

8 March 2017

Our Ref: F15/526
Contact: John McNally – 9562 1683

Karen Armstrong
Director, Metropolitan Delivery (CBD)
NSW Department of Planning & Environment
Sydney Region East Team
GPO Box 39
SYDNEY NSW 2001

Attn: Michael Kokot, Senior Planner – Sydney Region East

Dear Karen,

Re: Request for Gateway Determination – Planning Proposal: 64-68 The Grand Parade, Brighton-Le-Sands

Further to your letter of 7 October 2016 in respect of the above Planning Proposal, we have been working with your colleagues Michael Kokot and Martin Cooper, and with the proponents, to try and respond to the matters raised in your letter.

We had a very useful meeting with Michael and Martin on 13 December 2016 to clarify what additional information is required to progress the Planning Proposal to Gateway Determination. Following the meeting, we sent a detailed email to the proponent on 14 December 2016 which requested that the following amendments be made to the Planning Proposal and Urban Design Report:

Planning Proposal –

- 1. The 'Background' of the Planning Proposal needs to be amended to clearly outline the process that has occurred thus far. This should include commentary on how the proposal has evolved with the resolution of Council as well as brief commentary on the contextual setting of the site, the current and proposed controls and urban design principles that informed the proposal;*
- 2. The Planning Proposal needs to outline clearly what changes have been made to it following the Council resolution of 16.03.16;*
- 3. Part B1 of the Planning Proposal needs to be amended to reflect the aims of the Draft Central District Plan rather than the South Sydney Draft Sub-Regional Strategy; and*
- 4. Part B4 of the Planning Proposal needs to be supplemented with some additional commentary to clearly describe how the Planning Proposal is consistent with the relevant s117 Directions. As per Points 1 and 2 above, where relevant, please indicate where any additional commentary is included as a result of post-Council resolution changes.*

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Urban Design Report –

1. *The Urban Design Report should also include commentary on how the proposal has evolved, particularly since the Council's resolution of 16.03.16;*
2. *As with the Planning Proposal, the Urban Design Report needs to outline clearly what changes have been made to it following the Council resolution of 16.03.16; and*
3. *Any new information, such as massing studies or contextual analysis, needs to be incorporated into a comprehensive Urban Design Study for the purposes of any Public Exhibition.*

Planning Proposal and Urban Design Report –

Where necessary, each of these documents needs to cross-reference the other in order to clearly present the facts to the public during any exhibition. Both the Urban Design Report and Planning Proposal should speak to each other to present a comprehensive commentary on how the proposal has evolved since the Council meeting and what changes have been made.

SEPP 55 –

As per the comments in the Council report, the Planning Proposal needs to clearly state that, while the preliminary assessment does not meet the requirements of a Stage 1 Preliminary Site Investigation, further work will be carried out as part of the development assessment process.

SEPP 65 –

Notwithstanding the information provided in the Planning Proposal and the Urban Design Report, these documents need to provide information which is more demonstrative that the site is able to accommodate an apartment building at the proposed height and FSR which is also capable of upholding the principles of SEPP 65.

Proposed Commercial Space –

While we do not expect any detailed information on this until the DA stage, if there is any information you can provide on the possible extent or location of the commercial floorspace, please include this in the amended Planning Proposal.

Information on other Council Policy Documents –

We have clarified this with the Department and have confirmed that neither the Transport and Access Statement nor the Economic Strategy are used in our decision-making, and in any event have been superseded by 'A Plan for Growing Sydney' and the new Draft Central Area District Plan. Consequently, you should also remove the references to both the Employment Lands Strategy and the Residential Strategy, as these documents, along with the Transport and Access Strategy and the Economic Strategy, are outdated documents which were used to inform the adoption of the comprehensive LEP in 2011.

Since providing this advice, Council has received two further drafts of the Planning Proposal and Urban Design Report, the latest of which is attached for your attention. The additional information included in the documents by the proponent has been highlighted for your convenience.

The proponents have stated that, at this time, they feel they have responded to the Department's request for additional information and that they wish to have the latest documents considered as their submission for the purposes of Gateway Determination.

It should be noted that Council, by way of its resolution on 16 March 2016, considered the information provided in the Planning Proposal to be sufficient and the Planning Proposal to have strategic planning merit. The Department's request for additional information has been conveyed to the proponents as clearly as possible and the latest documents enclosed are the response to that request.

Should the Department still consider the information contained in the latest documents to be insufficient for a Gateway Determination, there may need to be some direct contact between the Department and the proponents to resolve the matter, or the Department may wish to decide that the Planning Proposal cannot proceed.

I look forward to hearing from you this matter in due course. If you have any questions in the meantime, please contact John McNally, Project Officer – Planning Proposals, on 9562 1683 or john.mcnally@bayside.nsw.gov.au.

Yours faithfully



David Dekel
Co-ordinator City Places and Systems

Attached:

1. Latest amended Planning Proposal;
2. Latest amended Urban Design Report.

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