



10 February 2020

Mr Alan Young
The City Manager
Fairfield City Council
PO Box 21
Fairfield NSW 1860

Dear Mr Young,

RE: Kamira Court, Villawood – Planning Agreement Offer

In accordance with Section 7.4 of the *Environmental Planning and Assessment Act 1979* (the Act) we write to provide an offer to enter into a Planning Agreement with Fairfield Council (Council) to support the proposed Fairfield Local Environmental Plan (LEP) amendment for the Fairfield City Council-owned land at Villawood, although the Planning Agreement is sought to cover both Council's part-Hilwa Park land and the NSW Land and Housing Corporation (LAHC) land at Kamira Court, Villawood.

LAHC's Planning Proposal seeks to amend the Fairfield LEP in a manner consistent with Council's Villawood Town Centre Urban Design Study (2018) and the current facilitating Planning Proposal being led by Council over the Villawood Town Centre precinct.

LAHC's Planning Proposal (dated 10 February 2020) and this accompanying Planning Agreement offer are vitally important to help realise the 'transformative' vision for the Villawood Town Centre that is commonly shared by Council and LAHC.

The land subject to LAHC's Planning Proposal and proposed Planning Agreement is wholly owned by LAHC and/or Council and the following table describes the proposed terms of the Planning Agreement:

Parties	NSW Land and Housing Corporation and Fairfield City Council
Description of the land (s7.4(3)(a))	See Appendix 1 & 2
Description of the planning proposal (s7.4(3)(b)(i))	A planning proposal to facilitate the creation of a major local open space fronting Kamira Avenue and the acquisition and dedication of lands to facilitate the orderly development of the Villawood Town Centre.
Nature and extent of the	The aim of the Planning Agreement is to facilitate the orderly development of the Villawood Town Centre consistent with

provision to be made by the developer, and the times and manner in which the provision is to be made (s7.4(3)(c))	<p>relevant strategic planning documents through a series of land exchanges between Council and LAHC. The balance of land is 973sqm in favour of Council.</p> <p>The tables attached at Appendix 1 & 2 detail the scope of proposed acquisitions and dedications of land for the proposed Planning Agreement. The location of these lands is shown in Appendix 3 & 4.</p>
Exclusion of s7.24	No future Special Infrastructure Contribution is currently proposed. It is expected that LAHC will either pay any future Special Infrastructure Contribution or negotiate a separate Planning Agreement with the State Government should one be required.
Relationship to s7.11 and 7.12	Section 7.11 and 7.12 of the EPA Act are excluded as they apply to the payment of local contributions for the development. The works in kind and contributions proposed as part of this Planning Agreement fully offset the future payment of local development contributions.
Enforcement of the agreement by a suitable means (s7.4(3)(g))	LAHC will register the Planning Agreement on the title to the land, to be removed from title on satisfaction of the terms of the agreement.

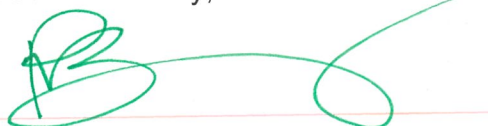
LAHC acknowledges that in order to achieve orderly development of the land:

- Some Council owned land will require reclassification and/or transfer out of Council ownership and into the LAHC's ownership;
- Some Council owned land may also require the removal of dealings or registration of dealings on title; and
- Some interests in Council owned land may be acquired by LAHC using its acquisition powers, at nil or nominal value.

LAHC is happy to commence preparation of a draft planning agreement immediately, subject to confirmation of same from Council.

We look forward to your response in relation to the above offer and I can be contacted at any time on 0459 836 671.

