

# MERRYLANDS INVESTMENT CO PTY LTD

31 March 2021

General Manager  
Cumberland City Council  
PO Box 42  
Merrylands NSW 2160

Dear Mr McNulty

## Initial Voluntary Planning Agreement Letter of Offer

Merrylands Investment Co Pty Ltd offers to enter into discussions regarding a Planning Agreement to be negotiated with Council under Section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with a Planning Proposal for the Coronation Site, at 233, 249-259 Merrylands Road, and 52-54 McFarlane Street, Merrylands.

Merrylands Investment Co has reviewed and considered the matters in the Cumberland City Council Planning Agreements Guidelines and acknowledge the content of the guideline and will follow the guideline in terms of formalising a final negotiated VPA.

It is noted that the Guideline sets out a series of considerations with regard to any VPA and it is noted that the 'Value Capture Contributions' are triggered by the Planning Proposal. The 'uplift', relative to the approved DA on the land, is 6827.5m<sup>2</sup> of GFA (DA approved= 70,068.3m<sup>2</sup> and proposed under the PP= 76895.8m<sup>2</sup>) - noting that this takes into account the approved GFA on the Building D and E site. This is considered to be the true uplift insofar as the additional FSR should be measured relative to the existing DA consent applying to the land. It is understood Council will value this floor space in accordance with the provisions of Section 2.7 of the Guideline.

The proponent intends to facilitate public benefits, with associated dollar values to be established during negotiations, as a means of aligning with the value capture provisions.

It is anticipated that the following types of material public benefits would be part of the negotiated VPA:

- Infrastructure (Roadworks) - notably the east/west 'Main Lane' physical works and embellishment;
- Council Facilities - with potential for storage space and other public community facilities to be established and provided to Council at a nominal lease amount.

The final rate to be associated with the value capture, and the calculation of the value of the public benefits, is to be further considered and negotiated with Council before a formalised Planning Agreement and letter of offer is provided however this letter of intent is provided to enable negotiations to occur with Council as part of the Planning Proposal considerations.

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It is acknowledged that the Guideline sets out that the percentage of value capture to be considered noting 'a rate of 50% is considered by Council as a starting point for negotiations.

It is noted that the application of 7.11 Contributions will be maintained as approved under the parent DA consent and this offer does not seek to exclude the application of Section 7.11 to the development.

Yours faithfully

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long horizontal stroke that tapers to the right.

Joseph Ninas (Sole Director)  
Merrylands Investment Co Pty Ltd  
L2/66 Wentworth Ave, Surry Hills NSW 2010