Fitzpatrick Investments

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25th February 2016

Mr Graham Jahn
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2000

Attention: Jonathan Carle

Dear Graham

DRAFT Planning Agreement Offer
2-32 Junction Street, forest lodge

On 24 December 2013, a Planning Proposal was lodged by JBA on behalf of Fitzpatrick Investments Pty Ltd seeking to amend the height and floor space ratio (FSR) controls as they relate to the site under the Sydney Local Environmental Plan 2012. Specifically the Planning Proposal is seeking the following:

- The floor space ratio that applies to the site is proposed to be increased from 1:1 to 1.75:1.
- The maximum building height that applies to the site is proposed to be increased from 12m to 22m, with a 12m maximum building height strip retained fronting Junction Street with a depth of 7m from the boundary.

The Planning Proposal was accompanied by an Indicative Master Plan prepared by Bates Smart Architects that illustrated how the site could be redeveloped in accordance with the proposed controls. Following discussions with the City of Sydney Council, further changes have been made to the design of the master plan, with the updated version accompanying this letter (**refer attachment**).

During the design process, opportunities have been identified for delivering potential public benefits through enlargement of Larkin Street Park and the provision of new through site links. As part of the proposed LEP Amendments, Fitzpatrick wish to offer to enter into a Planning Agreement pursuant to Clause 93F of the Environmental Planning and Assessment Act 1979, with the City of Sydney Council (the Council) in relation to the proposed amendments to the Sydney LEP 2012 as they relate to land at 2-32 Junction Street, Forest Lodge. This offer is based on the following terms:

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1. **Enlargement of Public Park –** Larkin Street Park currently has an area of 1,053m^2 and Council have indicated their desire for the size of the park to be increased to a minimum 1,500m^2 if land is to be dedicated, with this in mind Fitzpatrick Investments Pty Ltd are willing to make the following offer to Council with regard to Larkin Street Park:
   - Fitzpatrick Investments Pty Ltd will dedicate 452m^2 of land to increase the size of Larkin Street Park to 1,505m^2.
   - Fitzpatrick Investments Pty Ltd will make a cash contribution to City of Sydney Council of \$1,000/m^2 of parkland for the future embellishment and improvement of the increased Larkin Street Park. Based on an increased land area of 1,505m^2 the total cash contribution is calculated to be \$1,505,000.
   - A minor alteration to the eastern boundary of Larkin Street Park is to occur (as shown on the attached Master Plan), resulting in 3m^2 of existing parkland being excised and amalgamated with land that is the subject of this planning proposal.
   - The transfer of land between the site and Larkin Street Park is to be facilitated via a subdivision plan that will form part of any subsequent detailed development application for the site.

2. **Southern Pedestrian Link –** Dedication of 159m^2 of land to create a new 6m wide publicly accessible link along the site's southern boundary, allowing pedestrian access from St Johns Road through to Larkin Street Park. This link is to support disabled access between Junction Street and Larkin Street, with the detailed design to be determined as part of any subsequent DA process.

3. **Central Pedestrian Link –** Creation of a new east-west pedestrian connection through the centre of the site connecting Junction Street with Larkin Street. This connection is to be achieved via the creation of a public access easement as part of the future development application. The area of this through site link is approximately 139m^2.

The proposed dedication public benefits outlined above will require a Voluntary Planning Agreement to secure the terms of this dedication. It is intended that should the LEP Amendment be gazetted, this offer will be consolidated and crystallised into a Voluntary Planning Agreement with the Council. The agreement will comply with the requirements of the *Environmental Planning and Assessment Act and Regulations*, and will contain mechanisms and timing of the proposed dedications. We trust the above is satisfactory; however should you have any queries about this matter then please do not hesitate to contact me on 8117 5105.

Yours faithfully
Fitzpatrick Investments Pty Ltd

Jamie Stewart
Development Director

BATESSMART

Forest Lodge Planning Proposal

2-32 Junction Street. Forest Lodge

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Master Plan

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