

ATTACHMENT D

**LETTER FROM INVESTA PROPOSING
A DEED OF CONSENT TO PLACE
A RESTRICTIVE COVENANT ON THE TITLE
FOR 60 MARTIN PLACE**

Investa Office Management Pty Ltd

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29 August 2014

City of Sydney
GPO Box 1591
Sydney NSW 2001
Attention: Graham Jahn

By Email

Dear Graham

**Premises: 60 Martin Place, Sydney
Restrictive Covenant as to Commercial Use**

I refer to the discussions with Council officers concerning the proposed redevelopment of the Site and to our planning justification report submitted on 31 July 2013, requesting amendments to the applicable planning controls in order to permit the redevelopment.

Investa understands that Council is willing to support the amendment to the applicable planning controls in the Sydney LEP, provided that the redevelopment is used primarily for commercial purposes.

On behalf of Investa Nominees Pty Ltd as Trustee for the 60 Martin Place Trust, I hereby confirm an intention to enter into a Deed of Consent which will contemplate the creation of a legal instrument to be registered on title. The instrument will operate so as to limit the uses permissible in the proposed new building to the uses nominated as permissible in the proposed amendment to the Sydney LEP. We understand that the permissible uses are proposed to be as follows : commercial premises; child care centre; community facility; education establishment; entertainment facility; food and drink premises; function centre; health services facility; registered club.

The Deed of Consent will be executed upon the coming into force of the LEP Amendment. The instrument recording the restriction on use is to be registered on title at the time of commencement of the development of the site in accordance with the amended LEP controls.

Yours sincerely,



Mark Tait
General Manager - Commercial Development
Investa Office Management Pty Ltd