

29 January 2025

Matthew Stewart
Chief Executive Officer
City of Canterbury-Bankstown Council
PO Box 8
BANKSTOWN NSW 1885

Dear Sir

Preliminary Planning Agreement Offer

Planning Proposal for 11 Harp Street, 11A Harp Street and 5 Elizabeth Street, Campsie

Neetan Investments offers to enter into a Planning Agreement with the City of Canterbury-Bankstown Council under section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with the Planning Proposal for 11 Harp Street, Campsie.

Neetan Investments accepts the terms as generally set out in the Council's Planning Agreement template and in the following table:

Item	Terms
Parties	City of Canterbury-Bankstown Council Neetan Investments (ABN 46 088 912 010)
Land	11 Harp Street, Campsie being Lot 3 on DP 270114 and Lot 1 in DP270114 CL & GL PTY LTD (ACN 110573272) is the registered owner of the subject land. Neetan Investments is acting for and on behalf the registered owner, with respect to the Planning Proposal.
Planning Proposal / Development Application	This agreement relates to the Planning Proposal for 11 Harp Street, 11A Harp Street and 5 Elizabeth Street, Campsie. Legally Described as Lot 1 and Lot 3 on DP270114, Lot 14 on DP262535 and Lot 1051 on DP789344 respectively - which seeks to amend Canterbury Local Environmental Plan 2023 (The LEP 2023) as follows:

Item	Terms
	<ul style="list-style-type: none"> • Introduce additional permitted use clause permitting health services facility and ancillary hotel/motel accommodation and centre-based childcare for the subject site. • Introduce an incentive floor space ratio map, permitting up to 2.1:1 FSR where a health services facility, hotel or motel accommodation or a centre-based child care facility is proposed. • Introduce an incentive height of building map, ranging from 16.5m to 38.5m where a health services facility, hotel or motel accommodation or a centre-based child care facility is proposed. • Introduce additional local provisions to require lot consolidation and a site specific DCP.
Compliance with Council's Template Planning Agreement link	While reserving the right for future detailed legal review, the terms of Council's Template Planning Agreement are agreed in-principle.
Monetary Contribution	<p>A reasonable local monetary contribution to be provided toward the construction of, or improvements to local infrastructure and the public domain in the vicinity of the Land.</p> <p>As a preliminary offer, the exact amount of the contribution is expected to be negotiated between Neetan Investments and Council, having regard to matters including but not limited:</p> <ul style="list-style-type: none"> (i) The technical studies that inform this planning proposal; (ii) Comparable other proposals within the local government area; (iii) Council's S7.11/S7.12 contribution plans; (iv) The cost of expected development, effectively discounting the costs associated with the remediation of the site; (v) The expected level of contributions toward regional infrastructure, through the proposed Housing and Productivity Contributions.
Works	<p>As part of this preliminary offer, the completion of works of land is not proposed – rather a monetary contribution in the first instance.</p> <p>11. Of the contribution, it is expected that a portion shall be used for the purposes of local infrastructure and public</p>

Item	Terms
	<p>domain improvements within 1km of the subject site – offering public benefit to both nearby residents and future workers alike. This includes (in order of preference) the following:</p> <p>(a) pedestrian access - Footpath upgrades along Harp Street and surrounding streets (ie Elizabeth Street), to provide improved connectivity to Clemton Park and Canterbury Hospital, as well as assisting with secondary vehicle access. Also, provision of various Pedestrian Crossing upgrades;</p> <p>(b) roads and infrastructure – Construction of Roundabout on Elizabeth Street/Harp Street;</p> <p>(c) cycle infrastructure - Provision of Cycleways in accordance with Key Route 7 of the Active Transport Action Plan – Croydon Park to Earwood North/South link;</p> <p>(d) Provision of vehicle access to Elizabeth Street - via acquisition of Nos 5 and 11a Elizabeth Street;</p> <p>(e) Public Park on site - retained in private ownership with an easement for public access.</p>
Dedication of Land	<p>As part of this preliminary offer, dedication of land is not proposed in the first instance.</p> <p>There is the potential for further discussion in respect of properties providing additional access through to Elizabeth Street.</p>
Other Public Benefits	<p>Subject to further discussion, in terms of approval requirements, the following may also be considered:</p> <p>(a) Provision of floor space to allow Council, or affiliated organisations access to facilitate services/programs;</p> <p>(b) Funding of design and/or construction of potential footbridge over Canterbury Road (subject to consultation with Transport for NSW);</p> <p>(c) Upgrades to Stormwater Drainage.</p>
Application of section 7.11, 7.12 and 7.24	<p>For the purposes of Section 7.4(5) of the Act, this letter does exclude the operation of section S7.11 and Section 7.12 of the Act in relation to future Development Application(s) for the Proposed Development.</p> <p>This offer does not exclude the operation of Section 7.24 of the Act in relation to the Development Application(s) for the Proposed Development.</p>

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Registration	The terms of the Council's template planning agreement relating to registration are accepted in-principle.
Agreement to registration by those with an interest in the property	Registration of any agreement will be supported by all those with an interest in the property (e.g. including leaseholders in business premises), in accordance with s7.6 EP&A Act
Dispute Resolution	The terms of the Council's template planning agreement relating to dispute resolution are accepted in-principle.
Security	<p>The template agreement establishes security arrangements in Clause 22. This predominantly relates to the provision of security, based on the value of works required to be provided by the developer. No works are proposed to be completed in the first instance, rather a reasonable monetary contribution.</p> <p>Should a negotiated outcome include the carrying out of works, appropriate security arrangements could readily be discussed.</p>
Restrictions on Issue of Certificates	Provisions restricting the issue of Construction Certificates, Occupation Certificates and Subdivision Certificates are not expected to apply.
Costs	Neetan Investments 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. link – see clauses 9 and 38.

Yours faithfully




Neetan Investments.