



8 October 2020

City of Canterbury Bankstown
PO Box 8
Bankstown NSW 1885

via email: council@cbc.city.nsw.gov.au

Attention: General Manager

Dear Sir/Madam,

**WESTERN SYDNEY UNIVERSITY || BANKSTOWN CITY CAMPUS
LETTER OF OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT
STATE SIGNIFICANT DEVELOPMENT APPLICATION NO. SSDA 18-9831
PLANNING PROPOSAL RZ-7/2018**

This letter is a letter of offer (**Offer**) to enter into a Voluntary Planning Agreement (**VPA**) prepared in support of:

- (a) SSDA No. 18-9831 (**SSDA**) submitted on 19 December 2018 by Western Sydney University (**WSU**) for the development of a new university campus in Bankstown; and
- (b) Planning Proposal RZ-7/2018 submitted by WSU on 19 December 2018 seeking an increase to the permissible maximum height and FSR for the Site under the Bankstown LEP 2015 (**Planning Proposal**).

This Offer is submitted for the consideration of the City of Canterbury Bankstown (**Council**) prior to the drafting of the VPA. Walker and WSU look forward to progressing discussions on this Offer, which we consider will provide significant public benefit for the existing and future community of Bankstown.

1. DEVELOPMENT OVERVIEW

On 19 December 2018, the SSDA was lodged by WSU seeking consent for a new vertical campus (**Proposed Development**) at 74 Rickard Road (Lot 15 DP1256167) (**Site**). WSU has engaged Walker under a Development Deed for the delivery of the Proposed Development.

The Proposed Development is a State Significant Development as it is an education establishment with a value greater than \$20 million. As such the consent authority for the SSDA is the Minister for Planning and Public Spaces (**Minister**) or his delegate. As the Proposed Development exceeds the maximum height and FSR permitted on the Site under the Bankstown LEP 2015 (**LEP**), WSU also lodged the Planning Proposal with Council on 19 December 2018 seeking an amendment to these controls for the Site under the LEP.

Further details on the Proposed Development and SSDA are set out in the Environmental Impact Statement lodged on 25 October 2019 and other supporting documents.

2. OFFER

Walker wish to submit the following Offer to enter into a VPA with Council and the Minister:

- (a) monetary contribution of \$1,713,632 (ex GST) towards car parking infrastructure, calculated on the basis of \$34,272.63 per car parking space at 50 spaces (**Car Parking Contribution**). This Car Parking Contribution is payable by Walker prior to receipt of the first occupation certificate for the Proposed Development.
- (b) delivery of public domain and pedestrian infrastructure works within Appian Way comprising:
 - i. Stone paving in various size formats and finishes
 - ii. Lawn with subsurface drainage
 - iii. Trees to match existing species
 - iv. Native planting with a range of flower and foliage colours and textures.
 - v. Custom bench seating and timber topped furniture
 - vi. Bike Hoops
 - vii. Impact resistant bollards
 - viii. Pedestrian lighting

(together, the **Public Domain Works**).

Walker will fund the Public Domain Works within Appian Way up to a contribution value of \$2,600,000 (ex GST). Should the cost of delivering the Public Domain Works exceed \$2,600,000, Council will contribute the balance of the costs.

Walker shall prepare a reference design detailing the Public Domain Works. Once this is finalised with Council, the reference design will form part of the VPA documentation. The detailed design of the Public Domain Works will be subject of a separate development application with Council and Council (as the landowner of the Site and the consent authority) will have further opportunities to review and approve the detailed design in accordance with the terms of the VPA.

Walker will procure the design, engage consultants and contractors on an open book basis in conjunction with Council. Walker will deliver and handover to Council the Public Domain Works by completion of the Proposed Development. The Public Domain Upgrades will be subject of a 12 month defects liability period during which Walker will be responsible for also maintaining the trees within the public domain areas.

- (c) Monetary contribution of up to a capped amount of \$2,000,000 (ex GST) to Council towards stormwater infrastructure upgrade works, payable to Council upon the completion of the works by Council (**Stormwater Infrastructure Contribution**). The amount of the Stormwater Infrastructure Contribution will be determined following completion of the works by Council and upon an analysis of the benefit of the stormwater infrastructure upgrade works to the Site and other neighbouring sites which are intended to benefit from the upgrade works.

The stormwater infrastructure upgrade works are to be completed by Council by the completion of the Proposed Development. Walker will provide a bond to Council equal to the maximum amount of the Stormwater Infrastructure Contribution prior to receipt of the first construction certificate under the SSDA.

This Offer is for a maximum total contribution value of **\$6,313,632 (ex GST)**.

In addition to the above and in accordance with section 7.7 of the Environmental Planning and Assessment Act 1979 (NSW) (**Act**), WSU and Walker propose that conditions of consent be imposed under the SSDA consent requiring the VPA to be entered into by Walker, Council and the Minister and registered on the title of the Site prior to the issue of the first crown building certificate in relation to the SSDA.

3. SECTION 7.11 AND 7.12 CONTRIBUTIONS

This Offer is intended to exclude the application of section 7.11 and section 7.12 of the Act to the Proposed Development. Accordingly, the Minister will also be a party to the VPA, in accordance with section 7.4(3A) of the Act.

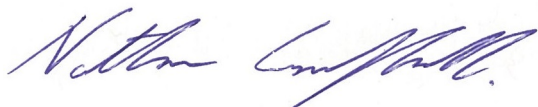
4. NEXT STEPS

We look forward to discussing this Offer with Council as part of its consideration of the Planning Proposal and the SSDA. Should this Offer be acceptable to the Council, Walker will issue a draft VPA to progress discussions.

Should you have any queries in relation to the above matter, please do not hesitate to contact me on +61 416 267 503 or email nathan.campbell@walkercorp.com.au.

Yours faithfully

Walker Bankstown Developments Pty Ltd

A handwritten signature in blue ink, appearing to read 'Nathan Campbell', is positioned above the printed name and title.

Nathan Campbell

General Manager – Project Delivery