

# **Attachment D**

<b>Public Benefit Offer</b>
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3 April 2019

The Chief Executive Officer  
City of Sydney  
GPO Box 1591  
Sydney NSW 2001

Dear Madam

**Planning Agreement Offer  
Development Application DA2018/1581**

We act for Supa Shoes Pty Ltd, the applicant for Development Application DA2018/1581.

Supa Shoes Pty Ltd offers to enter into a Planning Agreement with Council under section 7.4 of the *Environmental Planning and Assessment Act 1979 (EPA Act)* in connection with Development Application DA2018/1581.

The offer to enter into a planning agreement is based on the terms as generally set out below:

<b>Parties</b>	<ul style="list-style-type: none"> <li>• City of Sydney Council</li> <li>• Supa Shoes Pty Ltd (Developer)</li> <li>• Ms Judith Adler (Landowner), for the purposes of agreeing to the registration of the planning agreement on title.</li> </ul>
<b>Land</b>	Lot 1 DP 346555, known as 135-139 McEvoy Street, Alexandria
<b>Development Application</b>	Development Application DA2018/1581 for demolition of existing building and construction of 6 storey building to McEvoy Street, and a 4 storey building to the rear comprising 34 residential apartments, ground floor commercial tenancy and 2 levels of basement car parking accessed from McEvoy Street.
<b>Monetary Contribution</b>	\$497,537.50 to be paid by bank cheque or electronic transfer.
<b>Timing</b>	<ul style="list-style-type: none"> <li>• The monetary contribution is to be paid prior to the issue of a Construction Certificate for the development.</li> <li>• The amount of the monetary contribution will be increased in accordance with increases in the CPI from the date of the planning agreement to the date of payment.</li> </ul>

**Sydney**

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<b>Public Purpose</b>	Contribution towards Green Square community infrastructure in accordance with clause 6.14 of the <i>Sydney Local Environmental Plan 2012</i> .
<b>Application of section 7.11, 7.12 and 7.24</b>	The proposed planning agreement will not exclude the application of sections 7.11, 7.12 or 7.24 of the EPA Act to the development.
<b>Registration</b>	The planning agreement will be registered on title. Supa Shoes Pty Ltd will lodge the planning agreement for registration within 20 Business Days of the execution of the agreement.
<b>Security</b>	<ul style="list-style-type: none"><li>• Restriction on the issue of a Construction Certificate.</li><li>• Registration of the Planning Agreement on title.</li></ul>
<b>Costs</b>	Supa Shoes Pty Ltd agrees to pay Council's reasonable costs of drafting, legal negotiations, exhibition, execution and registration of the planning agreement.

We look forward to finalising the terms of the offer with Council in the near future and request a copy of Council's template agreement so an initial draft of the planning agreement can be prepared for Council's review.

Yours faithfully



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