

20 May 2022

The General Manager  
City of Parramatta Council  
PO Box 32  
Parramatta NSW 2124

Dear Sir/Madam

**Offer to enter into planning agreement in relation to planning proposal**  
**Property: 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford**

**Introduction**

Karimbla Properties (No. 61) Pty Ltd (the Developer) offers to enter into a Planning Agreement with Council under section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with Planning Proposal for the provision of public benefits as set out in this letter.

The Developer has considered Council's Planning Agreements Policy (**Policy**) in the making of this offer and has sought to follow the Policy, to the fullest extent possible.

**Offer**

Table 1 below sets out the details of the key terms of the offer with the full commercial terms to be in accordance with Council's Planning Agreement template, except as identified in table 2 of this letter.

**Table 1**

Item	Terms
<b>Parties</b>	City of Parramatta Council Karimbla Properties (No. 61) Pty Ltd ACN 622 383 733 Meriton Properties Pty Ltd ACN 000 698 626
<b>Land</b>	263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford (being Lot 22 DP21386, Lot 2 DP9614, Lot 3 DP9614, Lot 4 DP9614, Lot 61 DP819136, Lot 62 DP819136 and Lot 1 DP1219291)
<b>Planning Proposal / Development Application</b>	Planning Proposal to include non-residential uses on the Land as Additional Permitted Uses under Schedule 1 of the Parramatta (former The Hills) LEP 2012.
<b>Monetary Contribution</b>	Nil
<b>Works</b>	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

Item	Terms
	<p>from Shirley Street through the Shirley Street Reserve as per the attached plan.</p> <p>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</p>
<b>Dedication of Land</b>	Nil
<b>Other Public Benefits</b>	<ul style="list-style-type: none"> <li>• Deliver a critical link in the broader pedestrian/cycle network that has been identified in Council's public domain and local infrastructure planning</li> <li>• Increase pedestrian accessibility and mobility around the Carlingford Precinct (including the Site) and to the Carlingford Light Rail station</li> <li>• Allow Council to reallocate collected funds for these works to deliver other critical infrastructure under the Contributions Plan</li> <li>• 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</li> </ul>
<b>Value of Public benefits</b>	Estimated \$431,388.45 as outlined in attached QS Report
<b>Application of section 7.11, 7.12 and 7.24</b>	The offer is not subject to the exclusion of sections 7.11, 7.12 or 7.24 of the Act
<b>Dispute Resolution</b>	Please refer to attached VPA showing minor amendments.
<b>Security</b>	<ul style="list-style-type: none"> <li>• Meriton Properties Pty Ltd will be a party in 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.</li> <li>• The final Planning Agreement will be promptly registered on the respective titles of the Site (excluding any future allotments created by a strata plan apart from common property lots)</li> <li>• The Developer acknowledging that the Council has a caveatable interest in the Land and will not object to Council registering 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. Once the Planning Agreement is registered, then Council must withdraw the Caveat.</li> </ul>

Item	Terms
	<ul style="list-style-type: none"> <li>The appropriate application of conditions on the associated Development Consent (i.e. The future DA that enables the APU)</li> </ul>
<b>Restrictions on Issue of Certificates</b>	It is proposed that the Link would be completed prior to 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
<b>Other Terms</b>	See attached VPA with tracked changes
<b>Costs</b>	Karimbla Properties (No. 61) Pty Ltd agrees to pay Council's reasonable costs of and incidental to the negotiation, preparation and entering into the agreement, as well as administration and enforcement of the planning agreement in accordance with the terms set out in the template planning agreement.

Karimbla Properties (No. 61) Pty Ltd accepts the terms as generally set out in the Council's Planning Agreement template except as set out in Table 2, below.

## Table 2

### Draft Planning Agreement

Enclosed with this letter is a copy of Council's draft Planning Agreement with the departures listed above shown in tracking.

