

Rafael Morrissey

From: Matthew Lennartz <matthewl@meriton.com.au>
Sent: Wednesday, 20 April 2022 11:40 AM
To: Jennifer Concato
Cc: Rafael Morrissey; David Birds; Annette Crkovski; Bianca Lewis; Walter Gordon; Li-Eng Wong
Subject: Offer to enter into a Planning Agreement (PP-2021-6314)
Attachments: VPA diagrams_Carlingford.pdf; Carlingford VPA R1 (QS).pdf
Importance: High

*****[EXTERNAL EMAIL] Stop and think before opening attachments, clicking on links or responding. *****

Dear Jennifer,

I act on behalf of Karimbla Properties (No 61) Pty Ltd (KP61) who is the owner/developer of the subject site and is a wholly owned subsidiary of the Meriton Group.

KP61 is pleased to make an offer to enter into a Planning Agreement with the City of Paramatta Council in association with the Planning Proposal (PP) for Additional Permitted Uses (APU) at 263-271 Pennant Hills Road and 18 Shirley Street, Carlingford (Site). The focus of the APU PP is to allow a more diverse range of retail and business premises on the site which are currently restricted to neighbourhood shops under the existing zoning.

The key objectives and intended outcomes of the APU PP are:

- To ensure that the development remains consistent with the existing R4 zone objectives, which allows for a variety of uses to meet the daily needs of residents.
- Stimulate re-activation of a significant site that is presently vacant and underutilised.
- Provide small scale convenience-based retail and other complementary uses that provide services directly to the public which is a key amenity driver and a critical component to support future residents.
- Cap the amount of APU land uses to ensure their role is complementary and primarily serves the anticipated future residents and visitors to the site (and to either manage or avoid any negative impacts).
- Facilitate land uses that activate the site with a key focus on the development's interface with the RE1 Public Recreation Zone that centrally bisects the site and would otherwise lack public appeal.
- To not derogate from the role and function of the adjoining Carlingford Town Centre by imposing a floor space cap on the additional permitted uses.
- To better respond to the site's unique scale within the Carlingford Precinct and proximity to the Parramatta Light Rail and location on a central axis of public open space providing direct access to the Carlingford Station for the broader precinct.

Overall the APU PP is relatively modest in terms of planning changes given there is no proposed changes to primary planning controls (i.e. zoning, FSR or height) and it simply enables a broader range of non-residential uses on the Site which is consistent with the zone objectives. Furthermore, the proposed APU is capped at 2,000m² to manage and moderate any perceived negative impacts (i.e. traffic, economic) which we understand have been assessed by Council and determined to be satisfactory.

As per the submitted documentation to support the APU PP and discussions with Council, we are firmly of the view that the APU PP meets all strategic and site specific merit tests to proceed. However we have been advised by Council that an offer to enter into Planning Agreement is required for the APU PP to proceed to the Local Planning Panel for consideration.

Accordingly, the offer to enter into a Planning Agreement recognises that the successful outcome of the PP may result in a greater desire to utilise Councils' planned pedestrian and cycle network that connects the development site with the Carlingford Station of the Parramatta Light Rail project which is currently under construction. Accordingly, the Offer is focused on the delivery of a missing portion of the planned network which will improve connectivity for the Site and broader precinct.

The offer is outlined below and we trust that this will be considered to be more than adequate given the context of the APU PP being proposed.

The offer is predicated on the basis that this is the last matter that the Council staff require to support the progression of the proposal to the next Local Planning Panel meeting in May 2022 with a recommendation that the Planning Proposal proceed.

Parties:

- Developer – Karimbla Properties (No.61) Pty Ltd (ABN 46 622 383 733)
- Guarantor – Meriton Properties Pty Ltd (ABN 49 000 698 626)
- Council – City of Paramatta Council
- Site - 263-271 Pennant Hills Road and 18 Shirley Street, Carlingford (Lot 1 DP 1219291, Lot 22 DP 21386, Lot 2, 3 & 4 DP 9614, Lot 61 & 62 DP 819136, Lot 1 DP 531044)
- Subject Application - PP-2021-6314

Purpose:

The purpose of the Offer is to enter into a Planning Agreement with the Council to deliver a part of the planned cycle/pedestrian network on public land adjacent to the Site that will improve connectivity and access to the Parramatta Light Rail for the wider Carlingford precinct and surrounding neighbourhood.

