

20 September 2017

**Our Ref:** P-17167 AK

**The General Manager**

Cumberland Council  
1 Susan Street,  
Auburn, NSW

**PUBLIC BENEFIT OFFER - 4-12 RAILWAY STREET, LIDCOMBE**

We are writing on behalf of Lidcombe Property (NSW) Pty Ltd, who own the properties 4-12 Railway Street, Lidcombe (the site). Our client is submitting a planning proposal for the site that seeks the following amendments to the Auburn Local Environmental Plan 2010 (ALEP).

		Current	Proposed
Building Height		B4 zoned land - 32 metres. RE1 zoned land - n/a.	B4 zoned land - 62 metres. RE1 zoned land - no change proposed.
Floor Ratio	Space	B4 zoned land - 5:1. RE1 zoned land - n/a.	B4 zoned land - 5.65:1. RE1 zoned land - no change proposed.

This proposal seeks to redistribute the density which could be achieved on the RE1 zoned land, if it was not reserved for acquisition, to the B4 zoned land. In this regard, the increased FSR is completely offset by the dedication of land zoned RE1.

This planning benefit offer, therefore, proposes the following contributions:

Table 1 - Planning Agreement Offer

Item	Value
Dedication to Cumberland Council of Lots 7 & 8 DP 397 (approximately 889 sqm) at no cost.	\$6,575,000

This is consistent with the ALEP, which has identified Lots 7 & 8 DP 397 as land to be acquired by Council for 'local open space'. Rather than Council acquiring the land, it is however proposed to dedicate both allotments to Council.

It is intended that Section 94 contributions will be levied on the development in the normal manner unaffected by this VPA.

It is intended that should development consent for the future development application be granted, this offer will be confirmed in a Voluntary Planning Agreement with Council. The agreement will comply with the requirements of the Environmental Planning and Assessment Act, 1979 and Regulations and, under agreement, the owner of the land will acknowledge that the issue of an occupation certification will be made conditional on the proposed land dedication being completed.

We note that Council has recently adopted a VPA policy and that Section 2.6 states that affordable housing and contributions to the Duck River should be considered. We further note, however, that under this VPA proposal, 100% of the uplift arising from the PP is given to Council and the community as a result of the dedication of the Lots 7 & 8. On this basis, we do not propose any additional contributions towards affordable housing or the Duck River as contemplated by the policy.

If you have any questions regarding this offer please do not hesitate to contact me directly, otherwise, we look forward to hearing from you in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Kerr', with a long horizontal flourish extending to the right.

**Stephen Kerr**  
Executive Director

Attachments:

- Valuation Report by Civic Valuations.