Yours faithfully



Meriton Tower  
Level 11, 528 Kent St  
Sydney NSW 2000  
Tel: (02) 9287 2888

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

**Date :** 28-Mar-2022

Item	Description	QTY	UNIT	RATE	TOTAL
<b>1</b>	<b>LINK PATH</b>				
<b><u>1.1</u></b>	<b><u>GENERAL</u></b>				
	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	390	m2	\$ 2	\$ 780
	Allowance for sediment control & maintain for the duration of the contract.	1	Item	\$ 1,000	
					<b>\$ 780.00</b>
<b><u>1.2</u></b>	<b><u>CLEARING &amp; DEMOLITION</u></b>				
	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		\$ -
					<b>\$ 1,446.00</b>
<b><u>1.3</u></b>	<b><u>GROUNDWORKS</u></b>				
	Allowance to excavate, cart & dispose of 300mm topsoil as GSW-Special	117	m3	\$ 540	\$ 63,180
	Trim, regrade to required contours and compact	390	m2	\$ 6	\$ 2,340
	Import certified Fill		m3		\$ -
	Compact subgrade	390	m2	\$ 5	\$ 1,950
					<b>\$ 67,470.00</b>
<b><u>1.4</u></b>	<b><u>STORMWATER</u></b>				
	<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
<b>1.5</b>	<b><u>OTHER UTILITIES / CLASHES</u></b>				
	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
<b>1.6</b>	<b><u>PAVEMENTS</u></b>				
