

30 January 2019  
Our ref: 18-048

The General Manager  
**Waverley Council**  
PO Box 9  
BONDI JUNCTION 1355

**Letter of Offer to enter into a Voluntary Planning Agreement – Planning Proposal**  
**94 Carrington Road, 203-209 and 223-227 Bronte Road, Waverley**

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This letter of offer to enter into a Voluntary Planning Agreement (VPA) has been prepared in support of a Planning Proposal submitted on behalf of Rayda Investments Pty Ltd & Barbary Coast Investments Pty Ltd ('the proponent').

Set out below are details of the Proposal and the essential terms of the public benefit offer. This letter has been prepared for initial consideration of Waverley Council, prior to the drafting of the VPA itself. We look forward to progressing discussions on this VPA offer, which we consider will provide significant public benefit for the existing and future community of Charing Cross.

**Planning Proposal Overview**

The planning proposal seeks to support and facilitate the orderly and effective economic development on land by allowing amendments to the height of buildings and floor space ratio development standards contained in the Waverley LEP 2012. Specifically, the proposed amendments seek to facilitate the following development on the site (refer to Architectural Plans provided attached to the Planning Proposal):

- a publicly accessible courtyard to be known as 'Charing Square' with active retail frontages, together with a new thru-site pedestrian laneway link between Carrington and Bronte Roads.
- 3 new buildings comprising a mix of ground floor retail/commercial uses and 29 residential apartments; and
- underground car parking for 35 cars across two basement levels (with associated motorcycle, and bicycle parking).

**Voluntary Planning Agreement Policy**

Waverley Council adopted its VPA Policy (as amended) on 21 August 2018. This Policy applies to development applications lodged pursuant to Waverley Local Environmental Plan 2012 ("WLEP 2012") and planning proposals seeking a change to WLEP 2012 for land and development within the local government area of Waverley Council ("Council") with particular application to the Bondi Junction Precinct and Bondi Beach Precinct Areas. The Site is located outside of the Bondi Junction precinct.

The objectives of the VPA Policy are to:

- a) to establish a fair, transparent and accountable framework governing the use of planning agreements by the Council;
- b) to explore the range and extent of development contributions made by development towards public facilities and other public benefits in the Council's areas;
- c) to set out the Council's specific policies and procedures relating to the use of planning agreements within the Council's area;
- d) to give all stakeholders in development greater involvement in determining the type, standard and location of public facilities and other public benefits; and
- e) to facilitate public participation and to allow the community to gain an understanding of the benefits of appropriate planning agreements for the provision of public benefits.
- f) to enhance the understanding within Council's area as to possibilities for development and associated public benefits and planning benefits facilitated by planning agreements in the Bondi Junction Precinct Area and Bondi Beach Precinct Area.

### Public Benefit Offer

The proponent proposes to prepare and submit for Council's consideration a VPA under the terms of the Council's adopted policy. It is proposed that the VPA include the **construction of and access to a through site link and public square (Charing Square) between Bronte Road and Carrington Road**. The details and concept images of the through site link and Charing Square are provided in the Urban Design Report prepared by Roberts Day.

A number of other opportunities have also been identified on the site and surrounds as part of the Proposal, including the planting of street trees to Carrington Road, and creation of additional on-street car parking available for retail parking, loading and servicing as a result of removing existing vehicle crossings on Carrington Road.

The proposed Development and VPA works will bring significant public benefit to through the delivery of high quality public domain adjacent new retail and commercial spaces with immediate access to public transport, services, and employment, health, education, entertainment and recreation facilities. Given the unique setting of the site, and dual street frontage within Charing Cross (unlike any other), the proposal will provide a direct and distinct benefit to the public.

### Section 7.12 Developer Contributions

The future development of the site (Development Application) would be subject to the provisions Waverley Council Development Contributions Plan 2006.

The Section 7.12 Plan (previously Section 94 Plan) calls for the payment of a monetary contribution towards the provision of identified local infrastructure. The Plan also makes provision for Council to require development contributions, as monetary contributions for the delivery of material public benefits and undertaking of works in kind in part or full satisfaction of the contribution obligation that would arise in relation to a development proposal. This VPA letter of offer does not affect the application of the Section 7.12 Plan to a future DA.

### Next Steps

This VPA letter of offer is submitted to Council for your consideration as part of the Planning Proposal.

The proponent considers that this VPA offer will provide a substantial contribution towards the viability and vibrancy of Charing Cross and significant public benefit. If you have any queries in relation to the above, please contact me on the details below.

Yours sincerely,



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**Planning Manager Sydney**

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