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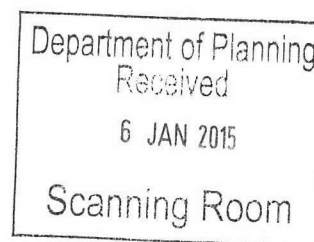


PCU057744

BB3 (CIS)

Attn: Sandy Shewell

18 December 2014



Dear Sandy,

RE: PLANNING PROPOSAL – 200-220 PACIFIC HIGHWAY, CROWS NEST

On 28 April 2014, Council considered an assessment of a Planning Proposal for the site known as 200-220 Pacific Highway, Crows Nest. The Planning Proposal sought to amend the non-residential floor space ratio range requirements of North Sydney Local Environment Plan 2013 (NSLEP 2013) from 0.5:1 - 2:1 to 0.2:1 - 2:1. It was proposed to achieve this by amending clause 4.4A and the *Non-residential Floor Space Ratio Range Map* (LCL_001) to NSLEP 2013. The intent of the Planning Proposal was to allow the conversion of six approved serviced apartments to residential accommodation.

As Council did not resolve to make a determination in relation to this Planning Proposal at that time, it was reported back to Council on 19 May 2014, where it resolved in part:

1. *THAT a precinct based Planning Study, similar to that undertaken for Cliff Street, Milsons Point, be undertaken and funded by the applicant.*
2. *THAT if the Planning Study as required by Resolution No.1 meets with the approval of Council's Director Planning and Development Services in supporting the Planning Proposal's objectives, delegated authority be granted to the General Manager to forward the attached Planning Proposal to the Minister for Planning and Environment in order to receive a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979, subject to the following amendment:*
 - i. *The non-residential floor space ratio range for the subject site be amended to 0.24:1 - 2:1.*

In accordance with Resolution No.1, SGS Economics and Planning were engaged on 7 August 2014 to prepare a planning study (Crows Nest South Planning Study) for the southern portion of the Crows Nest Town Centre which is zoned *B4 - Mixed Use* under NSLEP 2013 and incorporating the site at 200-220 Pacific Highway. On 12 November 2014, Council received the final copy of the Crows Nest South Planning Study from SGS Economics and Planning.

On 2 December 2014, the General Manager considered a report in response to Resolution No.2. The report acknowledged that the Crows Nest South Planning Study supports the objectives and intent of the Planning Proposal for 200-220 Pacific Highway, Crows Nest. As such, the General Manger resolved on behalf of Council:

THAT under delegated authority, the General Manager resolves to forward the attached Planning Proposal to the Minister for Planning in order to receive a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979, subject to the following amendments:

- i. The non-residential floor space ratio range for the subject site be amended to 0.24:1 - 2:1.*
- ii. It incorporates discussion with respect to the outcomes of the Crows Nest South Planning Study.*

Council received a revised Planning Proposal from the applicant on 16 December 2014 in accordance with Council's resolution. It would therefore be appreciated if the Planning Proposal be referred to the LEP Review Panel for determination under the 'gateway process'.

Please find enclosed a CD incorporating the following documents:

- Council officer's report and Council resolution of the meeting of 28 April 2014;
- Council officer's report and Council resolution of the meeting of 19 May 2014;
- Council officer's report endorsed by the General Manager on 2 December 2014 under delegation; and
- Planning Proposal as revised.

Enquiries should be directed to Ben Boyd or the undersigned of Council's Strategic Planning Department on 9936 8100.

Yours sincerely



MARCELO OCCHIUZZI
MANAGER STRATEGIC PLANNING