

19 February 2021

Secretary of Transport
Transport for NSW
18 Lee Street
Chippendale NSW 2008

Attention:

Chontelle Perucich
Acting Deputy Director, Commercial
Development & Unsolicited Proposals,
Transport for NSW

Dear Chontelle

Edgecliff Centre Redevelopment Offer to enter into Voluntary Planning Agreement

Longhurst Investments No.1 Pty Ltd wishes to make an offer (**VPA Offer**) under section 7.4 of the *Environmental Planning and Assessment Act 1979 (Act)* to enter into a Voluntary Planning Agreement (**VPA**) with Transport for NSW (**TfNSW**).

In summary, the terms of the VPA are proposed to be as follows:

Parties	Longhurst Investments No.1 Pty Ltd (Longhurst) ABN: 98 614 810 445 Transport for NSW
Description of the land (s 7.4(3)(a))	Lot 203 in DP1113922 and Lot 5 in DP243380 203-233 New South Head Road, Edgecliff, NSW, 2027 (Land)
Background	<p>In developing the vision for the Edgecliff Centre, it was recognised that a variety of constraints limited future improvements to the customer experience at the Edgecliff train and bus interchange. These constraints identified include ownership limits, air rights/common property, and existing operational requirements of the centre. Upgrades associated with the Transport Access Program (TAP) completed in 2019 provided evidence of the complexities associated with this interchange.</p> <p>To unlock this opportunity the following key design principles were identified and considered when developing the scheme for the Edgecliff Centre planning proposal;</p> <ul style="list-style-type: none">• Improved identity and legibility• Intermodal connectivity• Universal accessibility

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	<ul style="list-style-type: none"> • Safety and security • Movement of people • Operational continuity • Placemaking and activation • User experience <p>The indicative proposal was subsequently presented to TfNSW and the relevant representatives of Sydney Trains and Sydney Buses. Ongoing engagement has occurred as the scheme further evolved ensuring that the vision and proposal for the Edgecliff Transport Interchange remained aligned with strategic policies and direction of the NSW Government.</p>
Description of the development application/change to an environmental planning instrument (s 7.4(3)(b))	<p>A Planning Proposal has been submitted to Woollahra Municipal Council to request an amendment to the Woollahra Local Environmental Plan 2014 applicable to land at 202-233 New South Head Road, Edgecliff (Site). The purpose of this Planning Proposal is to introduce new maximum building height and maximum floor space controls for the Site.</p> <p>The Planning Proposal will facilitate the renewal of the Site for a mixed-use development comprising a retail, commercial, medical/wellbeing podium with a residential building that will create a vibrant place for the town centre of Edgecliff. The proposal includes the opportunity to include significant ground plane, transport interchange and public domain improvements, including upgrades to the pedestrian entrances to the adjoining Edgecliff Railway Station, improved intermodal connectivity between the Edgecliff Bus Interchange and Edgecliff Station, publicly accessible open green spaces and the inclusion of a civic ground floor plaza.</p> <p>The building will reach RL 195 (being approximately 161-167m above ground level), with 44,190 sqm of floor space. The project is forecast to generate approximately 863 direct jobs during construction and provide for a total of 692 jobs in operation.</p>
Nature and extent of the provision to be made by the developer, and the times and manner in which the provision is to be made (s 7.4(3)(c))	<p>The Planning Proposal which has been submitted to Woollahra Council provides for significant investment in upgrading the Edgecliff Transport Interchange.</p> <p>This Letter of Offer outlines the provision of the proposed public benefits by Longhurst, which primarily constitute upgrades towards the land and ownership constrained Edgecliff Transit Interchange.</p>

