

Hassan Vakili, Jilla Vakili, Reza Vakili

7 The Bastian, Castlecrag, NSW, 2068.
58 Anderson, Chatswood, NSW, 2067.

Dear Tanya Taylor,

We, Hassan, Jilla and Reza, are residents of Sailor's Bay Ward. We are the owners of a development site at Chatswood (3 McIntosh, 2 Day Street, 40 and 42 Anderson Street).

We have been working on re-developing this site since 2017, lodging a Pre-Planning Proposal for the re-development of the site in July of 2018, a second Pre-Planning Proposal in July of 2022, a third in September 2022 and subsequently the Planning Proposal Application in December 2022.

We are writing to you today to seek resolution on conflicting correspondence that we have received from Willoughby Council's Planning Infrastructure department regarding the required affordable housing component on this site. We are also hoping to meet with you to discuss this matter.

In order to make sure that we were in compliance with Council controls, we have continued to arrange and pay for pre-PP meetings. We received minutes from Council from our third pre-PP in September 2022 directly stating that *"A minimum of 4% affordable housing should be provided throughout the development (rather than together) in accordance with Council's existing LEP and DCP requirements"*.

As a result of this written confirmation from Council, we continued investing into the planning work on the site as well as the acquisitions of any remaining units, making significant investments based on clear assurance from Council that our site was in compliance with the affordable housing controls.

Then, on the 9th of March, 2023, we received a letter from Willoughby Council's Planning Infrastructure department stating that *"A position was established in November 2022 that any Planning Proposal lodged after the 5 March and 7 June 2022 exhibition with an affordable housing component of less than 10% is unlikely to be supported as after this exhibition Council's position would be well known. In this regard you are invited to withdraw your Planning Proposal with a full refund."*

This letter is in direct conflict with advice that we have in writing from Willoughby Council confirming the 4% affordable housing control for our site on the 28th of September, 2022. We reject that "Council's position would be well known" after the exhibition as their position was **explicitly opposite** to the one stated in this letter as recently as the 28th of September. Further, we contend that the invitation to withdraw our Planning Proposal is an undermining of our deliberate efforts to clearly communicate with Council and firmly establish their expectations for this site, as can be seen in our continued arranging for multiple pre-PPs from 2018 to 2022.

We believe that initiating and running our PP in parallel and in full consultation with council before the council draft LEP, and our continued planning efforts to ensure compliance on this site from 2018, as described above, merit an exclusion from the draft LEP controls being levied on planning proposals that are being submitted for Council consideration from November 2022 onwards.

Our solicitor has written to Hugh Phemister, the Director of Planning and Infrastructure, outlining the history of our communication with Council and reiterating our belief that our site should be able to proceed with a 4% affordable housing control based on previous indication by Council that this

is compliant, and the subsequent investment into our site based on that indication. We have attached that letter for your reference, as it outlines our correspondence with Council in more detail, We are yet to receive a response.

We kindly ask you, as the Mayor of Sailor's Bay Ward, which we reside in, for some time for a brief meeting about this matter so that we can explain what has occurred in more detail, and hopefully get your support for a comprehensive departmental review of Willoughby Council's current housing affordability policy so that clarity may be provided to all affected stakeholders.

Thank you for your time in reading this letter and we look forward to speaking further with you on this matter.



Hassan Vakili



Jilla Vakili



Reza Vakili