Obligation/Public Benefit:

The Developer will, without charge to the Council and without offset from Developer Contributions, deliver a missing portion of the broader pedestrian/cycle network within public land from Shirley Street through the Shirley Street Reserve to the Active Transport Link (ATL) that connects to the Carlingford Light Rail Station. The offer is based on Council's representations/requests and it includes works within the Shirley Street road reserve (including a pedestrian crossing) and Shirley Street Reserve but excludes any work is along the frontage of the Site or adjoining properties on Shirley Street or Pennant Hills Road. The concept Design is provided in the attached drawings.

Other pedestrian/cycle links discussed with the Council on the frontage of the Site and other properties in Shirley Street and Pennant Hills Road will be addressed as part of the Development Application with appropriate credits given where necessary given these works are included in the Carlingford Contributions Plan.

Benefits

The offer will:

- Deliver a critical link in the broader pedestrian/cycle network that has been identified in Council's public domain and local infrastructure planning
- Increase pedestrian accessibility and mobility around the Carlingford Precinct (including the Site) and to the Carlingford Light Rail station
- Allow Council to reallocate collected funds for these works to deliver other critical infrastructure under the Contributions Plan
- Supplement the benefits of the Planning Proposal to allow a small, accessible, local centre to be delivered on this site that will serve the broader community

Value

We have estimated the value of the Offer (construction costs of the link) to be in the order of **\$687,866.70** as outlined in the attached QS Report. Given the planning change proposed by the APU PP is relatively modest, has negligible technical impacts, aligns with key strategic planning policies and it will deliver better urban design, place-making and community outcomes than the existing planning controls, the value is considered adequate.

Timing

It is proposed that the Link would be completed prior to the an Occupation Certificate being issued for the APU within the Site. Provisions should also be included to allow the Developer and Council (both parties acting reasonably) to mutually agree to a different time subject to the consideration of the construction sequencing of the development and the delivery of the broader pedestrian/cycle network around the Site.

Security

Security will be provided by way of:

- Meriton Properties Pty Ltd being a part to the Planning Agreement as a Guarantor for the Developer. Meriton Properties is the parent company of the Meriton Group and this has been agreed with our recent Planning Agreement at 180 George Street, Parramatta.
- The final Planning Agreement being promptly registered on the respective titles of the Site (excluding any future allotments created by a strata plan apart from common property lots)
- The Developer acknowledging that the Council has a caveatable interest in the Land and not objecting to Council applying a caveat on the Land once the Planning Agreement is executed and only until such time as the Planning Agreement is registered on the titles of the Land.
- The appropriate application of conditions on the associated Development Consent (i.e. The future DA that enables the APU)

We trust this is satisfactory and we look forward to ongoing support for the APU PP and this Offer to enter into a Planning Agreement.

Please contact the undersigned should you wish to discuss this matter any further.

Kind Regards

Matthew Lennartz

Executive Manager – Planning and Government



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Project : CARLINGFORD, 263-271 & 277-281 Pennant Hills Rd

Date : 28-Mar-2022

Item	Description	QTY	UNIT	RATE	TOTAL
1	LINK PATH				
1.1	GENERAL				
	Site establishment and coordination. (Roadworks, Stormwater, Electrical)		Incl.		\$ -
	Provision for traffic control including all signage, lane & detour markings.		Incl.		
	Allowance for surveyor		Incl.		
	Compaction Testing & Reporting	949.73	m2	\$ 2	\$ 1,899
	Allowance for sediment control & maintain for the duration of the contract.	1	Item	\$ 1,000	
					\$ 1,899.46
1.2	CLEARING & DEMOLITION				
	Demolition of Kerb & Gutter	6	m	\$ 50	\$ 300.00
	Demolition of Footpaths & Crossings	7.2	m2	\$ 25	\$ 180.00
	Demolition of Road Asphalt	38.64	m2	\$ 25	\$ 966.00
	Tree Removal		N/A		\$ -
					\$ 1,446.00
1.3	GROUNDWORKS				
	Allowance to excavate, cart & dispose of 300mm topsoil as GSW-Special	284.919	m3	\$ 540	\$ 153,856
	Trim, regrade to required contours and compact	949.73	m2	\$ 6	\$ 5,698
	Import certified Fill		m3		\$ -
	Compact subgrade	949.73	m2	\$ 5	\$ 4,749
					\$ 164,303.29
1.4	STORMWATER				
	<u>Excavation</u>				
	Trench Excavation for Drainage :[164 m]		m3	\$ 80	\$ -

