



3 September 2018

Ken Gouldthorp
General Manager
North Sydney Council
200 Miller Street
North Sydney NSW 2060

Dear Mr Gouldthorp

TWT Property Group Pty Ltd
Planning Proposal for 55-89 Chandos Street and 58-64 Atchison
Street, St Leonards
Offer to enter into Voluntary Planning Agreement

This letter constitutes an offer by the TWT Property Group Pty Ltd (**TWT Group**) to enter into a voluntary planning agreement (**VPA**) for the development of land at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards.

This offer accompanies TWT Group's Planning Proposal for the sites, seeking amendment to the *North Sydney Bay Local Environmental Plan 2013* (NLEP 2013).

1 Summary of Planning Proposal

The Planning Proposal would facilitate development of the Site for:

- (a) Residential apartments (approx. 438 dwellings);
- (b) Delivery of retail and commercial spaces to activate the public domain surrounding the site and support the ongoing development of St Leonards as a Strategic Centre;
- (c) 4,000m² of community facilities to be used as creative arts space for a period of 20 years;
- (d) Public plaza between Atchinson Lane and Chandos Street of 700sqm;



- (e) Linear Park along Oxley Street; and
- (f) 10% of the total number of dwellings as affordable housing for a period of 20 years.

The mandatory elements of the proposed VPA under section 7.4(3) of the *Environmental Planning and Assessment Act 1979 (EPA Act)* are set out below.

2 Description of the land (s7.4(3)(a))

The VPA will apply to the Proposed Development and the Site, comprising the lots set out in the table at **Annexure A**, owned by the registered proprietors listed in the table at **Annexure A**.

3 Description of the proposed change to the environmental planning instrument or the development to which the VPA applies (s7.4(3)(b))

The Planning Proposal proposes the amendment of the density and height controls under the LEP to facilitate construction of the Proposed Development, in accordance with the Planning Proposal prepared by Architectus and the accompanying reports and plans.

Specifically, the Planning Proposal seeks amendment of the following LEP controls:

- (a) **Clause 4.3 Height of Buildings:** Amendment of the applicable height of buildings map from the current part 33m and 20m, to allow development ranging in height from 101m to 67m.
- (b) **Clause 4.4 Floor Space Ratio:** Amendment of the maximum floor space ratio (FSR) map to apply maximum FSR of:
 - (i) 8.7:1 for Tower A;
 - (ii) 9.1:1 for Tower B; and
 - (iii) 7.9:1 for Tower C.
- (c) **Clause 4.4A Non-residential floor space ratios:** Amendment of the non-residential FSR map to apply minimum FSR for non-residential uses as defined within the NSLEP 2013 of:
 - (i) 1.6:1 for Tower A;
 - (ii) 0.6:1 for Tower B; and
 - (iii) 2.5:1 for Tower C.
- (d) **Inclusion of an additional Clause Clause 6.20 – Development at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards:** This would be a site specific control requiring the provision of a minimum of 4,000m² Gross Floor Area of community facilities must be provided. These community facilities are to include art galleries, museums and creative spaces which service the wider community.



4 Nature and extent of the provision to be made by the developer, and the times and manner in which the provision is to be made (s7.4(3)(c))

TWT Group propose that, if the Planning Proposal is approved, they will:

- (a) deliver a new Community Facility of 4,000m² to be used as creative arts space for a period of 20 years. This space will be owned by TWT Group but leased to a not-for-profit entity subject to a charter which will manage the space and lease it to appropriate creative industries as defined in its charter;
- (b) construct and deliver a publicly accessible plaza of 700m². The ownership and management of this plaza would need to be discussed further with Council;
- (c) construct and deliver a linear park along Oxley Street. The ownership, management and design of the linear park would need to be discussed further with Council; and
- (d) deliver a total of 10% of future dwellings across the site as affordable housing for a period of 20 years. The ownership, management and design of the affordable housing would need to be discussed further with Council.

The final design, delivery and management of the above would be subject to detailed discussions with Council as part of future Development Applications.

5 Exclusion of s7.11, s7.12 and s7.24 contributions (s7.4(3)(d))

The VPA will provide that:

- (a) sections 7.11 and 7.12 of the EPA Act are excluded under this VPA; and
- (b) section 7.24 of the EPA Act is not excluded.

6 Whether benefits under the VPA are or are not to be taken into consideration in determining development contributions under s7.11 (s7.4(3)(e))

Not applicable.

7 Mechanisms for resolution of disputes (s7.4(3)(f))

A conventional dispute resolution provision will be included, providing for resolution of disputes by way of negotiation and/or mediation.

8 Enforcement of the VPA by a suitable means (s7.4(3)(g))

The VPA will provide for:

- (a) registration of the VPA on title to the Site, with an agreed mechanism for staged release of the VPA;



9 Next steps

TWT Group look forward to working with North Sydney Council to realise the delivery of this exciting project including the important new additions to open space and a creative arts space to support the existing precinct.

We would appreciate an opportunity to meet with Council to discuss the terms of this offer as part of the Planning Proposal.

Please contact Gavin Zhang on 02 9906 1888 if you have any queries.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Gavin Zhang', written over the printed name.

TWT Property Group Pty Ltd



Annexure A

Site

Note that the lots listed below are either already owned by TWT Property Group or related entities.

No.	Address	Owning Entity	Lot	DP
1	55-61 Chandos Street	TASKTEA PTY LTD atf HARBIN TRUST	C	172499
2	55-61 Chandos Street	TASKTEA PTY LTD atf HARBIN TRUST	1	927 407
3	63-65 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	1	104816
4	67-69 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	10	877196
5	71-73 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	1	900998
6	75 Chandos Street	75 CHANDOS STREET PTY LTD atf 75 CHANDOS STREET TRUST	1	115581
7	79 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	28	455939
8	79 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	29	455939
9	83-85 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	B	443166
10	83-85 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	A	443166
11	87 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	31	2872
12	89 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	32	2872
13	64 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	1	1029839
14	62 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	2	1029839
15	60 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	3	1029839
16	58 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	4	1029839