



Lane Cove Council

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Date: 14 April 2015
Doc Ref: 78025/14

Ms Carolyn McNally
Secretary,
NSW Department of Planning and Environment,
23-33 Bridge St,
SYDNEY NSW 2000

Attention: Mr Tim Archer

Dear Ms McNally,

Re: REQUEST FOR GATEWAY APPROVAL TO EXHIBIT: PLANNING PROPOSAL 19 - 302-314 BURNS BAY ROAD, LANE COVE

At the Lane Cove Council meeting of 19 May 2014, Council resolved to submit a planning proposal for 302-314 Burns Bay Road, Lane Cove to the Department requesting Gateway approval to proceed to exhibition. In the interim, Council has been undertaking preliminary steps including obtaining a site survey and finalising construction boundaries.

The land is a disused bowling club site. Council intends to convert the majority of the site into a new park, and develop residential flats over the western third. A recently-constructed road traverses the site to provide access to those two areas, as well as to private flats being developed to the south of the site following zoning changes under LEP 2009.

The proposal was extensively consulted upon, both for Council's Major Projects Plan 2007-2016 and, including a land reclassification public hearing, prior to the gazettal of the Lane Cove LEP 2009.

This planning proposal seeks to adjust the zoning, FSR, height and land classification boundaries in order to be consistent with the alignment of the new road. When the LEP was drafted in 2008 the road location was notional only, and 302 Burns Bay Road was marked as possible future road.

Additionally, there is an agreement with the owners of the residential flats complex to the east (300 A, B & C – SP 6522) for dedication of a small part of their land to the public park, in return for additional car parking adjacent to the park.

The adjustments in the zoning and classification boundaries are a result of:-

- the final location of the road (completed in August 2014) being slightly east of the originally proposed alignment,
- the closure of a section of road over 302 Burns Bay Road, as no longer required for road and
- the proposed dedication of land to the park from the adjacent strata plan, as above.

Note: Council recently compulsorily acquired 296 Burns Bay Road in order to realign the signalised intersection to the north, to improve access to properties in this area. The documents for this planning proposal refer to No 296, as it is integral to the planning for this precinct, but 296 is not the subject of any proposed changes to the LEP.

The acquisition and road closure were endorsed in consultation with the community at Council meetings as shown below.

This planning proposal is an administrative amendment in support of previously approved projects and objectives.

I request that the LEP Panel recommend Gateway determination for LEP 2009 Planning Proposal No.19 to proceed to public exhibition. In the circumstances relating to Council-owned land, Council understands that it is not permitted to use delegated authority to make the LEP amendment, under the Department's *Guide to Preparing Local Environmental Plans*.

A Public Hearing will be held after the LEP exhibition is completed, as required under the Local Government Act 1993 and Environmental Planning & Assessment Act 1979 for the reclassification of community land to operational land.

Please find attached the:-

- Planning Proposal and supporting appendices, including:-
- Council Report/ attachments and Minutes of 19 May 2014 (supporting amendment) as **Attachments 2 and 3** to the Planning Proposal
- Council Minutes of 17 November 2014 (supporting purchase of 296 Burns Bay Road) as **Attachment 4** to the Planning Proposal
- Council Report/Minutes of 13 October, 2014 (supporting closure of road on 302 Burns Bay Road) as **Attachments 17 and 18**.

Please feel welcome to contact Terry Tredrea, Strategic Planner, on 9911 3580 or at ttredrea@lanecove.nsw.gov.au to discuss any matters relating to the submission.

Yours sincerely



Michael Mason,
Executive Manager – Environmental Services