

**Our Ref:** M230306

24 February 2025

The General Manager  
Burwood Council  
PO Box 240  
**BURWOOD NSW 1805**

Dear Sir,

**LETTER OF OFFER – VOLUNTARY PLANNING AGREEMENT  
IN RELATION TO DEVELOPMENT OF 20-24 RAILWAY PARADE  
AND 2-4 BURLEIGH STREET, BURWOOD**

This letter proposes the negotiation of a Voluntary Planning Agreement (VPA) between the proponent and Council. This letter provides preliminary information to enable Council to consider the proposed VPA.

The VPA is to be in connection with a State Significant Development Application (SSDA) submitted to the Department of Planning, Housing and Infrastructure seeking consent to construct a mixed-use development at Nos. 20-24 Railway Parade and 2-4 Burleigh Street, Burwood

Separate to the Section 7.12 contributions that will be payable, it is proposed to enter into a VPA to seek support for a 10% increase in FSR for the land in exchange for making development contributions towards community infrastructure if the SSDA is granted consent.

The following sets out the key terms of the proposed VPA:

**1.0 Parties to the Planning Agreement**

- Burwood Council
- NSW Housing Corporation Pty Ltd

**2.0 Land to which the VPA relates**

Nos. 20-24 Railway Parade and 2-4 Burleigh Street, Burwood with respective legal descriptions of Lot A, B, C, D and E in DP 438222.

**3.0 Development to which the VPA relates**

Construction of a mixed use development containing a hotel with 120 rooms, commercial office premises and a residential flat building with 48 resident apartments, above basement car parking.

**4.0 Nature and extent of development contributions and timing of delivery**

The intent of the Planning Agreement is to ensure that public benefits are provided in the form of provision, augmentation or improvement of open space, community facilities or other public facilities as determined by Council.

The Planning Agreement is proposed to require a monetary contribution for an amount of \$1,394,750.00 being \$1,750.00 per square metre (797m<sup>2</sup>) of GFA in excess of the permitted GFA limit under the

Burwood LEP 2012 for the development payable after development consent if granted and before issue of a Construction Certificate.

The required monetary contributions are to be informed by Burwood Council via conditions of consent. Separate to the consent will be the creation of a deed of agreement outlining the extent and timing of the VPA.

## **5.0 Value of VPA**

The estimated value of works and monetary contributions is to be subject to negotiation and in accordance with standard practices and procedures adopted by Council.

## **6.0 Application of Section 7.12**

Section 7.12 contributions will be payable for the proposed development in accordance with Council's adopted policy. The VPA will be separate to the Section 7.12 contributions payable.

## **7.0 Costs**

Each party shall bear its own costs of preparing, negotiating, executing and stamping the VPA and any documents related to the VPA.

We would appreciate further liaison with Council staff to discuss this offer in order to facilitate the delivery of public benefits in association with the future development of Nos. 20-24 Railway Parade and 2-4 Burleigh Street, Burwood.

## **8.0 Relationship with SSDA**

The SEARs issued by the Department of Planning, Housing and Infrastructure stipulated the following additional assessment requirement for the SSDA at Nos. 20-24 Railway Parade and 2-4 Burleigh Street, Burwood under SSD-77260958:

*Provide details of consultation and agreement with Burwood Council regarding provision of community infrastructure, or if agreed by Council a voluntary planning agreement pursuant to section 7.4 of the Environment and Planning Act 1979, in accordance with clause 4.4A of the Burwood Local Environmental Plan 2012.*

In accordance with the above, this VPA Letter of Offer has been prepared and submitted to Burwood Council for consideration.

Importantly, given the nature of the VPA for a standardised monetary contribution in accordance with Burwood Councils Planning Agreements Policy, it is considered reasonable that agreement between Council and the Proponent occur concurrently with the assessment of SSD-77260958, rather than the Department of Planning, Housing and Infrastructure require a formal agreement prior to the lodgement of SSD-77260958.

Yours sincerely,

**NSW Housing Corporation Pty Ltd**