

MANLY VALE DEVELOPMENTS NO. 2 PTY LIMITED

22 December 2021

The General Manager
Northern Beaches Council
P.O Box 82
MANLY NSW 2095

Dear General Manager

RE: DEVELOPMENT APPLICATION 2020/0824 (the "DA")
PROPERTY: 321-331 CONDAMINE STREET, MANLY VALE (the "Property")

Manly Vale Developments No. 2 Pty Limited ("Owner") has made the above DA in respect of the above Property.

This letter constitutes an offer by the Owner to enter into a voluntary planning agreement ("VPA") with Northern Beaches Council in connection with the DA.

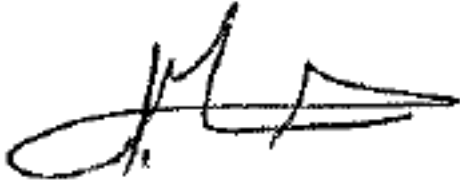
The Owner offers the following to be implemented by way of voluntary planning agreement:

1. The parties to the VPA will be the Owner (being the registered owner of the Property) and the Council.
2. The VPA will apply to the Property and will be registered on title within 14 days of the VPA being executed by all parties.
3. The VPA will apply to the development the subject of the DA ("Development").
4. The provision to be made under the VPA will be the dedication to Council of 1.4m wide x 38.075m long strip of land adjacent to Sumerville Place to be used to widen Sumerville Place ("the Land"). A plan showing the proposed area of dedication is attached to this letter.
6. The dedication of the Land would occur prior to the issue of any occupation certificate in respect of the Development.
7. The VPA shall not exclude the application of section 7.11, 7.12 or 7.24 of the EP&A Act.
8. The dedication of the Land shall not be taken into consideration in determining a development contribution under section 7.11.
9. The Land shall be used for the purpose of widening Summerville Place.
10. The VPA will provide for security by being registered on title of the Property so that it runs with the Land and by including a provision in the VPA that the Property cannot be transferred unless the Owner causes the transferee to enter into a deed by which the transferee agrees to be bound by the VPA.
11. The VPA will not operate unless and until Council grants consent to the DA.
12. In the event that consent is granted to the DA then a condition will be imposed on the Consent requiring the Owner to enter into the VPA upon Council notifying the Applicant in writing that it agrees to enter into the VPA.

13. The VPA will be otherwise in accordance with Council's Planning Agreement Guidelines December 2019.

Yours faithfully

MANLY VALE DEVELOPMENTS NO. 2 PTY LIMITED

A handwritten signature in black ink, appearing to be 'J. M. L.', written in a cursive style. The signature is positioned above a horizontal dotted line.

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