



Summary of Voluntary Planning Agreements (VPAs) Station Precinct, Rhodes

1 Overview

- 1.1 Three planning agreements are proposed to be entered into in respect of the land bounded by Marquet St, Mary Street, Walker St and Gauthorpe Street which is the subject of *Planning Proposal - Proposed Amendment to the Canada Bay Local Environmental Plan 2013 - Amendment No.3 (Revised) – Station Precinct (Precinct D), Rhodes Peninsula (Planning Proposal)*.
- 1.2 Set out below is a summary of the key provisions of each VPA.
- 1.3 The VPAs are still being negotiated, and the provisions set out below are subject to change.

2 VPA with Billbergia Pty Ltd and related entities

Land

- 2.1 The VPA relates to 11-21, 21 and 23 Marquet St, and 6-10, 12, 14 and 34 Walker Street.

Parties

- 2.2 The VPA is proposed to be entered into by Billbergia Pty Ltd and related entities (**Billbergia**), which own a part of the Land, and have options to purchase the remainder of the Land.

Development Contributions

- 2.3 Billbergia must:
 - 2.3.1 pay monetary development contributions for each square metre of additional floor area in the development (**GFA Contributions**), being the additional floor area which will be permitted as a result of the amendments to the *Canada Bay Local Environmental Plan 2013 (LEP)* made as a result of the Planning Proposal (**Amended LEP**), over and above that currently permitted on the Land;
 - 2.3.2 pay monetary development contributions under the *Renewing Homebush Bay Contributions Framework (RRCF)*; and
 - 2.3.3 either carry out roadworks along the frontage of its development, or pay a contribution towards such works.
- 2.4 Billbergia must construct the Recreation Centre which is to contain the indoor leisure centre, child care facility and public car park. See further detail below regarding the Recreation Centre.
- 2.5 Billbergia can also elect to carry out public domain works around the station, and offset those costs against the monetary contributions under the RRCF.

Recreation Centre

- 2.6 Council will fund the Recreation Centre using the GFA Contributions. Council's payments are capped at the Estimated Costs of the Recreation

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Centre (which are to be determined), and Council does not need to pay any progress payments which exceed the value of GFA Contributions made by Billbergia.

- 2.7 The VPA will include the following provisions in respect of the delivery of the Recreation Centre:
 - 2.7.1 Any development application for 34 Walker Street must include the Recreation Centre;
 - 2.7.2 The VPA will include the terms of a construction contract between Council and Billbergia;
 - 2.7.3 Billbergia must dedicate the land on which the Recreation Centre is located to Council, and Council can acquire that land for \$1 if the land is not dedicated; and
 - 2.7.4 There will be a timeframe within which the development application for the Recreation Centre must be made and the Recreation Centre must be commenced, and Council can apply the GFA Contributions towards a facility elsewhere if commencement does not occur by the required date.

Security

- 2.8 Development contributions are required to be made before the issue of subdivision certificates for buildings in the development.
- 2.9 The VPA will be registered on the title to the Land so that its provisions will bind the owner of the land from time to time.

Other provisions

- 2.10 Any development applications for the Land need to propose agreed sustainability initiatives, CCTV for public domain, non-intrusive substations, undergrounding of services, and establishment and maintenance of laneways.
- 2.11 The building to be constructed on 6-14 Walker Street is to contain a heliostat to reflect sunlight into the proposed town square to the south of Mary Street, and there will be public positive covenants on title regarding the maintenance of the heliostat.

3 VPA with Hossa Group

Land

- 3.1 The VPA relates to 3-9 Marquet St and 4 Mary Street, Rhodes.

Parties

- 3.2 The VPA is proposed to be entered into by the owners of the Land who are associated with the Hossa Group. B1 Central Pty Ltd (**B1**) has an option to purchase of the land if the LEP is amended as proposed by the Planning Proposal. Assuming that option is exercised it will be B1 which performs the obligations under the VPA.

Development Contributions

- 3.3 The Developer must:
 - 3.3.1 pay GFA Contributions;
 - 3.3.2 pay monetary development contributions under the RRCF; and

- 3.3.3 either carry out roadworks along the frontage of its development, or pay a contribution towards such works.

Security

- 3.4 Development contributions are required to be made before the issue of subdivision certificates for buildings in the development.
- 3.5 The VPA will be registered on the title to the Land so that its provisions will bind the owner of the land from time to time.

Other provisions

- 3.6 Any development application for the Land needs to propose a development consistent with the Tony Owens masterplan proposal for the Land.
- 3.7 Any development application for the Land needs to propose agreed sustainability initiatives, CCTV for public domain, non-intrusive substations, undergrounding of services, and establishment and maintenance of laneways.

4 VPA with B1

Land

- 4.1 The VPA relates to 1 Marquet Street.

Parties

- 4.2 The VPA is proposed to be entered into by B1 which owns the Land.

Development Contributions

- 4.3 B1 must:
- 4.3.1 pay GFA Contributions;
 - 4.3.2 pay monetary development contributions under the RRCE; and
 - 4.3.3 either carry out roadworks along the frontage of its development, or pay a contribution towards such works.

Security

- 4.4 Development contributions are required to be made before the issue of subdivision certificates for buildings in the development.
- 4.5 The VPA will be registered on the title to the Land so that its provisions will bind the owner of the Land from time to time.

Other provisions

- 4.6 The Land must be developed in conjunction with 3-9 Marquet Street and 4 Mary Street.
- 4.7 Any development application for the Land needs to propose a development consistent with the Tony Owens masterplan proposal for 3-9 Marquet Street and 4 Mary St (adapted to incorporate the Land).
- 4.8 Any development application for the Land needs to propose agreed sustainability initiatives, CCTV for public domain, non-intrusive substations, undergrounding of services, and establishment and maintenance of laneways.