

# PLATFORM

PROJECT SERVICES

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18 January 2018

Mr Greg McDonald  
Director, Planning and Infrastructure  
Willoughby City Council  
Level 4, 31 Victor Street  
CHATSWOOD NSW 2067

Dear Mr McDonald,

## **MODIFICATION TO CONCEPT PLAN MP 10\_0198 6-30 ARTARMON ROAD, WILLOUGHBY (CHANNEL 9 SITE) – VPA DISCUSSION**

I am writing on behalf of LEPC9 to request a meeting with Council to discuss matters relating to the existing public benefit offer associated with the development of the Channel Nine Site at 6-30 Artarmon Road, Willoughby (MP 10\_0198).

As you are aware, the merits of the Modification Application will be assessed by the NSW Department of Planning, taking into consideration the various views of the proponent, Council, state government agencies and the community, with the Department's recommendation expected to be considered and a final determination issued by the NSW Planning Assessment Commission as delegate for the Minister for Planning.

As you would be aware, there is currently no requirement for a Voluntary Planning Agreement to be entered in to by LEPC9 under the terms of the existing Concept Plan Approval.

At present, Modification No.2 includes an offer to enter into a Voluntary Planning Agreement with Willoughby City Council that is conditional on approval of the Modification Application. The offer comprises:

- \$500,000 monetary contribution to Council to be used by Council for the future upgrade of the intersection of Willoughby Road, Artarmon Road and Small Street;
- \$1,000,000 monetary contribution, or works-in-kind of equal value, toward the upgrade of the Walter Street Reserve including bushland regeneration and accessibility improvements to be agreed with Council; and
- An additional 1% of any gross floor area (5% total) increase above that currently approved under the Concept Plan Approval (approximately 1 additional dedicated dwelling above that required under the LEP provision).

This offer would be in addition to the applicable Section 94 Contributions payable in respect of the proposed development. It is also additional to the new costs involved with the significantly larger public open space area proposed to be provided within the site.

LEPC9 has determined the content of the Public Benefit Offer based on our understanding of key areas of community interest and feedback in relation to this project. We understand from Council's

submission on Modification No.2 that Council does not agree that these contributions are appropriately targeted or sufficient.

LEPC9, throughout each stage of the planning process to date has been committed to working with the Department of Planning and Environment, Willoughby City Council, and the community to create a development not only of the highest quality, but one which also maximises community benefits.

To date this has been a large focus of our Master Plans Development, especially through the provision of public open space, affordable and key-worker housing and a significant financial contribution to the community.

As such, Platform on behalf of LEPC9 would like to discuss with Council any additional benefits that council would consider or accept as a public benefit to associate with the progression of this development.

We note that, to date, Council are yet to engage with LEPC9 regarding a suitable VPA offer despite numerous attempts to communicate and discuss a VPA offer that is 'in line with Council's agreed position' (Council submission to MP 10\_0198). To date Council has not articulated what the 'agreed position' is, making it difficult to provide any meaningful engagement or response.

Without Council engagement, the Public Benefit Offer outlined above will be the VPA Offer considered by the Planning Assessment Commission. There will be no further opportunity for LEPC9 and Council to negotiate the final value of the Public Benefit Offer should the PAC determine to approved Modification No.2.

It is the hope of LEPC9 that we can establish and continue positive and constructive negotiations with Council to achieve an outcome beneficial for all stakeholders.

If you could please provide a suitable date for discussions to take place, it would be greatly appreciated. If you have any further questions or queries, please do not hesitate to contact me on 0418 688 844 or at David@platformpps.com.au.

Yours faithfully,

**PLATFORM PROJECT SERVICES PTY LTD on behalf of LEPC9 Pty Ltd**

A handwritten signature in black ink, appearing to read 'David Hynes', with a horizontal line extending to the right.

