



Mr Peter Head
General Manager
Leichhardt Municipal Council
PO Box 45
LEICHHARDT NSW 2040

15/14240

Dear Mr Head

Planning proposal to amend Leichhardt Local Environmental Plan 2013

I am writing in response to Council's letter dated 26 August 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone the Balmain Leagues Club site, Rozelle, from 'Business' to B2 Local Centre and amend the site specific planning controls.

As delegate for the Minister for Planning, I have determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway determination. In making my decision I have considered the merits of the proposal, advice from Council and the recommendations from the Local Environmental Plan Review Panel.

The Panel, which includes an independent representative nominated by Local Government NSW, considered that the proposal is inconsistent with s.117 Ministerial Directions: 1.1 Business and Industrial Zones; 3.1 Residential Zones; 3.4 Integrating Land Use and Transport; 6.3 Site Specific Provisions; and 7.1 Implementation of A Plan for Growing Sydney.

Whilst the principle of including land within the Balmain Leagues Club precinct in *Leichhardt Local Environmental Plan 2013* is supported, the proposal does not provide compelling justification for a reduction in development capacity, particularly when considered against the advice of the Planning Assessment Commission in its April 2014 refusal of a Part 3A development application for the site, which deemed the current controls for the site appropriate.

Should you have any queries in regard to this matter, please contact Mr Lee Mulvey, Director, Metropolitan (CBD), at the Department on (02) 9228 6512.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mathew Jones', written over a blue horizontal line.

**Mathew Jones
Acting Deputy Secretary
Planning Services**

Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_LEICH_003_00): to rezone the Balmain Leagues Club site, Darling Street/Victoria Road, Rozelle from 'Business' to B2 Local Centre and introduce site-specific planning controls.

I, the Acting Deputy Secretary, Planning Services, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Leichhardt Local Environmental Plan 2013* to rezone the Balmain Leagues Club site at Darling Street/Victoria Road, Rozelle from 'Business' to B2 Local Centre and introduce site-specific floor space ratio, maximum building height and minimum building setback controls should not proceed for the following reasons:

1. The planning proposal is inconsistent with the following s.117 Ministerial Directions:
 - a) 1.1 Business and Industrial Zones;
 - b) 3.1 Residential Zones;
 - c) 3.4 Integrating Land Use and Transport;
 - d) 6.3 Site Specific Provisions; and
 - e) 7.1 Implementation of A Plan for Growing Sydney.
2. The planning proposal is inconsistent with State Environmental Planning Policy 32 Urban Consolidation (Redevelopment of Urban Land).
3. The significant reduction in development potential for the site is inconsistent with A Plan for Growing Sydney and its potential to contribute to the renewal of the identified Parramatta to Sydney CBD via Ryde urban renewal corridor.
4. The planning proposal does not provide compelling justification for a reduction in development capacity, particularly when considered against the advice of the Planning Assessment Commission in its April 2014 refusal of a Part 3A development application for the site.

Dated 2nd day of October 2015.



Mathew Jones
Acting Deputy Secretary
Planning Services

Delegate of the Minister for Planning