

8 March 2022

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

Dear Sir/Madam

### Planning Agreement Offer

Wharf and Hughes Developments Pty Ltd offers to enter into a Planning Agreement with Council under section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with a Planning Proposal located at 112 Wharf Road and 30 & 32 Waratah Street, Melrose Park and 82 Hughes Avenue, Ermington (Council Reference: RZ/1/2020).

The Planning Proposal proposes the following amendments to the Parramatta Local Environment Plan 2011:

**Table 1: Proposed Amendments to Parramatta Local Environmental Plan 2011**

	Existing	Proposed
Zoning	IN1 General Industrial	R4 High Density Residential RE1 Public Recreation (limited to public open space areas)
Land reserved for acquisition	-	Amend to include the RE1 zoned land
Height	12 metres	Up to 77 metres
FSR	1:1	2.46:1 and 2.74:1
Minimum non-residential FSR	-	Minimum 1,000 sqm
Additional permitted use	-	Permit 'food and drink premises' in the R4 High Density Residential zone
Design excellence	-	Introduce design excellence provisions for buildings of 55m and above in height without the provision of bonuses.

The Planning Proposal received a Gateway Determination from the Department of Planning, Industry and Environment on 17 August 2021.

Wharf and Hughes Developments Pty Ltd accepts the terms as generally set out in the Council's Planning Agreement template and in the following table:

Item	Terms
<b>Parties</b>	City of Parramatta Council Wharf and Hughes Developments Pty Ltd (Developer)

Item	Terms																											
Land	<table><tr><th>Address</th><th>Details</th><th>Area</th></tr><tr><td colspan="3">EAST SITE</td></tr><tr><td>112 Wharf Road</td><td>Lots 1-3 in DP127049 Lot 7 in DP511531</td><td>21,907 m2</td></tr><tr><td>30 Waratah Street</td><td>Lot 100 in DP853170</td><td>10,560 m2</td></tr><tr><td>32 Waratah Street</td><td>Lot 1 in DP519737 Lot 6 in DP511531</td><td>8,707 m2</td></tr><tr><td colspan="2">TOTAL SITE AREA</td><td>41,174 m2</td></tr><tr><td colspan="3">WEST SITE</td></tr><tr><td>82 Hughes Avenue</td><td>Lot 6 in DP602080</td><td>52,090 m2</td></tr><tr><td colspan="2">TOTAL AREA</td><td>93,264 m2</td></tr></table>	Address	Details	Area	EAST SITE			112 Wharf Road	Lots 1-3 in DP127049 Lot 7 in DP511531	21,907 m2	30 Waratah Street	Lot 100 in DP853170	10,560 m2	32 Waratah Street	Lot 1 in DP519737 Lot 6 in DP511531	8,707 m2	TOTAL SITE AREA		41,174 m2	WEST SITE			82 Hughes Avenue	Lot 6 in DP602080	52,090 m2	TOTAL AREA		93,264 m2
Address	Details	Area																										
EAST SITE																												
112 Wharf Road	Lots 1-3 in DP127049 Lot 7 in DP511531	21,907 m2																										
30 Waratah Street	Lot 100 in DP853170	10,560 m2																										
32 Waratah Street	Lot 1 in DP519737 Lot 6 in DP511531	8,707 m2																										
TOTAL SITE AREA		41,174 m2																										
WEST SITE																												
82 Hughes Avenue	Lot 6 in DP602080	52,090 m2																										
TOTAL AREA		93,264 m2																										
Planning Proposal / Development Application	<p>Council Reference: RZ/1/2020</p> <p>Refer to Table 1 for a summary of the Planning Proposal and proposed amendments to the Parramatta Local Environmental Plan 2011.</p>																											
Monetary Contribution	<p>Nil.</p>																											
Dedication of Land	<p>Refer to the proposed Open Space Plan at Appendix 1 which shows the land to be dedicated to Council for new open space areas. This includes approximately 25,122 sqm for the purpose of new public open space (excluding land required for the Parramatta Light Rail route).</p> <p>Refer to attached Staging Plan.</p>																											
Works In Kind	<p>It is proposed to offset the cost of embellishing the open space being dedicated to Council, for the purpose of public recreation. It is also proposed to offset the cost of constructing the roadways (50% apportionment) and cycleways (as shown in Appendix A of the Preliminary Cost Estimate by Atlas Group at Appendix 2).</p>																											

Item	Terms
	Proposed Monetary Contribution: \$19,349 per dwelling or \$37,246,825
	Value of Embellishments/Works-in-kind: \$21,077,414 (refer to Preliminary Cost Estimate by Atlas Group at Appendix 2).
	Difference: \$16,169,411
<p>Refer to Staging Plan</p> <p>Note the difference of \$16,169,411 to be dedicated to Council as affordable housing. See below.</p>	
<b>Other Public Benefits</b>	24 Affordable housing units will be dedicated to Council with a minimum of 34 bedrooms.
<b>Application of section 7.11, 7.12 and 7.24</b>	<p>This letter of offer does not exclude the application of developer contributions. In accordance with the Voluntary Planning Agreement with other landowners in the precinct, for the North Precinct, Council's previous s94A Contributions Plan, which levies 1% of the total CIV will be applicable to the development.</p> <p>It is also anticipated that a separate Voluntary Planning Agreement will be prepared with the Department of Planning, Industry and Environment for State Infrastructure Contributions, under Section 7.24 of the Environmental Planning and Assessment Act 1979.</p>
<b>Registration</b>	The terms of the planning agreement relating to registration are accepted.
<b>Dispute Resolution</b>	The terms of planning agreement relating to dispute resolution are accepted.
<b>Security</b>	Charge over the land to be transferred to Council as security for offer made in this VPA.
<b>Restrictions on Issue of Certificates</b>	The public benefit in each relevant stage will be given to Council concurrent with the issuance of an Occupation Certificate for the final building within any particular stage of the development.
<b>Other Terms</b>	N/A
<b>Costs</b>	Wharf and Hughes Developments Pty Ltd agrees to pay Council's reasonable costs of and incidental to the negotiation, preparation and entering into the agreement, as

Item	Terms
	well as administration and enforcement of the planning agreement in accordance with the terms set out in the template planning agreement.

Yours faithfully

Kevin Nassif  
Wharm and Hughes Developments Pty Ltd