**David Hynes**  
**Project Director – Parkside Willoughby**

## Michael Oliver

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**From:** McDonald, Gregory <Gregory.McDonald@Willoughby.nsw.gov.au>  
**Sent:** Thursday, 1 February 2018 7:33 PM  
**To:** Kade Astley  
**Cc:** Arnott, Ian; O'Brien, Craig; Council's Email; David Hynes; Michael Oliver  
**Subject:** Re: Channel 9 Project - Meeting request to discuss VPA

Dear Kade,

I refer to your letter dated 18 January requesting a meeting to discuss the VPA offer for redevelopment of the Channel 9 site and your further email below. As you are aware Council has lodged an objection to Modification 2 of the Concept Plan for the site which is awaiting Department determination.

Increased population associated with the development of the site will place added pressure on Council infrastructure and services including roads, open space and community facilities. In the order of 45-50% of value uplift of the site is estimated to be needed to provide for the needs of the future residents. The offer currently made is significantly below this amount.

Other than highlighting this significant gap, it is my preference to refrain from further discussion on VPA matters until such time as the Department provides an indication of their intended decision.

Regards,

Greg

Gregory McDonald - Planning & Infrastructure Director Willoughby City Council PO Box 57 Chatswood NSW 2057 P  
+61 2 9777 7701 E Gregory.McDonald@Willoughby.nsw.gov.au  
willoughby.nsw.gov.au | visitchatswood.com.au | theconcourse.com.au

> On 1 Feb 2018, at 2:44 pm, Kade Astley <kade@platformpps.com.au> wrote:

>

> Hi Greg,

>

> I hope you're well. I was hoping that I may be able to get a response to the below email and letter that was sent to yourself and your fellow officers on Thursday, 18 January 2018.

>

> I have attached the letter again for ease of reference.

>

> Kind regards,

>

> Kade Astley

> Development Analyst

> Platform Project Services Pty Ltd

>

> Level 3, 95 Pitt Street

> SYDNEY NSW 2000

> M: +61 (0) 417 239 760

> D: +61 (2) 8259 8064

> E: kade@platformpps.com.au<mailto:kade@platformpps.com.au>

>

> From: Kade Astley

> Sent: Thursday, 18 January 2018 12:54 PM

> To: 'Gregory.McDonald@Willoughby.nsw.gov.au'

> <Gregory.McDonald@Willoughby.nsw.gov.au>;  
> 'Ian.Arnott@Willoughby.nsw.gov.au' <Ian.Arnott@Willoughby.nsw.gov.au>;  
> 'Craig.Obrien@Willoughby.nsw.gov.au'  
> <Craig.Obrien@Willoughby.nsw.gov.au>; 'email@willoughby.nsw.gov.au'  
> <email@willoughby.nsw.gov.au>  
> Cc: David Hynes <david@platformpps.com.au>; 'Michael Oliver'  
> <moliver@ethosurban.com>  
> Subject: Channel 9 Project - Meeting request to discuss VPA  
>  
> ATTN: GREG McDONALD  
>  
> Hi Greg,  
>  
> Happy new year, I hope you had a relaxing break over the Christmas period and settling into the new year well.  
>  
> I have attached a letter formally requesting another meeting with Council to specifically discuss a Voluntary  
Planning Agreement associated with the Development of the site located at 6-30 Artarmon Road, Willoughby.  
>  
> As you may be aware, LEPC9 is currently in the process of formulating a response to Community, Agency and  
Council submissions. As such, it would be greatly appreciated if we could arrange a time to meet as soon as possible.  
>  
> Please note, a hard copy of this letter was also sent via Australia Post on 18 January 2018.  
>  
> I look forward to hearing from you.  
>  
> Best,  
>  
> Kade Astley  
> Development Analyst  
> Platform Project Services Pty Ltd  
>  
> Level 3, 95 Pitt Street  
> SYDNEY NSW 2000  
> M: +61 (0) 417 239 760  
> D: +61 (2) 8259 8064  
> E: kade@platformpps.com.au<mailto:kade@platformpps.com.au>  
>  
> <20180118 - VPA meeting request.pdf>

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