	<u>Bike Path</u>				
	150 thick DGB20 (Basecourse)	195	m2	\$ 30	\$ 5,850

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

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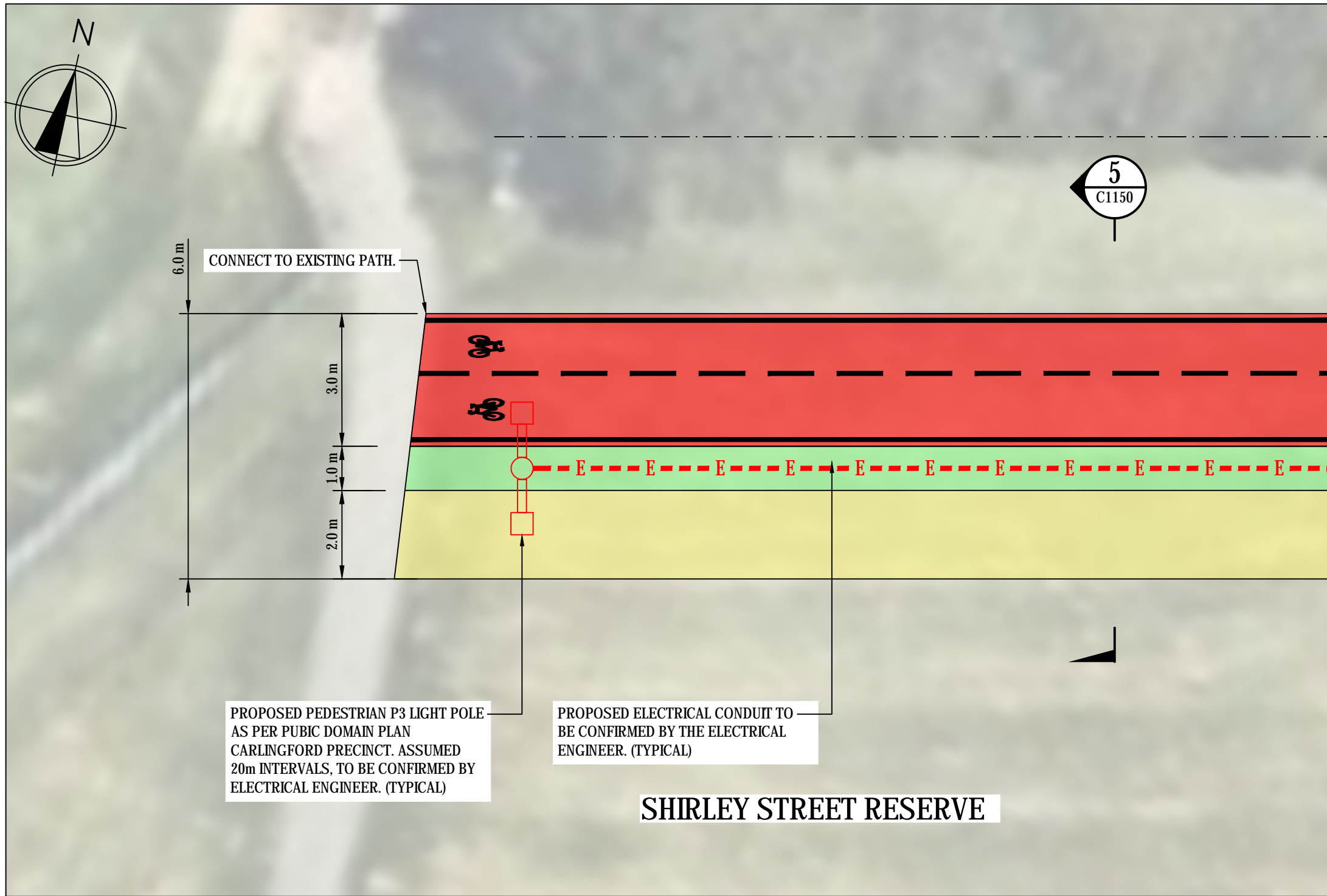
Item	Description	QTY	UNIT	RATE	TOTAL
	Plastic Membrane	195	m2	\$ 5	\$ 975
	110mm thick Concrete (32MPa Broom Finish with 1 Layer SL72 mesh)	195	m2	\$ 145	\$ 28,275
	Paint Finish	195	m2	\$ 30	\$ 5,850
	<u>Pedestrian Pathway</u>				
	150 thick DGB20 (Basecourse)	162.5	m2	\$ 30	\$ 4,875
	Plastic Membrane	162.5	m2	\$ 5	\$ 813
	110mm thick Concrete (32MPa Broom Finish with 1 Layer SL72 mesh)	162.5	m2	\$ 145	\$ 23,563
	Porphyry Banding		m2	\$ 450	\$ -
	<u>Pedestrian Crossing</u>				
	New pedestiran crossing	42	m2	\$ 180	\$ 7,560
	<u>Kerb &amp; 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	\$ -
					\$ 77,760.00
<b>1.8</b>	<b><u>SIGNS &amp; LINE MARKING</u></b>				
	Line Marking	95	m	\$ 9	\$ 855
	Signs: Give Way Sign, Parking, Stopping, etc	7	No.	\$ 350	\$ 2,450
					\$ 3,305.00
<b>1.8</b>	<b><u>LANDSCAPING</u></b>				
	<u>Turf Areas</u>				
	Turf underlay to 300mm.	9.75	m3	\$ 60	\$ 585
	Supply & Install Turf (by roll) to street verges	32.5	m2	\$ 15	\$ 488

