

Bartier Perry Pty Ltd
18/133 Castlereagh Street
Sydney NSW 2000
www.bartier.com.au

DX 109 Sydney
PO Box 2631
Sydney NSW 2001

Tel +61 2 8281 7800
Fax +61 2 8281 7838
ABN 30 124 690 053

**Bartier
Perry**

The General Manager
City of Ryde
Locked Bag 2069
North Ryde NSW 1670
Attention Dominic Johnson
Email djohnson@ryde.nsw.gov.au

1 May 2012

Our ref MLT:121797

WITHOUT PREJUDICE

Dear Sir

**1-3 Wharf Road Gladesville – LDA 2011/0622
136-140 Victoria Road Gladesville – LDA 2011/0621**

We are the solicitors acting for the applicants of the abovementioned Development Applications, listed before the Joint Regional Planning Panel meeting tomorrow.

Following a meeting with Council last week, our clients hereby give notice of withdrawal of both development applications before the panel meets.

Our clients do not accept the basis of the independent assessor's FSR calculation methodology. It is difficult to understand, in the Council planning documents, or in the latest assessment report, the manner in which Council now says the refusal to increase the floor space is in keeping with its controls. Their consultants have continued along a path for over a year on the understanding that additional space was exactly what was allowed under these clauses. They held legal advice to the effect that their calculation of the floor space allowable was correct.

It is understood from the recent council meeting that, contrary to our clients' understanding, Council does not consider this agreement between the two key adjoining landowners to be a unique opportunity to bring about a public plaza and additional public car parking.

On behalf of our clients, we now seek urgent discussions with Council to establish the potential yield of the above projects.

Yours faithfully
Bartier Perry



Mary-Lynne Taylor | Consultant
D 8281 7935 F 8281 7888 M 0438 671 640
mtaylor@bartier.com.au

2953623 1 - 121797 - Council 01 (NXK)

Liability limited by a Scheme approved under Professional Standards Legislation.
Legal practitioners employed by Bartier Perry Pty Limited are members of the Scheme.