

Our Ref: S13/109



13 June 2014

Alf Lester
Director
LFA (Pacific) Pty Limited
Suite 4
Edgecliff Court
PO Box 259 Edgecliff

Dear Mr Lester,

**City of Botany Bay Council Notification of Refusal for Planning Proposal No. 2/2014 –
Lakes Business Park**

I refer to the request dated 13 May 2013 and amended request lodged 20 January 2014 by the Lakes Business Park Pty Ltd for changes to the Botany Bay Local Environmental Plan 2013, as follows: -

- To Amend the Height of Building Map contained in the Botany Bay Local Environmental Plan 2013 from 25m to 33m for the North Precinct (Lot 1 DP1035345);
- To Amend the Height of Building Map contained in the Botany Bay Local Environmental Plan 2013 for the South Precinct (Lot 1 DP 1035345) from 22m to 32m for Building A, B and C; 22m for Building D and 6.5m for the Carpark; and
- To Amend the Floor Space Ratio Map contained in the Botany Bay Local Environmental Plan 2013 from 1:1 to 1.2:1 for the North and South Precincts.

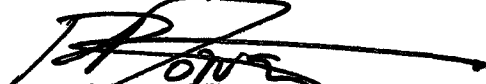
Your request was considered by Council, the Relevant Planning Authority, at its Development Committee meeting 14 May 2014. Council resolved to not support the request for the following reasons:

- (i) The Planning Proposal does not adequately justified the need for the increase in FSR and height.
- (ii) The Planning Proposal does not adequately define the amount of FSR and height that is required to comply with the Masterplan approvals granted by Council for the Northern and Southern Precincts.
- (iii) The Planning Proposal does not adequately address what the impacts of the additional height will be to the residential land zoned R3 Medium Density Residential to the south of the Southern Precinct and the Council's Booralee Park.
- (iv) The Planning Proposal is contrary to the public interest.

An outlined in Planning Circular PS 12-006, Delegations And Independent Reviews Of Plan-Making Decisions, refusals can be reviewed through the pre-Gateway review process. The NSW Department of Planning and Environment Website at <http://www.planning.nsw.gov.au/LocalPlanning/GatewayProcess/tabid/291/language/en-US/Default.aspx>, includes further information on the pre-Gateway review process and the relevant forms required. For further information regarding the pre-Gateway process, please see the NSW Department of Planning and Environment.

If you have any questions in regards to this matter further, please contact Ms Catherine McMahon, Principle Planner, on (Ph) 9366 3520.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Rodger Dowsett', with a long horizontal stroke extending to the right.

RODGER DOWSETT
Director Planning and Development