

**Our Ref:** 0091/17LT1

18 December 2019

The General Manager  
Bayside Council  
444 - 446 Princes Highway  
**ROCKDALE NSW 2216**

Dear Ms Wallace,

**LETTER OF OFFER – VOLUNTARY PLANNING AGREEMENT  
IN ASSOCIATION WITH AN APPLICATION FOR A PLANNING PROPOSAL  
187 SLADE ROAD, BEXLEY NORTH**

We act on behalf of Tunborn Pty Ltd with respect to the lodgement of an application for a Planning Proposal for land at No. 187 Slade Road, Bexley North and known as the Bexley North Hotel.

This is a letter of offer to enter into negotiations for a Voluntary Planning Proposal (VPA) in conjunction with the application for a Planning Proposal. The VPA is to be in connection with land formally identified in Section 2.0 below and herein referred to as the site. The site is anticipated to receive uplift in development potential in conjunction with an application for a Planning Proposal to be lodged with Bayside Council.

The VPA will be in addition to Council's Section 7.11 or Section 7.12 Contributions Plan.

The following sets out the key terms of the proposed VPA:

**1.0 Parties to the Planning Agreement**

- Bayside Council
- Tunborn Pty Ltd

**2.0 Land to which the VPA relates**

The subject site comprises of the legal information detailed on Table 1 and outlined in red in Figure 1 as follows:

Table 1 - Site Details		
Address	Lot and DP	Area
187 Slade Road, Bexley North	Lot 30 in DP 1222252	4,236m <sup>2</sup>



PLANNING INGENUITY

Suite 210, 531-533 Kingsway  
Miranda NSW 2228  
P 02 9531 2555

Suite 6, 65-67 Burelli St  
Wollongong NSW 2500  
P 02 4254 5319





**Figure 1:** Land to which the VPA relates

### 3.0 Development to which the VPA relates

The application for a Planning Proposal seeks to amend the Rockdale Local Environmental Plan (RLEP) 2011 as it applies to the site. Specifically, the application for a Planning Proposal seeks the following:

- amending the height of buildings map to apply maximum building heights of 20m and 35m; and
- amending the floor space ratio map to apply maximum FSRs of 3.2:1 and 3.6:1.

An indicative concept proposal is also contained in the application for a Planning Proposal. The indicative concept proposal seeks to facilitate the following:

- The construction of two buildings, comprising a 4-5 storey eastern building predominantly comprising residential apartments and a 6-10 storey western building comprising commercial, hotel and residential uses;
- Publicly accessible open space located between the two buildings;
- Approximately 83 apartments across the two buildings;
- Café on the ground floor of the eastern building fronting Slade Road;
- Two retail tenancies fronting the public open space;
- Retention of the Bexley North Hotel on the Ground Level and Level 1;
- A gym on Level 1 of the western building;
- A hotel in the northern portion of the western building on Levels 2-5; and
- Three basement levels providing for up to 220 car parking spaces.

New publicly accessible spaces are proposed to be created throughout the site including new or improved vehicle access and pedestrian through-site links.



#### **4.0 Nature and extent of development contributions and timing of delivery**

This letter of offer seeks to enter into a VPA under Section 7.4 of *Environmental Planning and Assessment* (EPA) Act 1979 to provide key public benefits associated with the future redevelopment of the site. The following represents a list of items which may be included by the applicant:

- Provide a monetary contribution for the purpose of public infrastructure, amenities and services within the Bexley North Town Centre;
- Registration of an easement in favour of Council allowing public access to the publicly accessible open spaces integrated with the ground level retail and commercial uses; and/or,
- The provision and maintenance of landscaping and public furniture within the publicly accessible open space or surrounding Council owned land.

We acknowledge the above options are preliminary and we anticipate further discussion regarding these and other matters which have potential public benefit associated with the application for a Planning Proposal.

#### **5.0 Application of s7.11, 7.12 or 7.24 of EPA Act 1979**

The cost of development is not yet known. However, it is anticipated that the VPA will, in accordance with Section 7.4, be in addition to the application of Section 7.11 or Section 7.12 Contribution Plans under the EPA Act 1979.

#### **6.0 Additional Community Benefits**

Additional community benefits are anticipated to be created from future redevelopment of the site and may include:

- The renewal of the existing Bexley North Hotel and associated Motel building will act as a catalyst for the future redevelopment of the urban block bounded by Bexley Road, Slade Road and Sarsfield Circuit;
- The provision of a high quality mixed use building that defines the street frontage and provides generous and well defined open spaces for residents on the upper levels;
- The provision of a through site link (subject to acquisition by Council) to connect to a potential future “Urban Piazza” or other redevelopment on Council land currently occupied by an existing carpark;
- The redistribution of massing away from the sensitive eastern boundary (reducing the currently allowable height at this edge of the site) towards the northern and western boundaries will provide increased visual amenity through delivery of a ‘landmark’ building with generous building separation;
- A variation to building heights within future development will contribute to a varied and more interesting skyline which will positively contribute to the creation of an attractive Bexley North Town Centre;
- Improvements to public safety and amenity by rationalising the width and number of driveway crossovers on the site to a single point from Sarsfield Circuit;
- Retain the existing Bexley North Hotel as a destination which is enhanced by additional retail and food and drink premises to contribute towards the economic vitality and increased activation on the primary frontage to Slade Road, within an easy and safe walking distance to a catchment of local residents;
- The provision of lower density residential uses fronting Sarsfield Crescent to provide a transition in scale to the low density residential development to the east and provide increased natural surveillance of the public domain, and
- Deliver the highest standards of urban planning and excellence in architectural design.



## 7.0 Costs

It is anticipated that the VPA will include provisions for the payment of costs of and incidental to negotiation, preparation and entering into the agreement as well as administration and enforcement of the VPA from a date to be determined.

## 8.0 Conclusion

The formal VPA offer will be made following negotiations, at which time a value can be calculated and attributed to the benefits being offered. The VPA offer will then be made subject to the proviso that the VPA will only be entered into if the Planning Proposal is approved on terms that are acceptable to our client, as agreed in advance with Council

Should you have any questions regarding this letter please contact me direct at our offices on Phone 9531 2555 or by email [jeff@planningingenuity.com.au](mailto:jeff@planningingenuity.com.au)

Yours faithfully,  
**Planning Ingenuity Pty Ltd**



Jeff Mead  
**MANAGING DIRECTOR**