

**20<sup>th</sup> October 2020**

Willoughby City Council  
Mr Chris Binns  
Planning & Infrastructure Director  
C/- Mr Craig O'Brien  
Level 4,  
31 Victor Street  
Chatswood NSW

Dear Sir,

**RE: LETTER OF OFFER TO ENTER VOLUNTARY PLANNING AGREEMENT FOR  
PLANNING PROPOSAL - 3 ELLIS STREET, CHATSWOOD (PP2020/7)**

MPG AU Private Limited (**MPG**) is the proponent for the Planning Proposal (PP2020/7) relating to the land at 3 Ellis Street, Chatswood 2067.

The Planning Proposal seeks amendment to the provisions of the *Willoughby Local Environmental Plan 2012 (WLEP 2012)* and the *Willoughby Development Control Plan 2012 (WDGP 2012)* as it applies to the subject site. It relies on an amendment to the WLEP 2012 to change the zoning of the Site to Zone B4 - Mixed Use, increase the permissible FSR on the Site to 4.8:1 and increase the permissible height of building to 44 metres.

In conjunction with the Proposal, MPG offers to enter into a voluntary planning agreement (**VPA**) with Council under Section 7.4 of the Environmental Planning and Assessment Act 1979 (**EPA Act**).

The terms of the VPA proposed by MPG are as follows:

**The Offer**

- The parties to the VPA will be between Willoughby City Council and MPG AU Private Limited.
- The land which is the subject of the VPA is SP2715, 3 Ellis Street, Chatswood 2067.
- Sections s7.11 contributions, s7.12 levies and s7.24 of the EPA Act will continue to apply to the development.
- In relation to additional developer's contribution, Council has recently published the *Revised Draft Planning Agreements (PA) Policy* which include the Community Infrastructure Scheme (CIS) in lieu of the previously suggested value capture scheme. In the absence of any formal endorsed PA policy including the *Community Infrastructure Contributions (CIC)* rate at this time, we still remain committed to collaborate with Council and consider the final endorsed CIC rate once it is finalized.
- Contribution towards the provision of public domain upgrades associated with the frontage of 3 Ellis Street.

We trust that these benefits are consistent with the Draft Revised Planning Agreements Policy (September 2020) and the Chatswood CBD Strategy.

We are prepared to submit a draft formal agreement and any necessary supporting information required by Council, as part of the Gateway Planning Proposal process.

Please contact me if you have any questions.

Yours faithfully,

Wesley Chong  
Director  
MPG AU Pty Ltd