

6 December 2016

Frankie Liang

Charlie Elachi
Senior Manager - Development & Construction
Al Maha Pty Ltd
Suite 2, 39 Cooper Street
Strathfield NSW 2135

Also by email: CharlieE@omaya.com.au

Dear Mr Elachi,

RE: PLANNING PROPOSAL – 17-35 Parramatta Road And 5 Powell Street, Homebush

PROPOSAL: To amend the maximum permissible height of buildings control from 26 metres to 85 metres and increase the floor space ratio from 2.7:1 to 4.5:1

We confirm receipt of the abovementioned Planning Proposal and relevant assessment fees paid on 4 November 2016. The proposal seeks to facilitate a 25 storey tower development on the south eastern corner of the site and adjacent to the Powells Creek Open Space corridor.

The subject site is located within the Homebush Precinct as identified by UrbanGrowth NSW's final *Parramatta Road Urban Transformation Strategy* (Strategy) and is proposed as an RE1 Public Recreation zone. In this regard, the submitted Planning Proposal (PP) is inconsistent with the provisions of the Strategy.

Notwithstanding this, the spatial location of a 25-storey development fronting Parramatta Road is contrary to the *Planning and Design Guidelines* of the Strategy and has the potential to compromise the Powells Creek open space areas on both the northern and southern side of Parramatta Road. It is also noted that Council's controls provide for a consistent height along the frontage of Parramatta Road, with any tower elements of this scale located to the centre or the rear of sites.

Given current construction activities over the site, Council acknowledges that the recommended RE1 Public Recreation zone may not be achievable for this site. However, Council is required to ensure that any revised planning proposals within the Homebush precinct are consistent with the overarching Strategy for Parramatta Road.

Council wishes to ensure that planning across the precinct delivers a coordinated and holistic approach to re-development across the precinct. To this end, on 25 October 2016 Council resolved inter alia (Minutes No. 332/16):

"That Council adopt a firm position on the lodgement of site-specific planning proposals within the Homebush Precinct whilst the preparation of a precinct wide planning proposal is being undertaken, with applicants advised that:

1. *Council is not in favour of site-specific planning proposals within the Homebush Precinct whilst a precinct wide planning proposal is being prepared, on the basis that:*
 - a) *The opportunities and impacts of revised planning controls are better considered and managed on a precinct wide basis;*
 - b) *The cumulative impacts of intensive development across the precinct can be more adequately addressed area wide;*
 - c) *Site-specific changes to planning controls may pre-empt or be contrary to the desired outcomes of a precinct wide plan; and*
 - d) *Site-specific planning proposals divert resources away from precinct planning, slowing the process and resulting in inequitable outcomes within the precinct.*
2. *Site-specific planning proposals submitted prior to the finalisation of a precinct wide plan will only be supported where they do not pre-empt or seek to rely on the new Strategy to justify the height and density uplift."*

Supporting this approach, the Strategy includes the following statement on the consideration of rezonings across the Homebush Precinct:

"Prior to any rezoning commencing, a Precinct wide traffic study and supporting modelling will be required to be completed which considers the proposed land uses and densities, as well as future WestConnex conditions, and identifies the necessary road improvements and upgrades that will be required to be delivered as part of any proposed renewal in the Homebush Precinct."

Council therefore holds the position that any rezoning proposal for the site will need to be considered as part of a broader precinct plan rather than through the progression of a site specific planning proposal.

In light of the above, Council considers the PP is inconsistent with the Strategy and is pre-emptive of a comprehensive, precinct wide Planning Proposal. Council is therefore likely to either refuse or defer the proposal. On this basis, it is recommended that the PP be withdrawn.

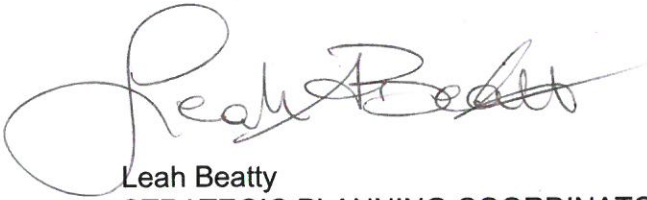
While it is not recommended, should you choose to pursue the PP further, the proposal would need to be supported by strong planning justifications for why Council should recommend it proceed at this time. Council has also identified additional information that would be required to fully assess and determine the PP. Information required can be provided if needed.

With regard to formal timeframes for assessment of any planning proposal, Council holds the view that the 90 day assessment timeframe will not commence until all required information is submitted to Council's satisfaction. This is consistent with the Department of Planning & Environment's *"A Guide to Preparing Local Environmental Plans"* where the 90 days assessment period may commence in a number of ways, including:

- *"When council formally acknowledges the proponent has lodged sufficient information to support their request..."*

Should you wish to further discuss the options for the site it is recommended that you arrange a meeting with Council Officers. Further questions regarding the site can be directed to Frankie Liang, Council's Strategic Planner on 9748 9995.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Leah Beatty', with a large, stylized initial 'L'.

Leah Beatty
STRATEGIC PLANNING COORDINATOR