

Ref: PP2016/0002

19 July 2018

Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Kris Walsh / Andy Watkins

**Subject: Planning Proposal Application – 53 Victoria Road, 63-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne**

Please find enclosed the Planning Proposal and supporting documentation for 53 Victoria Road, 63-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne seeking Gateway Determination from the Department of Planning & Environment pursuant to *Division 3.4* of the *Environmental Planning & Assessment Act 1979*.

The Planning Proposal intends to:

- Rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use;
- Increase Maximum Height of Building (HOB) across the site from 8.5m to 14m;
- Increase Floor Space Ratio (FSR) for 63-69 Victoria Road & 45 Day Street to 2:1;
- Increase Floor Space Ratio (FSR) for 53 Victoria Road & 46 Thornley Street to 1.7:1;
- Apply a bonus HOB to maximum of 20m for land located at 63-69 Victoria Road where the development site is a minimum of 2,500m<sup>2</sup>; and
- Apply a bonus FSR to a maximum of 2.25:1 across the site where the development site is a minimum of 2,500m<sup>2</sup>.

On 20 September 2016, the Planning Proposal was reported to Council and supported for progression to the Department of Planning and Environment for Gateway Determination.

A Voluntary Planning Agreement has been entered into by the applicant pursuant to *Section 7.4 Planning Agreements* of the *Environmental Planning & Assessment Act*, to support the Planning Proposal.

The Planning Proposal was also assessed and advice provided by the Independent Hearing & Assessment Panel on the 28 June, 2018 consistent with the requirements of the *Local Planning Panels Direction – Planning Proposals* under *Section 3.34* of the *Environmental Planning & Assessment Act 1979*.

Should the Planning Proposal progress to Gateway Determination, Council seeks the Department's consideration for delegation under the provisions of *Section 2.4* of the *Environmental Planning & Assessment Act 1979* to allow Council to finalise any proposed changes to the LEP.

Please find attached a copy of the Planning Proposal (as amended following the Council Resolution) and the following supplementary information:

1. Amended Planning Proposal – October 2016
2. Report and Minutes of Council Meetings, including: 21 June 2016; 6 September 2016; 20 September 2016;
3. Draft LEP Instrument - Canada Bay Local Environmental Plan 2013
  - a. Draft Clause 4.3 & Draft Clause 4.4
4. Map Cover Sheet and corresponding draft LEP Maps
  - a. Land Use Zone (*Map 6*)
  - b. Height of Building (*Map 6*)
  - c. Floor Space Ratio (*Map 6*)
5. Addendum to the Planning Proposal, including the following:
  - a. Additional Stage 2 Detailed Site Investigation and Remedial Action Plan (30 April 2018), noting the following:
    - i. An additional Stage 2 Contamination Assessment has been submitted to Council to fulfil required soil sample numbers in accordance with the EPA Sampling Guidelines.
    - ii. A further report has been requested by Council to address outstanding concerns and is currently being prepared by the Applicant.
    - iii. Council requests that should the Planning Proposal be supported for Gateway Determination, an updated Stage 2 Contamination Assessment be provided and form part of documentation required to be placed on Public Exhibition.
  - b. Draft Canada Bay Development Control Plan (Section F2.1 Victoria Road, Drummoyne)
  - c. Draft Planning Agreements:
    - i. Letter of Offer – Bonus + Associates on behalf of Applicant
    - ii. 53 Victoria Road, Drummoyne
    - iii. 63-69 Victoria Road, 45 Day Street Drummoyne
  - d. Report and Minutes of Independent Hearing and Assessment Panel Meeting (Local Planning Panel), 28 June 2018
6. Completed Information Checklist; and
7. Completed Evaluation Criteria for the delegation of plan making functions.

Should you have any questions in relation to this matter or require further information, please contact Karen Lettice, Senior Strategic Planner on 9911 6406.

Yours sincerely,



Paul Dewar  
Manager, Strategic Planning