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Item	Description	QTY	UNIT	RATE	TOTAL
	Supply & compact with suitable material for Bedding. (100mm)		m3	\$ 35	\$ -
	Supply & compact with suitable material for Haunch & subsoil drainage.		m3	\$ 35	\$ -
	Supply & compact with suitable material for Overlay Zone.		m3	\$ 35	\$ -
	Backfill with previously excavated material.		m3	\$ 25	\$ -
	Load, Cart & Disposal of residual material off site as GSW-R.		m3	\$ 162	\$ -
	<u>Pipework</u>				
	Stormwater Line - 450 Dia Class 4 RRJ		m	\$ 450	\$ -
	Stormwater Line - 375 Dia Class 4 RRJ		m	\$ 400	\$ -
	100mm dia subsoil drain with fabric sock behind kerb.		m	\$ 50	\$ -
	<u>Rain Gardens</u>				
	Construction of Rain Gardens including Filtration Backfill, Rock Mulch, slotted uPVC pipe.		No.	\$ 7,500	\$ -
	<u>Pits</u>				
	Existing Kerb inlet pit to be replaced with sealed lid.	1	No.	\$ 5,000	\$ 5,000
	Kerb Inlet / Gully Pit (Pit A2, A3, A4, A5, A6, J1, K1)		No.	\$ 5,000	\$ -
	Connection into Trunk Drainage (A8, C1, D1)		No.	\$ 5,000	\$ -
	CCTV Inspection upon Completion		m	\$ 10	\$ -
					\$ 5,000.00
1.5	<u>OTHER UTILITIES / CLASHES</u>				
	Sewer pit lids		No.	\$ 5,000	\$ -
	Telstra Pits		No.	\$ 5,000	\$ -
	Power Poles		No.	\$ 5,000	\$ -
	New light poles to bke path	10	No.	\$ 12,500	\$ 125,000
					\$ 125,000.00
1.6	<u>PAVEMENTS</u>				
	<u>Bike Path</u>				
	150 thick DGB20 (Basecourse)	278.38	m2	\$ 30	\$ 8,351

