



Lane Cove Council

48 Longueville Road, Lane Cove NSW 2066

Tel: 02 9911 3555

Fax: 02 9911 3600

28 May 2015
Our Ref: 30639/15

Ms Carolyn McNally,
Secretary,
NSW Department of Planning & Environment,
Level 3
4-6 Bligh Street
SYDNEY NSW 2000

Attention: Mr Tim Archer

Dear Ms McNally,

RE: PLANNING PROPOSAL 22: 1-13A MARSHALL AVENUE, ST LEONARDS

- **Submission to LEP Gateway seeking exhibition**
- **Request for Council's General Manager to use delegation**

At the Council meeting of 20 April 2015, Council resolved to submit to the Department a planning proposal under Local Environmental Plan 2009 for the above site in the St Leonards Strategic Centre, requesting Gateway approval to proceed to exhibition and the use of delegation by Council's General Manager, as follows:-

1. Council approve the preparation and lodgement of a planning proposal for submission to the NSW LEP Gateway seeking approval for exhibition that amends the LEP height applying to 1-13A Marshall Avenue, St Leonards from 65 metres to 94 metres, subject to a Voluntary Planning Agreement for the site with the same terms endorsed by Council on 17 November 2014;
2. The Department be requested to issue delegation to Council's General Manager to undertake the planning proposal process;
3. Draft amendments to Development Control Plan 2010 relating to this planning proposal be prepared and exhibited with the planning proposal; and
4. The planning proposal exhibition include the Voluntary Planning Agreement for the site.

The planning proposal was prepared by the consultancy DFP on behalf of Loftex Pty Limited subsequent to Council's resolution and submitted to Council on 27 May 2015.

The planning controls applying to the site comprise:-

- Zoning: B4 Mixed Use
- FSR: 5.1:1
- Height: 65 metres

The planning proposal seeks to amend the site's height to 94 metres. This aims to enable the site to complement Planning Proposal 20, recently submitted to the Department for 75-79 Lithgow Street and 84-90 Christie Street (Winten), producing two buildings of up to 29

storeys immediately fronting the western and eastern sides of the proposed St Leonards Rail Plaza.

The height has been endorsed by Council on a number of occasions, including the exhibition and finalisation in 2014 of the proposed Voluntary Planning Agreement and Council's recommendation in support of a recent Development Application for the site consistent with the planning proposal.

Council supports this planning proposal on three strategic planning grounds in particular:-

- (i) As outlined in the Council Report, the planning proposal has an important strategic role to contribute to the revitalisation of St Leonards Strategic Centre, as identified in the Metropolitan Strategy *A Plan for Growing Sydney*, with improved public amenity, pedestrian connectivity, and activation around the new plaza.
- (ii) The emerging character of St Leonards is exemplified on page 15 of the DFP report, detailing the site's strategic context and showing current and proposed building heights of significant scale in the Lane Cove, Willoughby and North Sydney sections of the St Leonards Strategic Centre.
- (iii) The draft St Leonards South Master Plan recently exhibited by Council supports future residential growth in the precinct south-west of the site, with densities of up to 4:1 and heights up to 19 storeys immediately opposite the site.

The Council report and DFP report provide detailed background and explanatory information for the planning proposal. The proposal has been prepared in accordance with the Department's *Guide to Preparing Planning Proposals*.

The documentation is to be provided electronically via emailed links, and comprises the following:-

- Council Report of 20 April 2015, with attached letter from Loftex of 2 April 2015
- Council Minutes of 20 April 2015
- Planning Proposal prepared by DFP consultancy and reviewed by Council.

As a technical note to the DFP report: It is stated on page 12 that, due to the combined effect of the LEP amendment 16 September 2013 and DCP amendments that reduced the development potential of the site, the recent DA proposed a building height of 94 metres. It is to be noted that this relates to (i) Loftex's original proposal of 78 metres and (ii) the additional height to provide public domain benefits i.e. the Rail Plaza VPA.

In summary, Council requests that the Department's LEP Gateway approve Planning Proposal No. 22 to proceed to public exhibition, in terms of the Council resolution of 20 April 2015 above.

Please feel welcome to contact Stephanie Bashford, Manager - Strategic Planning, on 9911 3612 or at sbashford@lanecove.nsw.gov.au to discuss any matters relating to the submission.

Yours sincerely



Michael Mason
Executive Manager – Environmental Services