

28 September 2018

Reference: 2018033

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

Attention: Manager, Land Use Planning

Dear Sir,

LETTER OF INTENT – 90-96 PHILLIP STREET, PARRAMATTA: PLANNING AGREEMENT PURSUANT TO SECTION 7.4 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The Landowners for the site, known as 90-96 Phillip Street, Parramatta, being Build Up Phillip Pty Ltd and Academy Parramatta, provides this letter of intent in association with the Planning Proposal lodged with the City of Parramatta Council (CoPC), pursuant to section 3.33 of the Environmental Planning & Assessment Act 1979 (EP & A Act).

This letter of intent is with the purpose of providing a planning agreement in accordance with section 7.4 of the EP & A Act. Section 7.4 provides as follows:

- (1) A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the **developer**):*
- (a) who has sought a change to an environmental planning instrument, or ...*
- under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit or any combination of them, to be used for or applied towards a public purpose.*

This application seeks to change the Parramatta Local Environmental Plan 2011 as set out in the Planning Proposal accompanying this application.

Subclause (2) goes on to describe a public purpose as:

- (a) the provision of (or the recoupment of the cost of providing) public amenities or public services,*
- (b) the provision of (or the recoupment of the cost of providing) affordable housing,*
- (c) the provision (or the recoupment of the cost of providing) transport or other infrastructure relating to land,*

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- (d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport, or other infrastructure,
- (e) the monitoring of the planning impacts of a development,
- (f) the conservation or enhancement of the natural environment.

The planning proposal seeks to provide public amenities adjacent to the subject site, in accordance with the Charles Street Square Planning Strategy (CSSPS). This will accord with subclause (2) as set out above.

The CSSPS highlights the need for 90-94 Phillip Street (and 34-36 Charles Street) to amalgamate to best implement development that aligns with an effective public purpose and *to inform a positive built form and public domain outcome for Parramatta Quay*. The outcomes are shown on the master plan presented below.



This Letter of Intent seeks to implement the public domain works anticipated by the CSSPS. An indicative concept for this purpose has been prepared by Site Image Landscape Architects and accompanies this application. A Cost analysis for the public domain have been valued by QPC & C Quantity Surveyors. The estimated cost of the work, including GST and contingency, is \$2,121,370.24.

To enable such works to be implemented, 94-96 Charles Street currently benefits from an access driveway that provides vehicular ingress/egress to the basement level of the commercial building. The land that is utilised for that purpose is approximately 245 square metres.

For the works to be implemented, the rights of 94-96 Phillip Street would need to be relinquished to enable access to be reconfigured and the level of public amenity surrounding the Ferry Wharf to be increased. From a value perspective, this results in a loss of retail space at the ground floor level of approximately 350 square



metres, along with additional works required as access from the Charles Street frontage is no longer available, with respect to flooding control and management.

The Valuation Report prepared by Colliers International accompanying this application suggests that:

- The market value of the giving up the access rights currently available in favour of 94-96 Phillip Street is in the order of \$2,025,000 (exclusive of Goods & Services Tax).
- In the alternative, for the Council to obtain the benefit of the necessary land required to implement the works as prepared by Site Image Landscape Architects, in accordance with the CSSPS, the benefit to the Council is estimated at \$1,800,000 (exclusive of Goods & Services Tax).

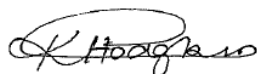
The relinquishment of the access rights therefore results in a loss to the Landowner.

Having regard to the loss to the Landowner, as well as the cost of works to ensure implementation of the Planning Agreement in a timely manner, it is requested that the additional costs, over and above the benefit to the Council are offset against any required contributions under section 7.12 of the EP & A Act.

We would anticipate that this matter would be discussed further with the Council during initial consideration of the Planning Proposal and formalised into a formal Planning Agreement, in accordance with the Council's standard requirements.

Should you require any further information, please do not hesitate to contact the undersigned.

Yours sincerely,



Kristy Hodgkinson
Director