	<p>The Land and Floor Space referenced as part of the provision relates to the Gross Floor Area (GFA) & parts of the Land which are used to facilitate the public benefits.</p> <p>The public benefits will include works-in-kind and the use of Land and Floor space forming part of the Site to facilitate the improvements.</p> <p>Specifically, the improvements include:</p> <p>Works-in-kind</p> <ul style="list-style-type: none"> - A new Station Entry and feature awning along New South Head Road with increased legibility, signage, and wayfinding. - A new Plaza on the ground floor connecting the new entry and existing concourse with a new Intermodal transportation link. - The Intermodal transportation link which will house four escalators within a void connecting train concourse to bus platform enabling users to easily traverse between the transport modes and amenities. - Improvement to the interfaces and breakthroughs of the interchange and site at the concourse (GF), retail arcade (L1) & bus hard stand (L2). Works to include demolition, structural support and integration of finishes at the breakthroughs, transitional & harmonious finishes at the existing station entry and suitable fire & life safety separation between the two buildings. - Highly legible connection point (glazed entry way or alike) at the bus hard stand level. which will enable better accessibility to and from the bus terminal from the street or train. - A new hard stand interface which includes a combination of hard and soft landscaping, which will connect the Intermodal Transportation Link with the bus stand and provide opportunities for commuters and building users to interact in a more meaningful manner. - Introduction of a new publicly accessible Open Green space along Level 2/2A Mezzanine of the subject site with easy connections to the bus terminal. <p>Dedication of an interest in land</p> <p>As these works will be provided on land owned by Longhurst, it is proposed that Longhurst provides a Right of Way in favour of TfNSW, the terms of which are to be negotiated during drafting of the VPA .</p> <ul style="list-style-type: none"> - The timing of the delivery of the public benefits is subject to further consultation with the relevant stakeholders
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	<p>within TfNSW, Sydney Trains and Sydney Buses. However, it is anticipated that all of the public benefits will be completed in line with the building construction.</p> <ul style="list-style-type: none"> - The value of the works-in-kind have been estimated to cost between \$15-20 million. Detailed engineering solutions are still requiring further engagement with TfNSW and other relevant stakeholders. Longhurst accepts that the delivery cost risk of the works-in-kind will be at its risk, but for the purpose of negotiations and estimate of value on entry into the VPA, Longhurst's contribution value is capped at \$20,000,000. - The Land & Floorspace utilised for the provision of the public benefit has been estimated by the developer at a value of approx. \$12,000,000.
Exclusion of s7.11, s7.12 and s7.24 contributions (s7.4(3)(d))	<p>(a) Given the significant State, and local contributions are proposed Section 7.11 and 7.12 contributions are proposed to be partly excluded;</p> <p>As there is no obligation to make State and regional contributions in conjunction with the development of the Site, Longhurst is proposing that section 7.11 contributions be partially offset. The quantum of this offset is to be discussed and agreed with TfNSW and the relevant planning authority.</p> <p>(b) Section 7.24 contributions are not to apply.</p> <p>Longhurst understands that no section 7.24 contributions currently apply or will apply to the Site in the foreseeable future. On this basis it is not necessary to exclude such contributions, but they should be excluded for certainty if the Minister for Planning and Public Spaces is agreeable.</p>
Whether benefits under the Agreement are or are not to be taken into consideration in determining a development contribution under s7.11 (s7.4(3)(e))	As above.
Mechanisms for resolution of disputes (s7.4(3)(f))	Usual dispute resolution mechanisms including mediation.
Enforcement of the agreement by a suitable means (s7.4(3)(g))	It is proposed that Bank Guarantees are utilised stages to agreed Scope of Works and registration of the VPA on title.

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It is proposed that any VPA be entered into post the Gateway Determination and prior to the making of the instrument change giving effect to the Planning Proposal.

Longhurst agrees to pay TfNSW's reasonable legal costs in negotiating, drafting and preparing the VPA.

We look forward to receiving TfNSW's response to the above VPA Offer. Please contact Paolo Razza if you have any questions or would like to discuss the above.

Kind Regards,



Paolo Razza
CEO

Cc Minister for Planning and Public Spaces
Cc Woollahra Council Director of Technical Services, Tom O'Hanlon

Annexure A: Concept Drawings