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

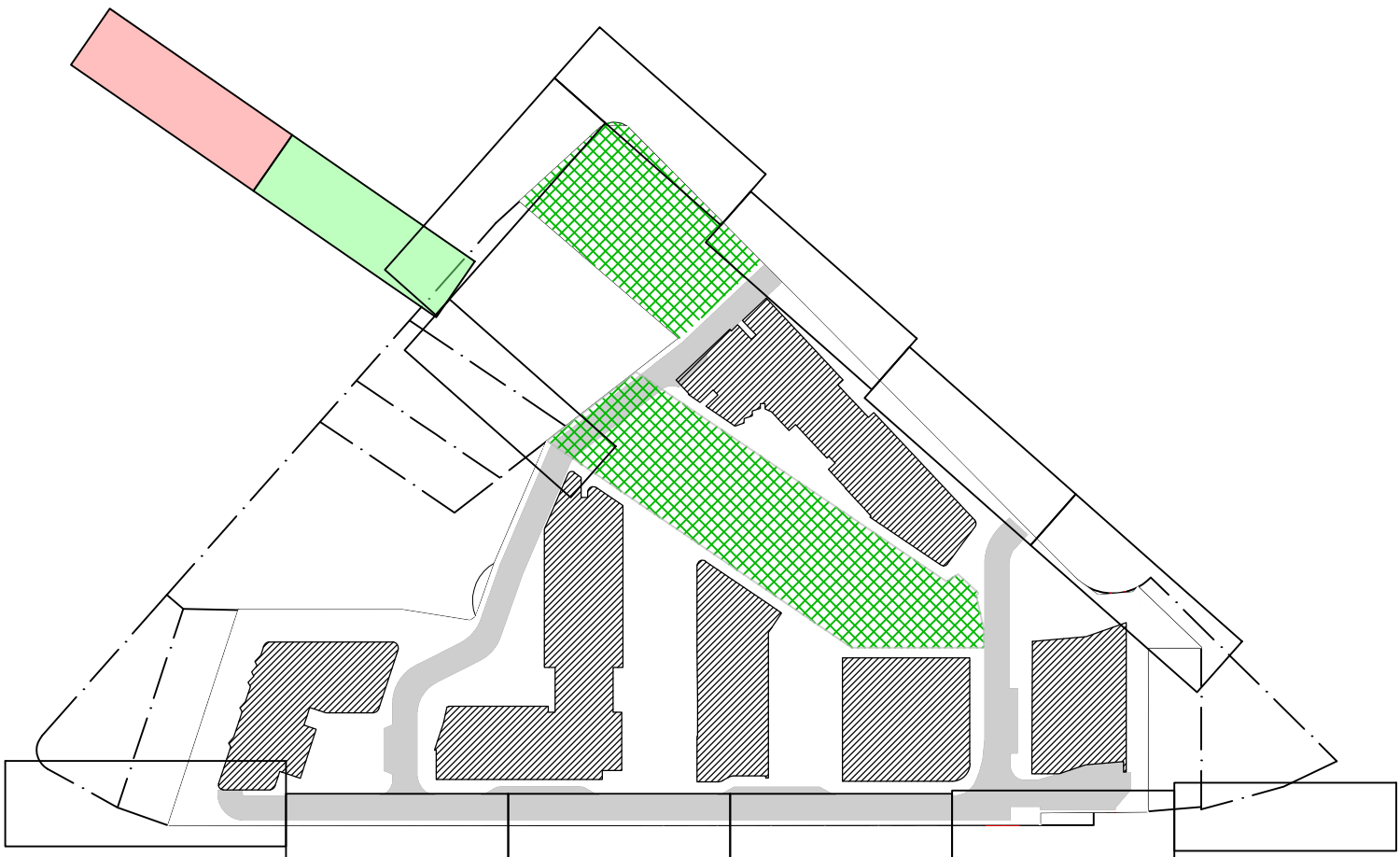
**Date :** 28-Mar-2022

Item	Description	QTY	UNIT	RATE	TOTAL
	<b><u>Median Strip &amp; Rain Gardens</u></b>				
	Garden mix to 300mm. :		m3	\$ 60	\$ -
	Mulch to 75mm		m3	\$ 60	\$ -
	Shrubs & Groundcovers (say 4/m2)		No.	\$ 20	\$ -
	Street Trees		No.	\$ 2,500	\$ -
	<b><u>Other</u></b>				
	Irrigation System		Excl.		
	Maintenance 52 weeks		weeks	\$ 125	\$ -
	<b><u>Furniture</u></b>				
	Bench Seat		Excl.		
	Bin		Excl.		
	Bike Rack		Excl.		
	Bubbler		Excl.		
					\$ 1,072.50
<b><u>1.90</u></b>	<b><u>Preliminaries, Design and Overheads</u></b>				
	On Site Preliminaries (15%)	1	item	\$ 42,275	\$ 42,275
	Consultants / Design Fees (10%)	1	item	\$ 32,411	\$ 32,411
	Contingency (5%)	1	item	\$ 35,652	\$ 35,652
	Head Contractor Overheads & Profit (15%)	1	item	\$ 39,217	\$ 39,217
	Goods & Services Tax (Excluded)		Excl.		
					\$ 149,554.95
	<b>TOTAL</b>				\$ 431,388.45

