



NEPEAN
BUSINESS
PARK

PRECINCT



Nepean Business Park
ACN 630 263 553
Level 1, 2 Barrack Street
Sydney NSW 2000
T 9994 0202

11 October 2021

The Secretary
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Sir,

**RE: LETTER OF OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT
- NEPEAN BUSINESS PARK (LOTS 1, 2 AND 3 DP 1263486)**

We refer to our letter of offer to enter into a Voluntary Planning Agreement (**VPA**) dated 15 July 2021. We now formally revoke the offer provided on 15 July 2021.

The purpose of this letter is to provide a new offer to enter into a VPA with the Department of Planning, Industry and Environment (**DPIE**) in relation to Development Application No DA9876 (**Development Application**). The Development Application seeks consent for torrens title subdivision (3 lots into 93 lots with residual lots), earthworks roads, stormwater infrastructure and landscaping at 14-278 Old Castlereagh Rd, on Lots 1, 2 and 3 DP 1263486 (**the Site**).

As the Development Application seeks to subdivide land, clause 34 of the *State Environmental Planning Policy 1989 (Penrith Lakes SEPP)* requires that satisfactory arrangements be made for the provision of 'designated State public infrastructure' in relation to the subdivision land. This letter outlines our offer in this regard and we seek confirmation that The Secretary accepts the offer on the terms outlined in this letter, noting that the final details will be the subject of a formal VPA agreement.

1.0 The Proposed Development

The Nepean Business Park is located on the banks of the Nepean River at 14 – 98 Old Castlereagh Road Penrith, approximately 2km from Penrith CBD. On 18 January 2019, the applicant lodged the Development Application No DA9876 seeking consent for the subdivision

of 3 lots into 93 lots of employment land, associated roads, stormwater infrastructure and landscaping.

The Development Application and subsequent subdivision into employment land lots will allow for the establishment of the Nepean Business Park.

2.0 Parties to the planning agreement

Great River NSW Pty Ltd is the applicant. Great River NSW Pty Ltd submitted the Development Application.

3.0 Address and details of the land (Lot and DP), ownership details and any possible land transfers or purchase options

The land comprises Lots 1, 2 and 3 DP 1263486 and it is owned by the applicant's associated entities.

Lot 1 owned by NBP Estates Pty Ltd

Lot 2 owned by NBP Estates Pty Ltd

Lot 3 owned by BFSF 3 Pty Ltd

4.0 The type of contributions to be provided – monetary, works-in-kind, land dedication or a combination

The entire contribution will consist of monetary contributions in the amount of \$200,000 per hectare of net developable area which equals \$7,876,000 subject to final survey.

5.0 Timeframes or development triggers for when the contributions are to be provided

The monetary contribution to be payable prior to the issue of a subdivision certificate for each stage.

6.0 Security arrangements

The conditions of consent will provide appropriate security measures. No further security will be provided.

7.0 Written confirmation of agreement to pay the Minister's costs for the preparation and notification of the planning agreement

Great River NSW Pty Ltd agrees to pay the associated costs.

8.0 Other Terms

This offer is made on the basis of the following terms:

- This monetary offer provides sufficient contributions to account for all required designated State public infrastructure in relation to the Development Application;

- The offer is designed to account for cumulative impacts of the proposed development on infrastructure; and
- This offer resolves in full the traffic contentions raised in the Statement of Facts and Contentions filed by the Minister for Public Spaces in the matter of *Great River NSW Pty Ltd v Minister for Public Spaces*, Proceedings No. 2021/00204069.

We look forward to finalising the satisfactory arrangements with DPIE.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Baudinet', with a large, stylized initial 'B'.

Bruce Baudinet

Director

Great River NSW Pty Ltd