



Brendan Metcalfe
Director, North District
NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Our Ref: PP1/21
KP (CIS)

(submitted via the NSW Planning Portal)

15 December 2022

Dear Brendan,

**RE: REQUEST FOR FINALISATION OF PLANNING PROPOSAL (PP-2021-6564) -
270-272 PACIFIC HIGHWAY, CROWS NEST**

I refer to the above-mentioned Planning Proposal and wish to advise that on 14 November 2022, Council considered a post-exhibition report for this Planning Proposal and accompanying draft amendment to North Sydney Development Control Plan 2013 (NSDCP 2013) and draft Voluntary Planning Agreement (VPA) and resolved as follows;

1. **THAT** Council does not support the making of the amendments to the North Sydney Local Environmental Plan 2013 sought under Planning Proposal 1/21 in respect of 270-272 Pacific Highway, Crows nest for the following reasons:
 - a) The proposed height is inconsistent with Council's resolved position to oppose the significant increases to the exhibited maximum heights along the western side of the Pacific Highway including the subject site, under the 2036 Plan as resolved at the meeting held on 24 January 2022;
 - b) The excessive height, bulk and scale of the proposed building envelope will result in significant adverse amenity impacts on the neighbouring properties in Sinclair Street including loss of solar access and traffic impacts due to the constrained nature of the shared access and right of way off Bruce Street.
 - c) The proposal fails to provide a reasonable transition to the Sinclair Street properties.
 - d) The amended proposed height is inconsistent with Council's desired future character for this part of the Pacific Highway and will set an unacceptable precedent for future development in this locality.
 - e) The terms of the proposed Voluntary Planning Agreement do not provide sufficient public benefit to mitigate the significant adverse impacts on the locality and the unacceptable precedent that would be set by the proposed changes to NSLEP 2013.
2. **THAT** Council write to the Department of Planning and Environment and to the Minister advising that the Planning Proposal is not supported and providing a copy of this resolution.

A copy of Council's report and resolution from 14 November 2022 is enclosed for your reference.

It is thereby requested that the Planning Proposal be finalised by way of not proceeding.

Should you have any queries, please direct them to either Katerina Papas, Senior Strategic Planner or the undersigned on **9936-8100**.

Yours sincerely

MARCELO OCCHIUZZI
MANAGER STRATEGIC PLANNING

This is a computer-generated letter – no signature required