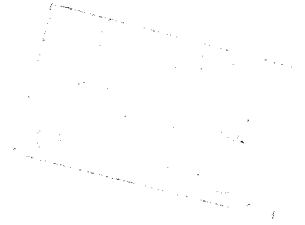


21 June 2012

Mr R.J Dowsett
Director, Planning & Development
City of Botany Bay
PO Box 331
MASCOT NSW 1460



Dear Sir,

Gardens R Us site – Lot 1 DP.1116853

I refer to your letter dated 11 May 2012 and my subsequent emails with Ms Catherine McMahon of your office.

We are surprised by Council's proposal that part of this property be 'excised as public open space' as this should not be part of the considerations in the preparation of a local environmental plan. Sydney Water does not agree to any part of the property being transferred to Council as open space or for any other purpose.

In respect of the proposed amendments to the draft Botany Bay LEP 2012, Sydney Water has no objection to:

- (a) the property being zoned SP1 Special Activities zone with the following uses being permitted with consent:

Entertainment facilities: Food and drink premises; Function centres; Garden centres; Hardware and building supplies; Landscaping material supplies; Recreation areas; and Recreation facilities (indoor).

- (b) the floor space ratio for the site being 1:1; and
- (c) the maximum height on the buildings on the property being 14 metres (as currently indicated on the Height of Building Map attached to the draft Botany Bay LEP 2012).

Yours faithfully,

Gary Inberg
Manager, Group Property