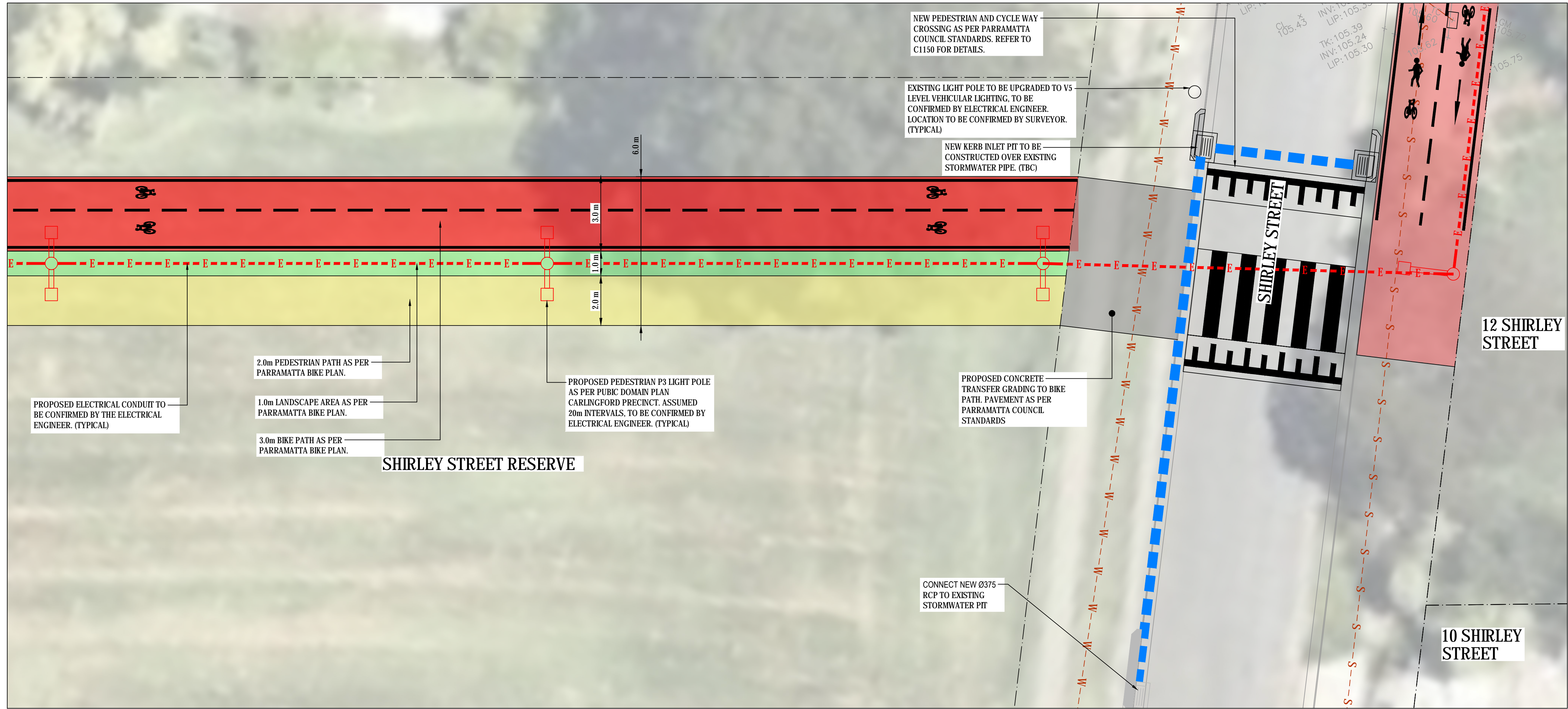




FOR CONTINUATION REFER TO DRAWING BELOW



KEY PLAN



FOR CONTINUATION REFER TO DRAWING C1205

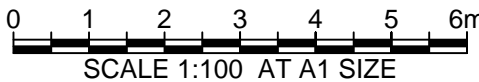
LEGEND

- EXISTING CADASTRAL BOUNDARY
- PROPOSED CADASTRAL BOUNDARY
- 16 m<sup>2</sup> FOOTPATH PATH - PUBLIC DOMAIN
- 1030 m<sup>2</sup> 3.8m SHARED BIKE PATH - SHIRLEY STREET
- 406 m<sup>2</sup> 2.0m FOOTPATH TO CARLINGFORD LIGHT RAIL STATION - PARK RESERVE
- 204 m<sup>2</sup> 1.0m LANDSCAPE AREA - PARK RESERVE
- 287 m<sup>2</sup> 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



REV	DESCRIPTION	DATE
P3	ISSUE FOR INFORMATION	17/05/2022
P2	ISSUE FOR INFORMATION	04/04/2022
P1	ISSUE FOR INFORMATION	30/03/2022
REVISIONS		

BAR SCALES



CLIENT

**KARIMBLA**  
CONSTRUCTION SERVICES (NSW)  
PTY LIMITED  
Level 11, 528 Kent Street, Sydney NSW 2000  
Tel: (02) 9287 2888 Fax: (02) 9287 2777  
Email: info@design.meriton.com.au  
Internet: http://www.meriton.com.au

PROJECT

CARLINGFORD  
APARTMENTS  
263-281  
PENNANT HILLS ROAD

TITLE

ROADWORKS AND  
DRAINAGE PLAN  
SHEET 5

STATUS

ISSUED FOR INFORMATION

Drawn	Designed	Checked	Approved
ZW	ZW	FX	PM
Height Datum	Grid	SCALE	1:100 AT A1 SIZE
AHD	MGA		

**SKY** Engineering & Project Management  
ABN / 72646014342  
P / +61 435 144 005  
E / admin@skyeng.com.au  
www.skyeng.com.au

Project No.	Drawing No.	Issue
SY21-007	C-1204	P3