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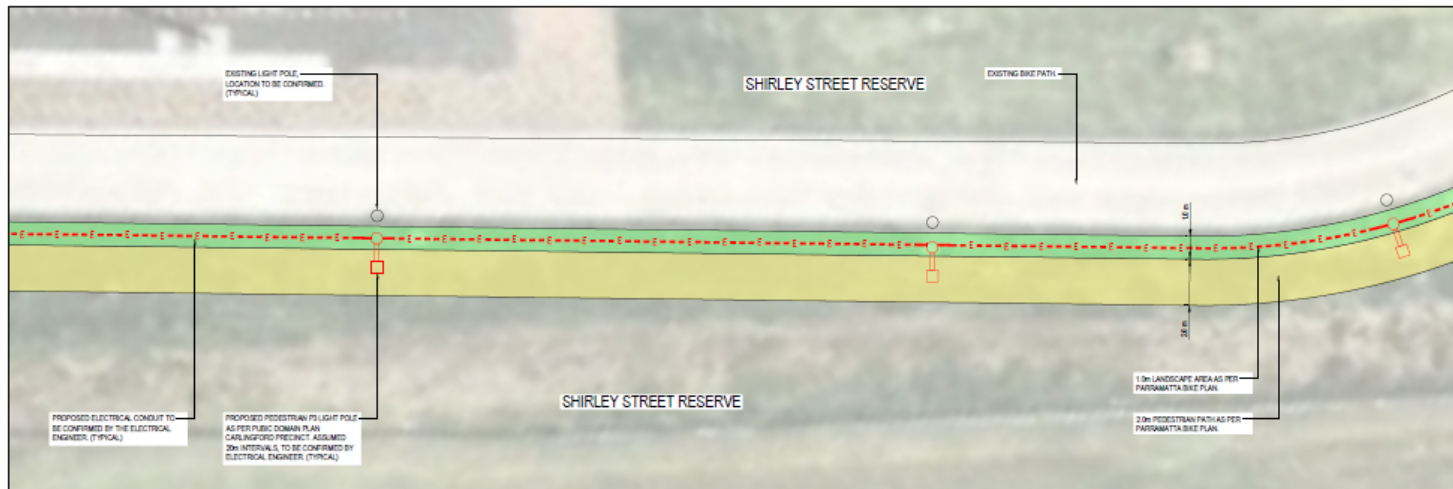
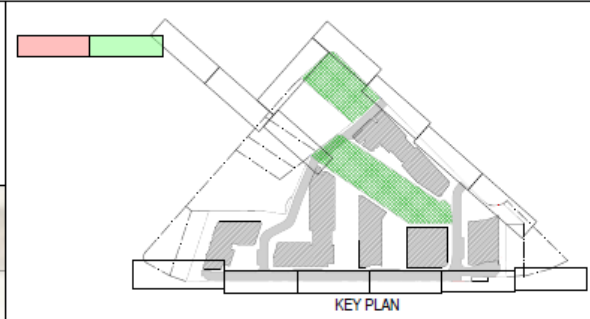
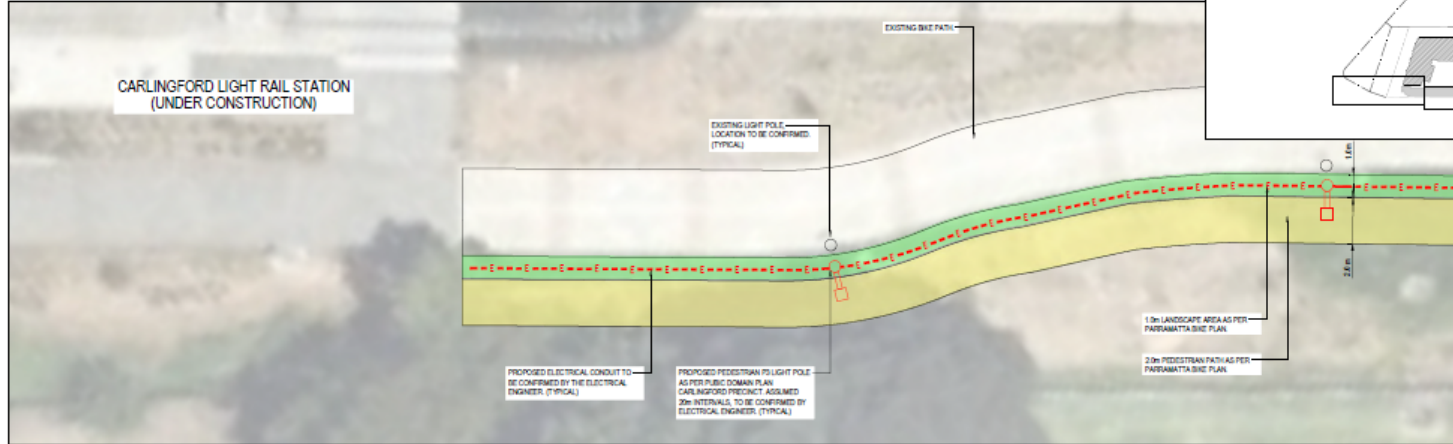
Date : 28-Mar-2022

Item	Description	QTY	UNIT	RATE	TOTAL
	Plastic Membrane	278.38	m2	\$ 5	\$ 1,392
	110mm thick Concrete (32MPa Broom Finish with 1 Layer SL72 mesh)	278.38	m2	\$ 145	\$ 40,365
	Paint Finish	278.38	m2	\$ 30	\$ 8,351
	<u>Pedestrian Pathway</u>				
	150 thick DGB20 (Basecourse)	409.98	m2	\$ 30	\$ 12,299
	Plastic Membrane	409.98	m2	\$ 5	\$ 2,050
	110mm thick Concrete (32MPa Broom Finish with 1 Layer SL72 mesh)	409.98	m2	\$ 145	\$ 59,447
	Porphyry Banding		m2	\$ 450	\$ -
	<u>Pedestrian Crossing</u>				
	New pedestiran crossing	42	m2	\$ 180	\$ 7,560
	<u>Kerb & Gutter</u>				
	Concrete Kerb & Gutter.		m	\$ 140	\$ -
	Concrete Kerb Only.		m	\$ 80	\$ -
	Concrete Dish Drain.		m	\$ 160	\$ -
	<u>Other</u>				
	Extra over for Pram Ramps		No.	\$ 550	\$ -
	Extra over for Driveway Laybacks.		No.	\$ 900	\$ -
					\$ 139,816.20
1.8	<u>SIGNS & LINE MARKING</u>				
	Line Marking	95	m	\$ 9	\$ 855
	Signs: Give Way Sign, Parking, Stopping, etc	7	No.	\$ 350	\$ 2,450
					\$ 3,305.00
1.8	<u>LANDSCAPING</u>				
	<u>Turf Areas</u>				
	Turf underlay to 300mm.	78.411	m3	\$ 60	\$ 4,705
	Supply & Install Turf (by roll) to street verges	261.37	m2	\$ 15	\$ 3,921

