

11 September 2019

The General Manager
City of Canada Bay Council
1A Marlborough Street,
Drummoyne NSW

Attention: Paul Dewar

Dear Paul,

160 Burwood Road, Concord – Bushells Planning Proposal

Reference is made to the Canada Bay Local Planning Panel minutes of 5 June 2019, Council's resolution of 18 June 2019, our correspondence of the 21 and 22 August (seeking the opportunity to address the CBLPP comments and workshops with the Council) and the subsequent correspondence from Council refusing to communicate further with the proponent of the Planning Proposal.

As advised, the proponent has re-engaged the consultant teams to address the issues raised in the CBLPP minutes, and have updated the reports accordingly.

We hereby submit the amended Reports and supporting material prepared in response to the CBLPP recommendations.

In addition, we have sought a legal advice on Council's response in providing procedural fairness dealing with the planning proposal. Attached for your reference are the legal opinion, together with our proposed amendments to the planning proposal including:

- Amended Planning Proposal
- Amended Urban Design Report
- Amended Concept Plans
- Revised Transport Impact Assessment Report
- Amended Heritage Impact Statement
- Heritage Response to CBLPP
- Statement of Heritage Significance
- Revised Arboricultural Development Assessment Report
- Draft Site Specific DCP
- Revised VPA Letter of Offer

We are firmly of the view that the Council has a responsibility to ensure procedural fairness is offered to the applicant, in accordance with the Department of Planning guidelines issued for the preparation of planning proposals, and as a long-term ratepayer and member of the Canada Bay community. We therefore, once again, request Council defer their current consideration of the Planning Proposal, pending meaningful consultation with the applicant, and proper consideration of the planning proposal.

Please feel free to contact me should you require any further information.

Yours faithfully,



Robert McGuinness

Associate Director

Project Leaders

