not hesitate to contact our office during office hours

Regards

Same Youkhana

0418473320

Director

SMY Investments PTY LTD



Mr Same Youkhana
Director
SMY Investments Pty Ltd
1/11 Nello Place
WETHERILL PARK NSW 2164

7 January 2016
LGEN1064

Dear Mr Youkhana

Re: Enquiry regarding LAHC Property – 7 Goulburn Street, Warwick Farm

Thank you for your correspondence dated 18 December 2015 enquiring about 7 Goulburn Street, Warwick Farm.

NSW Land and Housing Corporation (LAHC) continually reviews the suitability of the properties it owns to ensure they meet the needs of the social housing system.

Your enquiry has triggered LAHC to undertake a review of 7 Goulburn Street, Warwick Farm. If the review indicates the property is suitable for sale, the property will be sold via real estate agents contracted by LAHC and will be advertised and marketed through the usual real estate press and associated web sites.

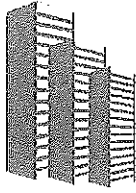
The LAHC sales policy does not allow the direct negotiation for the sale of a property, and LAHC will not be able to advise you of the outcome of the review.

If you have any further questions please do not hesitate to contact Stuart Harborne, Director - Program Management Office, on 02 8753 8214 or via email at LAHCPropertyEnquiries@facs.nsw.gov.au

Yours sincerely

Kathy Roil
Executive Director – Strategy
NSW Land and Housing Corporation

Department of Family and Community Services
Postal address: Locked Bag 4001, Ashfield NSW 1600
W www.facs.nsw.gov.au | E facsinfo@facs.nsw.gov.au
T (02) 9377 6000 | TTY (02) 8270 2167



VENTUS CONSTRUCTIONS

PTY LTD

PROPERTY DEVELOPERS & BUILDERS

Shop 4, 30-32 Herbert St, West Ryde NSW 2114 Tel: 02 9808 4899 Fax: 02 9808 4898
Email: admin@ventus.com.au Builders Lic No: 121135C ABN: 33 095 287 595

Housing NSW Head Office
Locked Bag 4001
Ashfield BC NSW 1800
Copy by Fax: (02) 8753 8888

15 March 2016

Dear Sir/Madam,

Re: 7 Goulburn St, Warwick Farm

We note that you are the registered proprietor of the above property (**your property**).

Ventus Constructions Pty Ltd intends to lodge with Liverpool City Council a development application to develop units on 9-13 Goulburn St, Warwick Farm being the land adjacent to your property.

Unless your property is included in the development, your property may be land-locked.

To prevent the possibility of your property being land-locked, we propose to purchase your property and prepare a development application in respect of a site which comprises 7-11 Goulburn St, Warwick Farm and your property.

We require you to notify us, by no later than 30 March 2016, whether or not you intend to sell your property to us (or our nominee).

If you notify us that you intend to sell by 30 March 2016:

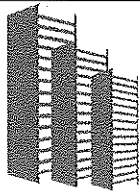
1. we will obtain 2 valuations and submit an offer (including price and terms) within 10 business days of receipt of your notice of intention to sell;
2. if the offer is accepted, we would require a commitment to sell (by way of contract or option) to be entered into no later than 30 April 2016.

The above timeframes reflect the fact that, due to financial and economic reasons, it is essential for us to prepare and lodge our development application as soon as possible to obtain a determination as soon as possible. We are willing to put the preparation of our development application on hold until 30 March 2016. However, if we do not receive notice of your intention to sell to us (or our nominee) by 30 March 2016, we will promptly proceed to prepare a development application in respect of a development site that excludes your property.

We look forward to hearing from you in relation to the above.

Yours sincerely,


Issam Jabbour
Director



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PTY LTD

PROPERTY DEVELOPERS & BUILDERS

Shop 4, 30-32 Herbert St, West Ryde NSW 2114 Tel: 02 9808 4899 Fax: 02 9808 4898

Email: admin@ventus.com.au Builders Lic No: 121135C ABN: 33 095 287 595

NSW Land and Housing Corporation
Locked Bag 4009
Ashfield BC NSW 1800
by express post

10 May 2017

Dear Sir/Madam,

Re: 7 Goulburn St, Warwick Farm ("the property")

I write on behalf of the registered proprietors of 9-13 Goulburn Street, Warwick Farm, which is adjacent to 7 Goulburn street, a property owned by the Land and Housing Corporation (LAHC). In or around October 2016 we lodged a development application for the site with Liverpool Council.

