

**21<sup>st</sup> September 2020**

Willoughby City Council  
The General Manager  
C/-Norma Shankie-Williams  
Level 4,  
31 Victor Street  
Chatswood NSW

Dear Norma,

**RE: LETTER OF OFFER TO ENTER VOLUNTARY PLANNING AGREEMENT (VPA) FOR PLANNING PROPOSAL  
5 - 9 GORDON AVENUE CHATSWOOD (PP-2018/3)**

**Introduction**

DPG Project 32 Pty. Limited (**DPG32**) is the proponent for the Planning Proposal (PP-2018/3) relating to the land at 5-9 Gordon Avenue, Chatswood.

The Planning Proposal seeks amendment to the provisions of the *Willoughby Local Environmental Plan 2012 (WLEP 2012)* and the *Willoughby Development Control Plan 2012 (WDCP 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 6:1 and increase the permissible height of building to 90 metres.

The Planning Proposal is consistent with the updated *Chatswood CBD Planning and Urban Design Strategy to 2036* (August 2020) and the Department of Planning, Industry & Environment (**DPIE**) 's recommendation letter dated 9<sup>th</sup> July 2020.

In conjunction with the Proposal, DPG32 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 DPG32 are as follows:

**Our Offer**

- The parties to the VPA will be between Willoughby City Council and DPG32.
- The land which is the subject of the VPA is Strata Plan 57091, 5-9 Gordon Avenue, Chatswood.
- Sections s7.11 contributions, s7.12 levies and s7.24 of the EPA Act will continue to apply to the development.
- We understand that Council has introduced the revised Draft Planning Agreement (PA) Policy which include the Community Infrastructure Scheme (**CIS**) in lieu of the value capture scheme. In the absence of any formal endorsed PA policy we remain committed to collaborating with Council on an agreeable community contribution including works in kind across the subject property.

- Dedication to Council of 4% of the accountable total residential floor space to be used as affordable housing.
- Contribution towards the provision of widening Hammond Lane for the full length of the western site boundary to facilitate residential and service vehicle access into the site, removing a driveway crossing from Gordon Avenue, improving walkability, pedestrian safety, and streetscape appearance.
- Contribution towards the provision of a 3m wide publicly accessible setback to Gordon Avenue.
- Contribution towards the provision of new wayfinding signage to Hammond Lane / Gordon Avenue in accordance with Council Traffic Section requirements.
- Contribution towards the provision of right of way access at ground and B1 level to facilitate potential future access for residential and service vehicles to 1-3 Gordon Avenue. This will allow the removal of the driveway crossing to 1-3 Gordon Avenue as part of a future development, significantly improving the walkability and appearance of the public domain in Gordon Avenue.

If Council is agreeable to the above offer, we will prepare a draft Heads of Agreement for Council to consider as part of the Gateway Planning Proposal process, following which we will provide Council with a draft voluntary planning agreement prepared in accordance with the Council's Planning Agreement Policy.

Please contact me if you have any questions.

Yours faithfully,  
**DPG PROJECT 32 PTY LTD**

A handwritten signature in black ink, appearing to read 'Robert Sargis', written over a white background.

**ROBERT SARGIS**  
Director

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