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Item	Description	QTY	UNIT	RATE	TOTAL
	<u>Median Strip & Rain Gardens</u>				
	Garden mix to 300mm. :		m3	\$ 60	\$ -
	Mulch to 75mm		m3	\$ 60	\$ -
	Shrubs & Groundcovers (say 4/m2)		No.	\$ 20	\$ -
	Street Trees		No.	\$ 2,500	\$ -
	<u>Other</u>				
	Irrigation System		Excl.		
	Maintenance 52 weeks		weeks	\$ 125	\$ -
	<u>Furniture</u>				
	Bench Seat		Excl.		
	Bin		Excl.		
	Bike Rack		Excl.		
	Bubbler		Excl.		
					\$ 8,625.21
1.90	<u>Preliminaries, Design and Overheads</u>				
	On Site Preliminaries (15%)	1	item	\$ 67,409	\$ 67,409
	Consultants / Design Fees (10%)	1	item	\$ 51,680	\$ 51,680
	Contingency (5%)	1	item	\$ 56,848	\$ 56,848
	Head Contractor Overheads & Profit (15%)	1	item	\$ 62,533	\$ 62,533
	Goods & Services Tax (Excluded)		Excl.		
					\$ 238,471.54
	TOTAL				\$ 687,866.70



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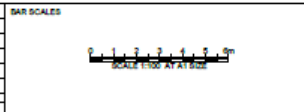
LEGEND

- EXISTING CADASTRAL BOUNDARY
- - - PROPOSED CADASTRAL BOUNDARY
- 40m² 1.0m FOOTPATH TO CARLINGFORD LIGHT RAIL STATION - PARK RESERVE
- 20m² 1.0m LANDSCAPE AREA - PARK RESERVE
- ← BIKE PATH LINE MARKING
- - - LINE MARKING DASHED LINE
- LINE MARKING SOLID LINE
- - - - - PROPOSED ELEC CONDUIT
- ○ PROPOSED LIGHT POLE

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NO.	DESCRIPTION	DATE



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PROJECT
CARLINGFORD APARTMENTS
263-281
PENNANT HILLS ROAD

TITLE
ROADWORKS AND DRAINAGE PLAN
SHEET 4

STATUS
ISSUED FOR INFORMATION

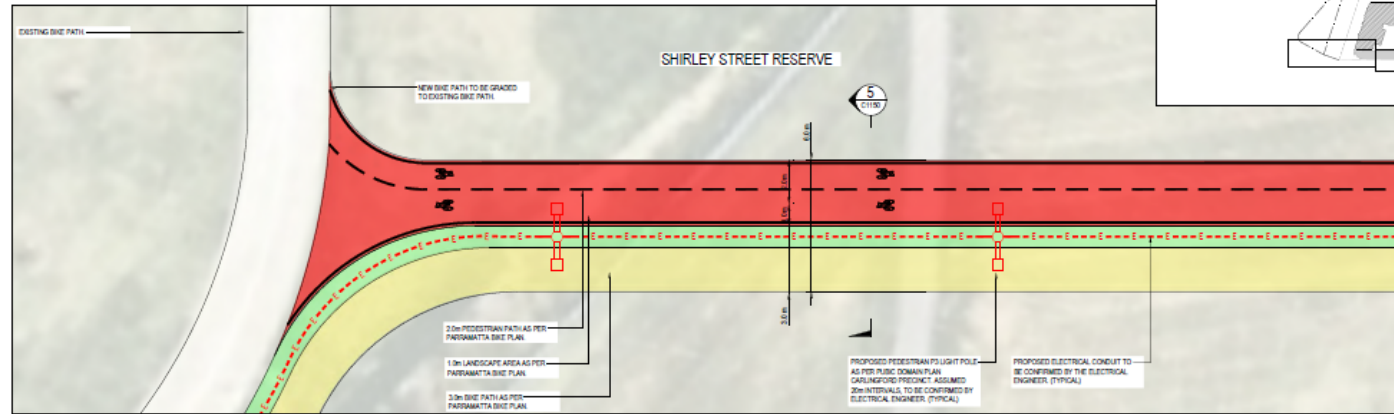
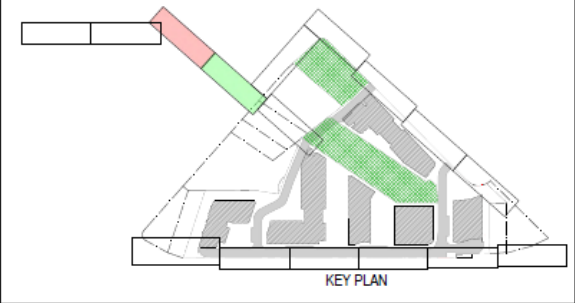
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AHD	MGA	MOCK	

