

27 January 2026
Strathfield Council
65 Homebush Road
Strathfield NSW 2135
Attention: The General Manager

By Email:

council@strathfield.nsw.gov.au

Dear Sir or Madam

DA SUBMISSION - DA2025.47

We refer to Council's circular letter relating to development application number DA2025.47 (the **Application**), in relation to the property at 40 Abbotsford Road, Homebush (the **Subject Site**).

The Homebush Residents' Group, Inc. (the **HRG**), is an association of Strathfield residents in and around the area known as Homebush village, which is located to the south of Homebush station in Strathfield. The HRG is registered in New South Wales as an incorporated association with an incorporation number INC2201289. We make these submissions on behalf of the HRG's members, to **oppose** the revised plans marked as 'notice of motion material' and dated 26 November 2025 (the **Revised Plans**).

Council will already have seen residents' numerous separate and unique objections which express their views on the merits of the Application. HRG's submissions adopt the criticisms already laid out by other residents and emphasise that:

- The revised plans are still grossly out of character by reference to the desired future character of the Abbotsford Road Heritage Conservation Area. When viewed by reference to the context of the Subject Site had the illegal demolition not occurred, the Application is still grossly inconsistent with planning controls.
- The planning objectives of the Subject Site, as modified by the Low and Mid Rise Housing Policy applicable to the Subject Site, can be easily achieved in a way which is consistent with the character of the surrounding area.
- It would be grossly inequitable to other land owners of Strathfield if the Revised Plans were to be approved.

We urge Council not to agree to this DA at any future conciliation conference and to continue to vigorously oppose the Revised Plans in any court hearings.

1 The subject site and character

Although we note that the Revised Plans includes a gabled facade which is more similar to prevailing styles in the Heritage Conservation Area, it remains grossly out of proportion to surrounding structures. The architectural drawings make it clear that the proposed facade will tower over the property at 38 Abbotsford Road, to which the illegally demolished contributory property formed a pair, as well as the neighbouring contributory property at 42 Abbotsford Road.

It is not an adequate answer to the requirements of the Heritage DCP to simply copy (in an enlarged form) some shapes from the illegally demolished dwelling: the scale of the property remains significantly out of character.

Aside from the facade, the sheer bulk of the remainder of the development is also out of character with the surrounding Heritage Conservation Area.

Further, the frontage which directly interfaces with the heritage conservation area remains inconsistent with the character of the area. The scaling-up of the facade occurs at the expense of the existing driveway which is characteristic of housing from the late 19th and early 20th century period which typifies the Heritage Conservation Area (p. 53 of the Heritage DCP).

Instead of simply using the existing driveway, the Revised Plans propose a new driveway to a hardstand/parking area as well as creating a new driveway leading to a garage. This will result in two crossings for the one property, resulting in significant cutting-up of the footpath in a high foot traffic area close to Strathfield Library and frequented by children and the elderly. The additional driveway will also permanently remove a street parking space in an area where demand for parking exceeds supply.

The formerly well-preserved landscaping (which is still structurally *in situ*) is being replaced by narrow strips of landscaping, which is out of character for the area. It is further out of character with the built form of the original contributory item, and the Abbotsford Road Heritage Conservation Area for a property to interface with the public realm primarily via two hardstands, which are at significant risk of becoming two car ports in future.

There is no provision for the storage or movement of bins between the back and front yards, which is likely to result in rubbish being stored in the front yard.

The Revised Plans remain inconsistent with the desired future character of the Heritage Conservation Area and fails to satisfy the heritage objectives of the Heritage DCP. In line with established planning principles and relevant case law, the proposal cannot be supported in its current form.

2 Compliant development is feasible

The Subject Site is located in a Low and Mid Rise Housing Policy (**LAMRHP**) area and a dual-occupancy mid rise density development is a permitted type of development. However, the Subject Site remains subject to the Heritage DCP controls. The two regimes are not inconsistent, and it is entirely possible to satisfy the development objectives of both the LAMRHP and the Heritage DCP. Abbotsford Road and surrounding areas are replete with examples of sympathetically developed secondary dwellings. A number of recent developments have featured developed forms which, although intended for single household dwelling, can easily be used for dual occupancy.

In the case of 40 Abbotsford Road, a compliant dual-occupancy development is eminently possible. This would involve the reconstruction of the principal part of the original dwelling facing the street, and the construction of the second part of the dual occupancy dwelling behind it, separated by a shared parking area or courtyard accessed by the existing driveway.

We emphasise that the Revised Plans still make no attempt to put forward a plan for a compliant development as described above. The applicant seeks to take advantage of the earlier illegal demolition to submit an Application for a new, poor quality development, thereby saving money compared to a compliant development.

3 Equity

The Revised Plans represent yet another attempt to subvert the rule of law by seeking to profit from multiple illegalities, in particular an illegal demolition. Approval of the Revised Plans would represent approval of this illegal scheme. In circumstances where the applicant has had to pay no penalty but will undoubtedly profit from the sale of the new properties, it is highly inequitable to other land owners in the Heritage Conservation Area who comply with the law. Even if the applicant is made to pay a pecuniary penalty in a future prosecution, the applicant would still likely profit from development of the Revised Plans. This is not only inequitable - it encourages other developers to also break the law.

4 Conclusion

Our members are rightly outraged at Mr Abdul-Rahman's continued efforts to subvert the rule of law and profit from illegality. We respectfully request that Council continues to vigorously oppose the Revised Plans and seek further revisions until a fully planning-compliant outcome is achieved (as described in paragraph 2 above). If the current owner refuses to comply with the law, we suggest that Council consider acquiring the property.

Yours faithfully

Homebush Residents' Group, Inc.