

25 May 2023

By email: council@orange.nsw.gov.au  
General Manager  
Orange City Council  
PO Box 35  
Orange NSW 2800

Dear Sir/Madam,

## Summary of Terms of Voluntary Planning Agreement (VPA) 12-20 Shiralee Road, Orange

This letter summarises the terms of the proposed VPA offer between Orange Enterprises No. 1 Pty Ltd and Orange City Council in relation to the land at 12-20 Shiralee Road, Orange (Lot 1 DP630681, Lot A DP381933, Lot 1 DP381932 and Lot A DP381935).

The VPA is to be entered into in connection with:

- the *Planning Proposal, Currajong Pty Ltd, Rev A*, as issued to Council, to:
  - i. rezone part of the Site from RE1 Public Recreation to R1 General Residential, and part of the Site from R2 Low Density Residential to R1 General Residential;
  - ii. amend the minimum lot size controls for parts of the Site currently zoned R1; and
  - iii. apply minimum lot size controls to that part of the Site to be rezoned from RE1 to R1; and
- the proposed subdivision of the Site to facilitate the development of approximately 198 residential lots plus 1 super lot (4,989m<sup>2</sup>), equating to approximately 206 dwellings, and approximately 41,553m<sup>2</sup> of public open space.

See **attached** plans for a summary of the proposal.

### Proposed terms of VPA

- **Park embellishment works** - The developer will undertake embellishment works on the RE1 zoned land (following re-zoning) as a public park.
- The park embellishment works will be undertaken in accordance with the agreed 'Park Plan' prepared in conjunction with Council.
- The embellishment works are estimated at \$2.3 million [plus finance costs, escalation and interest].
- **Maintenance** - In addition, the developer will implement a 2-year maintenance program of the soft landscaping following completion. The maintenance works are estimated at \$50,000 with the developer to cover the cost of maintenance.
- **Land dedication** - Upon completion of the embellishment works, the park will be dedicated at no cost to Council, and such that no section 7.11 contributions credits arise for the dedicated land (the developer will agree to forfeit these).
- The value of the embellishment works, land dedication and maintenance will exceed section 7.11 contributions that might otherwise be payable in respect of the additional 50 lots proposed under the planning proposal, section 7.11 contributions being 50 lots x \$20,000 / lot = \$1,000,000. The VPA will therefore document an offset whereby section 7.11 contributions do not apply in respect of the additional 50 lots, in recognition of the value of the works being undertaken and the overall greater public benefit that the park will provide.

- In terms of timing, the VPA will provide that the park embellishment works are to be commenced prior to construction of the 105<sup>th</sup> residential lot within the development, and completed prior to construction of the 155<sup>th</sup> lot, with the park to be dedicated prior to subdivision of the 199<sup>th</sup> lot. Refer to the attached Lot Staging Plan for the intended subdivision staging and indicative timing of park embellishment works to be undertaken during Stage 4 (Lots 105 – 154).
- Note that section 64 sewer and water contributions will remain payable for the additional 50 lots (excluding lots created solely for the park).

Should you have any queries relating to this letter please contact the undersigned o

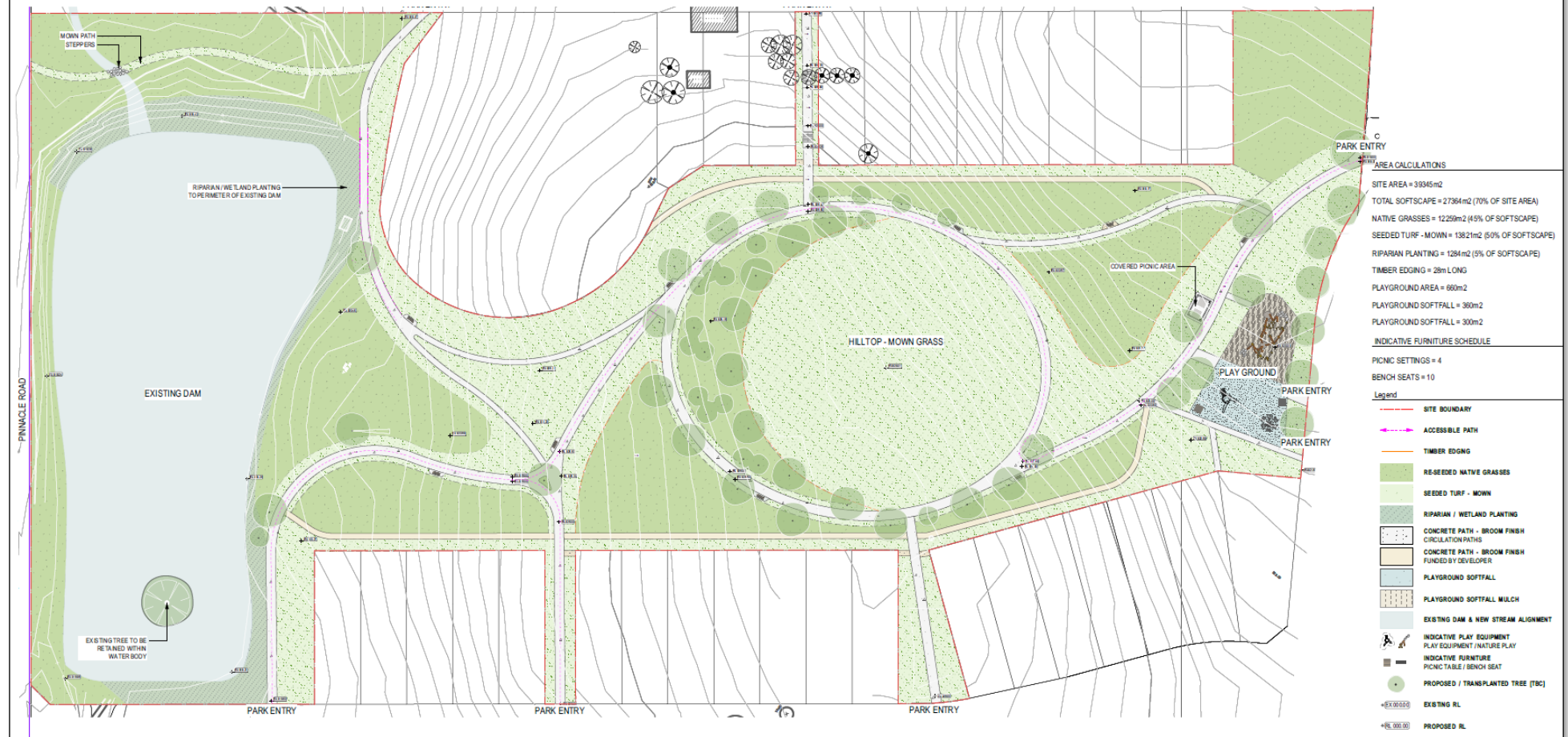
Yours Sincerely,  
**Oakstand NSW Pty Limited**

David Cullen  
CEO





## Park Embellishment Works - 'Park Plan'





ROAD WIDENING  
2.25 WIDE

Level 9, 503-505 Kent St, Sydney NSW 2000

