

Lords Road Precinct Residents Committee
27 Kegworth St
Leichhardt NSW 2040



7 August 2017

Martin Cooper
Team Leader, Sydney East Regional Team
NSW Dept of Planning & Environment
GPO Box 39
Sydney NSW 2001



**Response to the proponent's latest submission to the Sydney Central Planning Panel
regarding rezoning proposal for 67-73 Lords Road, Leichhardt**

Dear Martin,

We wish to respond to the points raised subsequent to the public briefing on July 20 by proponent in the rezoning proposal for 67-73 Lords Road, Leichhardt.

Council has not impeded the use of this site for light industrial and other uses

As Council points out eight of the 11 applications since 2000 have been approved. Two were approved by or in the Land & Environment Court (LEC) after disputation on parking. We repeat that the site is fully tenanted – which appears to refute the proponent's argument about Council inhibiting the use of the site.

Certainly the Council did refuse one application to convert part of the site into a car storage facility. It lacked merit and would have involved heavy traffic use of the site (including huge semi-trailers), an expansion of allowable floor space and construction of an extremely ugly, multi-storeyed parking station with rooftop parking.

It is significant that this refusal was not appealed to the LEC.

We note too that there is persistent use of the adjective 'isolated' to describe this site. In fact it is part of the balanced, diverse fabric of the district and as such valuable.

Rental income is not as claimed

SGS Economics and Planning found in 2014 that rents were in the most recent case double those prevailing for similar zoned land in Leichhardt and environs – see the SGS attachment to Council's response, page 2.

The claim there are other sites for tenants does not bear examination – there is no off-street parking or loading facilities at those sites

An examination of the sites cited by the proponent show that the vast majority of them lack loading facilities and off-street parking. The presence of these advantages helps explain why

Lords Road is fully tenanted and the scattered sites listed by the proponent in Parramatta Road, Norton Street and Marion Street are vacant.

Moreover, these sites, lacking onsite parking, are further handicapped by the presence of parking meters and clearway parking restrictions.

The light rail myth persists

Once again the light rail is cited as a reason for this high-rise rezoning. The proponent has either not investigated the actual capacity of this service during peak hours or refuses to face the facts. At Marion, the closest station, in the mornings there is standing room only on city-bound services during peak hour – and this is before most of the other 2,000 units being built in the area near prior stations are occupied.

Proponent is clinging to simply incredible traffic and parking studies

The proponent's claim that there will be no appreciable delays during peak hour at the Lords Road/Tebbutt Street intersection is belied by daily experience. The further claim that scores of street parking spots exist at any one time in the precinct is equally fantastic and the reverse of residents' experience.

As the panel is aware, these claims are based on a single day's figures from three years ago.

As for UrbanGrowth's insistence that a precinct-wide traffic study (taking account of cumulative development in the area) is unnecessary, this only confirms its unfitness to be a planning authority.

The response to the incompatibility with Lambert Park uses is impractical and undesirable

The proponent implicitly acknowledges the problem of introducing a major residential development abutting an important sporting oval such as Lambert Park.

The proponent's answer is a promise to virtually seal-off scores of the most adjacent dwellings. This would reduce the living amenity and it is very doubtful that it would insulate these or other apartments from noise and light spillage.

In any case, in recognition of the impractical nature of these measures, the proponent further promises to attempt to strip the new occupants of any rights to protect their living amenity from increases in noise and light spillage from intensified use of Lambert Park.

These responses just underline the incompatibility of the proposed rezoning with surrounding uses and the character of the neighbourhood.

The legal threat

Reflecting the weakness of its planning case, the proponent seeks to compel the panel to approve the rezoning proposal – on pain of being taken to court if it does not approve. The proponent claims that it has legal advice that leaves the panel with no alternative but to rubber stamp the rezoning.

