

150757

Maria Lopes

From: Peter Jackson
Sent: Thursday, 10 December 2015 9:33 AM
To: Maria Lopes
Subject: FW: Instructions on Without Prejudice plans for 23 Willeroo Street, LAKEMBA

Saved: 0

From: Andrew Hargreaves [mailto:Andrewh@canterbury.nsw.gov.au]
Sent: Thursday, 10 December 2015 10:02 AM
To: Daniel McNamara <dmps@me.com>
Cc: Alice Pettini <AliceP@canterbury.nsw.gov.au>; Peter Jackson <PJackson@pvlaw.com.au>
Subject: Instructions on Without Prejudice plans for 23 Willeroo Street, LAKEMBA

Hi Danny,

Thanks for that.

I tend to agree, they've made little by way of amendments that would result in a S34 Agreement.

Please provide your comments on the last set of Without Prejudice plans and but if we can't agree we advise the Court as such and proceeding to Hearing.

Thanks,

Andrew Hargreaves | Team Leader - Development Assessment Operations
City of Canterbury 137 Beamish St Campsie NSW 2194
T: 9789 9515 | andrewh@canterbury.nsw.gov.au | www.canterbury.nsw.gov.au



>>> Daniel McNamara <dmps@me.com> 10/12/2015 >>>
Re: Council comments on Without Prejudice plans for 23 Willeroo St

Andrew,

I will undertake a comprehensive review of the amended plans, however, believe they are 'shifting deck chairs on the Titanic' and not making any substantive modifications to the proposal.

The site width and attempt to utilise basement parking means that insufficient landscaping is available upon the site. I understand they are attempting to maximise FSR, however, the courtyard in the front setback and bulk in the rear setback further contribute to the unsatisfactory outcome being achieved upon this narrow site.

With your support, my recommendation would be to provide no further guidance to the applicant, to respond simply that their amended plans are unsatisfactory, and to proceed to defended appeal.

Daniel McNamara | Director



m: +61 [REDACTED]
e: dmpps@me.com
w: dmpps.com.au
a: No. 2 Argyle Place, WEST PENNANT HILLS NSW 2125

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From: Andrew Hargreaves <Andrewh@canterbury.nsw.gov.au>
Date: Monday, 7 December 2015 at 1:04 PM
To: Tom Bush <TBush@pvlaw.com.au>, Daniel McNamara <dmpps@me.com>
Subject: Council comments on Without Prejudice plans for 23 Willeroo St

Attachments:

Without Prejudice plans and response to Contentions for 23 Willeroo St, Lakema

Hi Dan,

I've had a quick look through the Without Prejudice plans that Tom sent this this morning, which were due with us on Friday and I can offer the following thoughts for your consideration:

1. There is still no amended landscape or stormwater plans so Contentions 4 and 7 really cannot be responded to;
2. The waste presentation (Contention 6) appear OK subject to conditions requiring a water source and paths of travel. I'll refer these Without Prejudice to Waste Services for comment.
3. The provision of a 1m wide Deep Soil Planting strip along the southern boundary does not meet the 2m width requirement as outlined in Contention 1 (sixth particular) and Contention 4 (second particular).

Tom, notwithstanding any comments that Dan makes to the WP plans we received this morning I think you need to let the Court know that, firstly, the plans came in late but perhaps more importantly, incomplete as they were without the supporting Eng and L/scape plans.

Thanks,

Andrew Hargreaves | Team Leader - Development Assessment Operations
City of Canterbury 137 Beamish St Campsie NSW 2194
T: 9789 9515 | andrewh@canterbury.nsw.gov.au | www.canterbury.nsw.gov.au



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Maria Lopes

Subject: FW: CITY OF CANTERBURY ATS TALAL EL BADAR**Saved:** 0

From: Maria Lopes On Behalf Of Peter Jackson
Sent: Thursday, 10 December 2015 9:36 AM
To: 'Andrewh@canterbury.nsw.gov.au' <Andrewh@canterbury.nsw.gov.au>
Cc: 'dmps@me.com' <dmps@me.com>
Subject: CITY OF CANTERBURY ATS TALAL EL BADAR

CITY OF CANTERBURY ATS TALAL EL BADAR
23 WILLEROO STREET, LAKEMBA
LAND AND ENVIRONMENT COURT PROCEEDINGS NO. 15/10718
Our ref PMJ:MML:150757
Your ref Andrew Hargreaves

Andrew

Thank you for your email transmission received this morning concerning Danny's comments relating to the amended proposal.

I agree wholeheartedly that Council ought not assist the applicant in designing a proposal that might get over the line. It is solely a matter for the applicant.

Accordingly, when I receive Danny's detailed commentary, I will let the applicant's solicitor know of Council's position, and at the reconvened s34 conciliation conference on 23 December indicate that, unless there is further substantial and meaningful changes, the s34 process should be terminated with the matter listed for a defended hearing.

Regards,

Peter Jackson | Partner

Pikes & Verekers Lawyers
t 9262 6188 | f 9262 6175 | epjackson@pvlaw.com.au
Level 2, 50 King Street, Sydney NSW 2000 | DX 521 Sydney
www.pvlaw.com.au

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