

EDWARD HIRST PTY LIMITED & R.C.R PETROLEUM PTY LTD
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Level 2
90 Phillip Street
PARRAMATTA NSW 2150
0412 400 486

27 August 2019

Att: Hamish McNulty
General Manager
Cumberland Council
16 Memorial Avenue
Merrylands NSW 2160

Dear Sir,

**RE: LETTER OF OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT –
AMENDED PLANNING PROPOSAL – 55-57 STATION STREET & 6 PRITCHARD STREET EAST**

This amended letter of offer to enter into a Voluntary Planning Agreement has been prepared in support of an amended planning proposal submitted on behalf of EDWARD HIRST PTY LIMITED & R.C.R PETROLEUM PTY LTD (“the owner”).

Set out below are details of the planning proposal, the future section 7.11 contributions and the general terms on which a Voluntary Planning Agreement would be prepared.

We are submitting this letter of offer for Council’s initial consideration prior to the drafting of the voluntary planning agreement. Our intent is that any draft planning agreement would be prepared and exhibited concurrently with the planning proposal following Gateway Determination.

Development Overview

An amended planning proposal is lodged to rezone land at 55-57 Station Street and 6 Pritchard Street East, Wentworthville (the site). The planning proposal seeks to amend the building height and FSR development standards as contained within the *Holroyd Local Environmental Plan 2013*, that apply to the subject site.

The amended planning proposal does not seek to change the current B2 Local Centre zoning applicable to the site.

The planning proposal is accompanied by an indicative concept plan prepared by OPRA Architects and supporting technical studies which provides further guidance with respect to the anticipated development outcome and mitigating measures for the site. The amended Urban Design Report provides for approximately 90 residential apartments, 1,107m² of communal open space, 595m² of retail floor space and 1040m² of publicly accessible landscaped open space. The concept proposal also provides three levels of basement parking. The final yield and dwelling mix will be subject to detailed planning at the future development application stage however it is anticipated that the development could include the following apartment mix; 18 x 1 bedroom apartments (20%), 63 x 2 bedroom apartments (70%) and 9 x 3 bedroom apartments (10%).

The objectives of the planning proposal and the outcomes sought to be delivered by way of the planning proposal include:

- Decontamination and remediation of a former service station and commercial premises to facilitate the redevelopment of the site to accommodate a high quality, transit orientated mixed-use scheme that successfully integrates with the surrounding land uses whilst activating and protecting the amenity of the adjoining public open space (Friend Park). The development would comprise:
 - Retail land uses at the lower ground floor and ground floor
 - Residential accommodation for approximately 90 apartments
 - 1,107m² of communal open space split between the podium level and roof top level; and
 - Car parking for approximately 92 spaces.
- A single slender tower building form of up to 41m that has been appropriately sited to define this key corner site as a gateway site to the town centre. This reduces shadow impacts to the adjacent child care, R2 Low Density Residential land uses and Friend Park by consolidating the built form to allow for a fast-moving shadow;
- Use of the lower ground floor and ground floor for retail land uses with maximum retail exposure and the provision of active street frontages to rejuvenate the precinct and provide passive surveillance to the surrounding streets;
- Dedication of 38% of the site area (1,040m²) as public open space, to Council in perpetuity This will enable the expansion of Friend Park by 63%, including embellishment works to Friend Park, hard and soft landscaping, through site linkages and new community facilities; and
- The optimisation of a strategically located site that is within 250m walking distance to the Wentworthville Train Station.

Section 7.11 Contribution

The future development of the site, post rezoning, would be subject to the provisions of the Holroyd Council Section 94 Contributions Plan 2013. The contributions plan calls for the payment of a monetary contribution towards the provision of identified local infrastructure. The contributions plan also makes provision for Council to accept the delivery of material public benefits and undertaking of works in kind in part or full satisfaction of the contribution obligation that would arise in relation to a development proposal.

A Voluntary Planning Agreement is a suitable mechanism for the delivery of material public benefits and works in kind in lieu of the payment of a monetary contribution.

The owner is proposing to deliver a number of community benefits in association with the redevelopment of the site that will be facilitated by the present planning proposal. The scope of this offer is set out below.

Voluntary Planning Agreement Offer

On 6 September 2017 Council adopted the "Cumberland Planning Agreements Policy" to provide a fair, transparent and accountable framework for the preparation and consideration of voluntary planning agreements.

The owner proposes to prepare and submit for Council's consideration a draft Voluntary Planning Agreement under the terms of the Council's adopted policy. It is proposed that the Voluntary Planning Agreement will include the following components:

- Dedicate 1,040m² of land to Council in perpetuity for the purpose of a public park, comprising 6 Pritchard Street East in its entirety and 120m² of land registered as 55-57 Station Street. Upon construction of the building, it is intended that this land would be subdivided and dedicated to Council;
- Embellishment works to Friend Park and the associated land dedication in the amount of circa \$237,064. This includes BBQ facilities, seating and picnic tables, play equipment, hard and soft landscaping and formalised pathways;
- Offset the application of section 7.11 contributions pertaining to any future development applications for open space and recreation, community facilities and public domain works.

Timing of delivery of the material public benefit items would be provided before the issue of any occupation certificate on the site. Further details will be provided in the draft planning agreement to be submitted to Council. The value of the contribution and material public benefit offering is based on the development proposed under the submitted planning proposal (as amended) and in the event of changes to the proposed built form controls as part of the planning proposal, the owner reserves the right to adjust its planning agreement offer. It is anticipated that the final contribution would reflect the terms of the planning proposal and the application of any State Infrastructure Contribution.

Formal Document

A formal planning agreement would need to be prepared in accordance with this offer. It should be expected that this document will contain reasonable safeguards to protect the owner's interests and those of the Council that are not expressly referenced in this letter. Ultimately any agreement will be dependent on the finalisation of this document in a form that is satisfactory to both the owner and the Council.

The Next Steps

This letter of offer is submitted to Council for your consideration. We would welcome the opportunity to meet with Council to discuss this proposal after which time we would proceed to the drafting of the Voluntary Planning Agreement.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Estphan Maroun', written over a light blue horizontal line.

Mr Estphan Maroun

For and on behalf of EDWARD HIRST PTY LIMITED & R.C.R PETROLEUM PTY LTD