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Legacy Property Group Pty Ltd
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Level 23, Tower 2, Darling Park
201 Sussex Street
SYDNEY NSW 2000

Attention: Kate Ryan

BB3 (CIS)

9 October 2018

Dear Ms Ryan,

RE: PLANNING PROPOSAL 6/18 – 253-267 PACIFIC HIGHWAY, NORTH SYDNEY

I refer to the lodgement of your Planning Proposal relating to land at 253-267 Pacific Highway, North Sydney with North Sydney Council (Council) on 27 September 2018.

Council has a long held policy of not supporting the progression of planning proposals to Gateway Determination, which seek significant departures from current planning controls and are not supported by an endorsed precinct wide based planning study. This position was recently reinforced at Council's meeting of 30 July 2018, wherein it resolved to not accept any new planning proposals involving a residential use, until the earlier of 1 July 2020 or the completion of any gazetted amendments to the North Sydney LEP in respect of any Land Use and Infrastructure Plan produced by the Department of Planning's Priority Precinct planning process and with the exception of any Planning Proposal submitted consistent with and in relation to a Precinct Planning Study already adopted by Council.

Whilst Council cannot technically refuse acceptance of an application for a planning proposal, Council's resolution of 30 July 2018 removes its ability to recommend that the planning proposal proceed to Gateway Determination.

Please be advised that Council has identified a need to undertake a precinct based planning study which focuses on land in the vicinity of the entry portals to the Victoria Cross Metro Station (including the subject site), however, this work has yet to commence. Once adopted, this would provide Council with the ability to support any changes to the planning controls if they have been identified for the subject site.

You are therefore requested to withdraw your Planning Proposal and receive a refund. Should the application not be withdrawn, Council will prepare an assessment report recommending refusal. However, before such a report can be completed, it is requested that the following information is provided to enable a more comprehensive assessment:

- revised overshadowing diagrams, that clearly illustrate the extent of new shadows that will be cast in comparison to that which currently exists; and
- economic feasibility details to determine if the value of the public benefit offer is appropriate relative to the level of financial gain by amending the planning controls.

You are requested to respond within 21 days of the date of this letter. If you have any questions, please do not hesitate to contact Ben Boyd, Executive Strategic Planner or the undersigned on 9936-8100.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Marcelo Occhiuzzi', written in a cursive style.

MARCELO OCCHIUZZI
MANAGER STRATEGIC PLANNING