

PLANNING AGREEMENT OFFER

Address: Woodville Road, Villawood

Proposal: Land Dedication

DECEMBER 2024

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16 December 2024



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The General Manager
Farfield City Council
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FAIRFIELD NSW 1860

OFFER OF VOLUNTARY PLANNING AGREEMENT

NOS. 896 – 898 WOODVILLE ROAD & 15 HILWA STREET, VILLAWOOD DEVELOPMENT APPLICATION NO. TBC

Dear Sir,

We act for ABA Square Pty Ltd in relation to the proposed development of Nos. 896 – 898 Woodville Road and 15 Hilwa Street, Villawood.

ABA Square Pty Ltd offers to enter into a Planning Agreement with Council under Section 7.4 of the Environmental Planning and Assessment Act 1979 (EPAA) in relation to the above referenced Development Application.

The proposal seeks approval for demolition of the existing structures and construction of a shop top housing development comprising ground floor commercial premises and 148 dwellings over 3 levels of basement car parking within the Villawood Town Centre.

There is an opportunity for the dedication of land approximately 9 metres in depth, part zoned E1 Local Centre and part zoned RE1 Public Recreation under the Fairfield Local Environmental Plan 2013, adjacent the site's Howatt Street frontage. This dedication would facilitate extension of Hilwa Park east to Woodville Road, increasing public domain and infrastructure in the locality.

At Council's Outcomes Committee Meeting on 10 April 2018, it was noted by Council officers in relation to the Planning Proposal seeking to implement the Villawood Town Centre Urban Design Study, that:

For site 896 Woodville Road, it is proposed to make contact with the land owner to advise of the proposed zoning through the public exhibition period and for it to be advised that Council will only pursue the acquisition at a time the owner is willing to sell. Another option for this site is when the site is being redeveloped; Council may seek to offset the open space acquisition portion of their development contribution. This would reduce the expenditure of current Section 94 funds.

Acquisition of the sites is anticipated to be funded by Council's Direct (Section 94) Development Contributions. Currently there is approximately \$1.6M in the Villawood Open Space Acquisition Section 94 account. This is anticipated to increase as development occurs and further contributions are collected.

The recommendations of the Villawood Town Centre Urban Design Study provide a mechanism to unlock the development potential of the Villawood Town Centre. It is anticipated that future growth, as well as that associated with the uplift in zoning identified in the Fairfield Residential Strategy 2009, will generate developer contributions in the study area that can be directed to funding additional community infrastructure identified in the Study. This is in addition to any potential voluntary planning agreements that may be negotiated with landowners seeking to redevelop.

To provide contractual certainty, ABA Square Pty Ltd is making this offer to enter into a Voluntary Planning Agreement to dedicate this land to Council and to undertake works in kind as might be agreed, in return for offset of any developer contributions that might be payable, and a balance of value paid to the land owner prior to dedication of the land.

The value of the land is to be determined by a suitably qualified and experienced valuer.

The offer to enter into a Planning Agreement is based on the terms as generally set out below.

Land affected by the agreement (i.e. part of the land the subject of Development Application No. TBC)	Address: No. 896 Woodville Road, Villawood (Gospel Pianos) Lot / DP: Lot 3 DP 208677 and Lot 100 DP 1070965 Land use zones: Part E1 Local Centre & RE1 Public Recreation
Parties to the Agreement	Fairfield City Council & ABA Square Pty Ltd (Landowner)
Development Application	To be Advised
Written consent of all owners of land affected by the agreement	We have obtained written consent from ABA Square Pty Ltd
Contribution	Dedication of land as per attached Architectural Plans for extension of Hilwa Park public reserve: Lot 100 DP 1070965 as public reserve with an area of 277.6m ² Part Lot 3 DP 208677 as public reserve with an area of 274.32m ²
Timing	The dedication of land will be at earliest available opportunity following issue of a Certificate of Title by NSW Land and Property Information.
Public Purpose	The land proposed to be dedicated to Council is part zoned RE1 Public Recreation and is clearly identified as being for the purpose of a public reserve to allow the extension of Hilwa Park as per the Villawood Town Centre Urban Design Study. Part of the land is zoned E1 Local Centre and facilitates access to the site.
Application of Section 7.11, 7.12 and 7.24	The proposed Planning Agreement will not explicitly exclude the application of Sections 7.11, 7.12 or 7.24 of the EPAA to the development.

Registration	N/A
Security	N/A
Costs	ABA Square Pty Ltd agrees to pay any reasonable costs for drafting, legal negotiations, exhibition, execution and registration of the planning agreement.

We look forward to finalising the terms of this agreement with Council following preliminary consideration of the Development Application.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Daniel', followed by a long horizontal line.

Daniel McNamara
Director