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Project No: SY21-007
Drawing No: C-1203
Sheet: P2

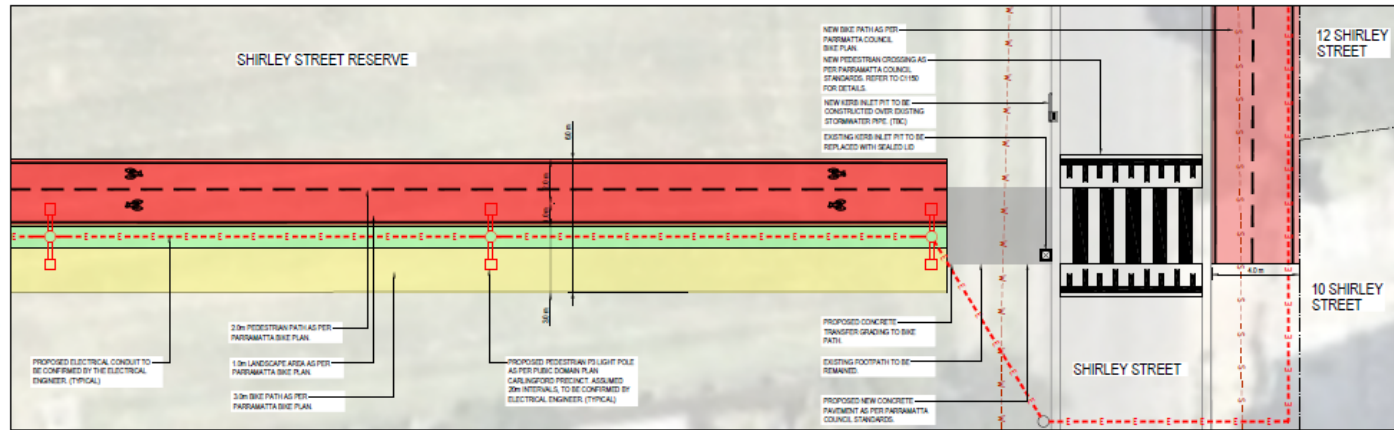


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LEGEND

- DISTING CADASTRAL BOUNDARY
- - - PROPOSED CADASTRAL BOUNDARY
- 18m² FOOTPATH PATH - PUBLIC DOMAIN
- 100m² 3.0m SHARED BIKE PATH - SHIRLEY STREET
- 406m² 2.0m FOOTPATH TO CARLINGFORD LIGHT RAIL STATION - PARK RESERVE
- 204m² 1.0m LANDSCAPE AREA - PARK RESERVE
- 267m² 3.0m BIKE PATH - PARK RESERVE
- KERB INLET PIT
- JUNCTION PIT
- RAISED PEDESTRIAN CROSSING
- BIKE PATH LINE MARKING
- LINE MARKING DASHED LINE
- LINE MARKING SOLID LINE
- EXISTING WATER
- PROPOSED ELEC CONDUIT
- PROPOSED LIGHT POLE

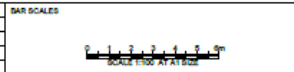


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NO	DESCRIPTION	DATE



CLIENT
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PROJECT
 CARLINGFORD APARTMENTS
 263-281
 PENNANT HILLS ROAD

TITLE
 ROADWORKS AND
 DRAINAGE PLAN
 SHEET 5

STATUS
 ISSUED FOR INFORMATION

Drawn	Design	Checked	Approved
ZW	ZW	FX	PM

Scale: 1:100 at A1 size

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Project No.	Drawing No.	Issue
SY21-007	C-1204	P2

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