Council had requested us to consider acquiring your site in order to achieve, in their view, a better planning outcome. Arising from this request we took the following actions:

1. by letter dated 18 December 2015, Same Youkhana, representing the registered proprietors of 9-13 Goulburn Street, Warwick Farm, wrote to LAHC expressing its interest to purchase the property (copy attached);
2. by letter dated 7 January 2016, Kathy Roll of LAHC responded to Mr Youkhana stating that his request triggered LAHC to review the property to assess its suitability for sale (copy attached);
3. by letter dated 15 March 2016, on behalf of the registered proprietors of 9-13 Goulburn Street, we wrote to LAHC proposing to purchase the property and requesting LAHC notify us of its intention to sell (copy attached).

Neither we nor Same Youkhana have received further correspondence from LAHC regarding the outcome of the review of the suitability of the sale of the property or of LAHC's intention to sell the property.

We concluded in April 2016 that LAHC had no intention to sell the property and we have prepared a Development Application in respect of 9-13 Goulburn Street on that basis.

Would you please urgently confirm by reply that LAHC had no intention to sell the property following our letter dated 15 March 2016.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Issam Jabbour', with a stylized flourish at the end.

Issam Jabbour
Director



Mr Frank Sartor
SPP Services Pty Ltd
frank@spps-services.com.au

Dear Mr Sartor

Thank you for your correspondence dated 16 May 2017 on behalf of Ventus Pty Ltd regarding 7 Goulburn Street, Warwick Farm.

This property is currently operated by a Community Housing Provider for targeted social housing and therefore is not for available for sale at this time.

If you have any further questions please do not hesitate to contact me on 8753 8750 or email at greg.south@facss.nsw.gov.au.

Yours sincerely

Greg South
Executive Director, Business Development and Communication
Land and Housing Corporation

NSW LAND AND HOUSING CORPORATION
DEPARTMENT OF FAMILY AND COMMUNITY SERVICES
C/- KATHY ROIL – EXECUTIVE DIRECTOR
LOCKED BAG 4001
ASHFIELD NSW 1800

ADDRESS: LOT 202 DP 1025972, LOT 12 DP 35110
9-13 GOULBURN STREET, WARWICK FARM NSW 2170

DESCRIPTION: DEMOLITION OF EXISTING STRUCTURES WITH
CONSTRUCTION OF AN EIGHT STOREY RESIDENTIAL FLAT
BUILDING COMPRISING OF ONE HUNDRED AND ONE UNITS.
LIVERPOOL CITY COUNCIL IS THE CONSENT AUTHORITY AND
THE SYDNEY SOUTH WEST PLANNING PANEL HAS THE
FUNCTION OF DETERMINING THE APPLICATION

I refer to the above-mentioned development application, which has been received by Council on 18 October 2016.

This letter is to inform you that the proposed development application is in the process of being determined. One key issue with this application is if approved, the site in the ownership of NSW Land and Housing Corporation at 7 Goulburn Street will be isolated and have extremely limited future development potential going forward and will have no opportunity for amalgamation with adjoining sites as they are developed.

Council understands the applicant wrote to the Corporation on or about 18 December 2015 offer to acquire this property and incorporate it into this development proposal to avoid isolation of the site. Council records indicate that the Corporation declined this offer due to operation procedures around disposal of government land.

As a result, Council needs to consider the above application on its merits, and invites the Corporation to provide a written response to Council on this application.

Please review the application at www.liverpoolplanning.com.au by click on "Track an application" and entering the above DA number. It is requested that the Corporation provide a response to Council no later than **21 days from the date of this letter**. If a written submission is not received from you by this time it will be assumed that comments are not forthcoming and Council will determine the application based on the documents provided by the applicant.

It is important to note that if the application is approved in its current format, with 7 Goulburn Street being included in this development, it is very likely that 7 Goulburn Street will have significant difficulty redeveloping in the form anticipated by the R4 High density zoning applying to this site.

Should you have questions please call Maureen Miraziz, Senior Development Planner on 1300 36 2170.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Smith', with a stylized flourish at the end.

David Smith
Coordinator Development Assessment