Yours sincerely,



Peter Brackenreg
Program Director

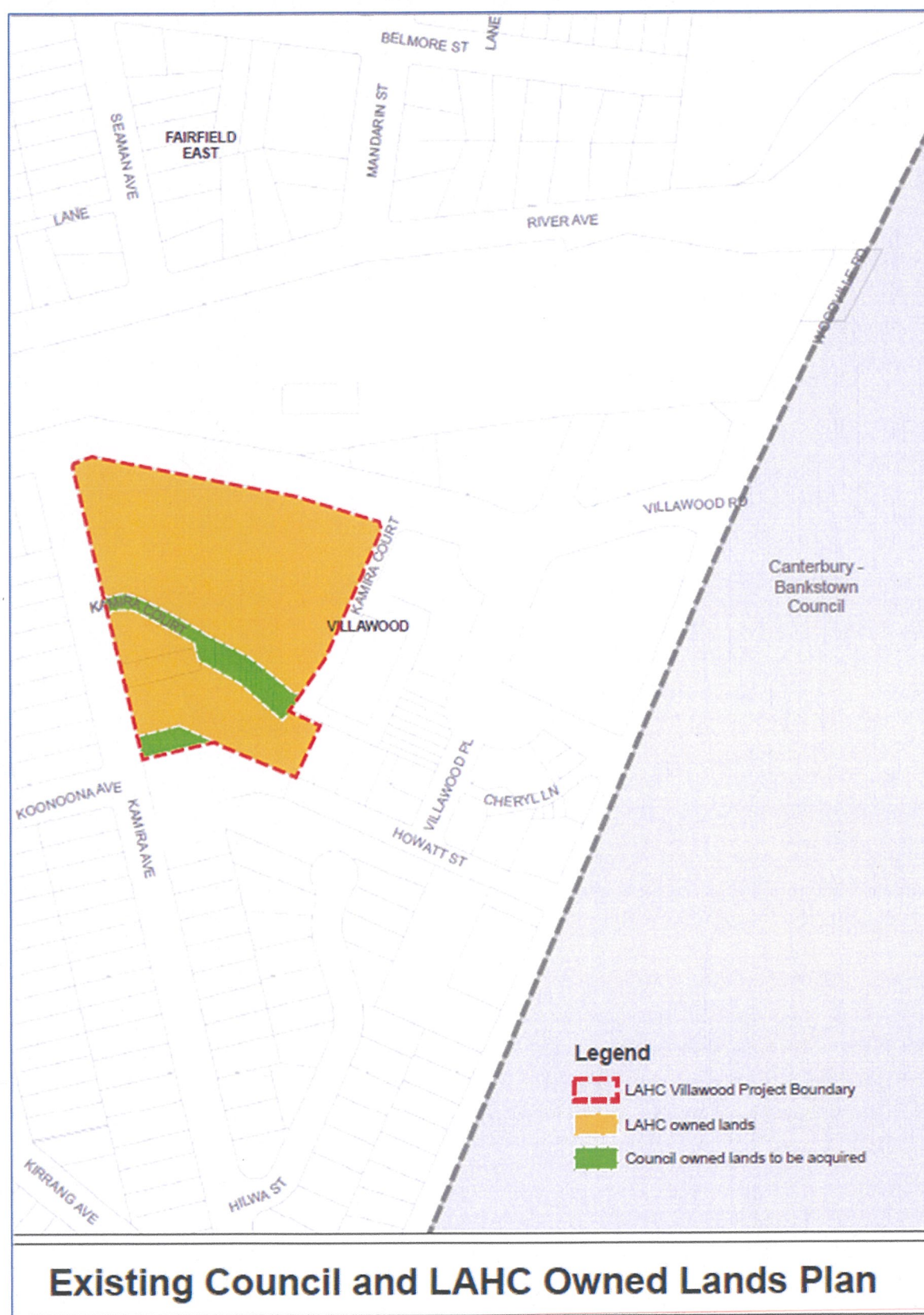
Appendix 1 – Council Land to be acquired by LAHC:

Land	Future Use	Quantum	Current Zoning
31/36718	Incorporated into development site consistent with 2018 Urban Design Study creating consistent street wall	430m ²	RE1
Kamira Court Road (Part)	Incorporated into development site to facilitate built form and street pattern in Urban Design Study.	1,260m ²	R4
Total		1,670m²	

Appendix 2 – LAHC Land to be dedicated to Council:

Land	Future Use	Quantum	Current Zoning
37/202006 (Part)	Public Open Space	1260m ²	R4
39/202006 (Part)	Public Open Space	500m ²	R4
381/1232437	Future Road Connection	403m ²	R4
382/1232437 (Part)	Future Road Connection	480m ²	R4
Total		2,643 m²	

Appendix 3 – Map showing Council Land to be acquired



Appendix 4 – Map showing LAHC Land to be dedicated