This is not the view of residents – the Parramatta Road Urban Transformation Strategy is confused about the residential development it favours for this site and the section 117

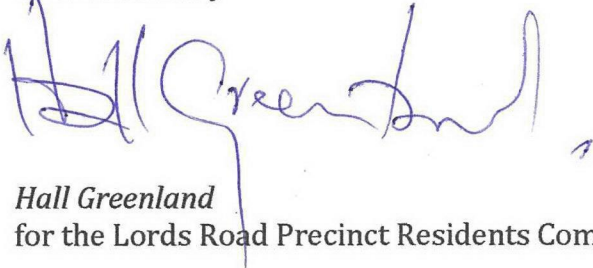
directions explicitly constrain planning authorities to ensure their decisions conform to the draft District Plans.

We are yet to see the proponent's contrary advice but we assume that the Greater Sydney Commission and the Inner West Council will both seek their own legal advice in response.

If the proponent's advice proves to be correct, then the whole exercise of public consultation is a sham as only one outcome was ever legally possible.

Residents would appreciate it if you would forward this letter to the panel for their consideration and we remain ready to respond to any requests for information or views from the panel.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Hall Greenland', with a long vertical line extending downwards from the end of the signature.

Hall Greenland
for the Lords Road Precinct Residents Committee

Lords Road Precinct Residents Committee
27 Kegworth St
Leichhardt NSW 2040

10 August 2017

Martin Cooper
Team Leader, Sydney East Region Team
NSW Dept of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Martin,

**Analysis of vacant alternative properties in the Leichhardt Area
(re 67-73 Lords Road rezoning proposal)**

One of our members has emailed me the following vital information and attached the document included with this letter:

I run an electrical business from the inner west and I am currently looking for a commercial premise to rent or buy and there is very little stock out there. Here are a couple of notes below about their response:

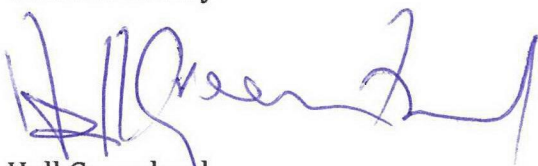
1- In the Appendix B they have included in their vacancy search "Offices". Lords Road is more Industrial/Warehouse or bulky good store – if you disregard the offices there is a dramatic reduction in their numbers, see attached new numbers, for sale within 2kms of Leichhardt is only 3 properties.

2- They have mentioned that it is difficult to find prospective tenants, they don't have the site advertised anywhere, there is no listings on realcommercial.com.au anyway. Also talking to someone that has tried to lease there, they have a clause in the rental contract that they can break the lease with only 90 days' notice. This is not suitable for business to take this risk as they would need at least 5 years leasing terms.

Could you please forward this information to the panel members.

Furthermore it strikes me that there is a very strong case to reopen this application for further public comment. I suspect that it would elicit valuable information as in the email cited in this letter.

Yours sincerely



Hall Greenland
for the Lords Road Precinct Residents Committee

A.C.N 002 388 856

22 July, 2017

MEMORANDUM

LORDS ROAD PLANNING PROPOSAL

ANALYSIS OF COMMERCIAL AND LIGHT INDUSTRIAL PROPERTY VACANCIES

RealCommercial.com is the most popular website for advertising commercial and industrial property for sale or lease in NSW.

The attachment shows vacant commercial premises suitable for retail commercial and industrial uses available for lease in Leichhardt and adjacent suburbs as listed on the website RealCommercial.com only. This information is current as at 25 July 2017.

These listings do not display all vacancies in the areas identified, because only a proportion of landlords listed their vacancies on RealCommercial.com and many owners only list a part of their vacant property (ie: they list one of a number of tenancies that may be vacant within a single property). The existence of such a large amount of vacancy also disguises "hidden vacancy" - space that is leased or occupied, but is not fully utilised due to low rents resulting from discounting by landlords who are unable to rent the vacancy or from costs associated with reconfiguring or contracting premises. In effect, this means that buildings are occupied, but have the capacity to accommodate more businesses and/or employees within that space.

The attachment shows there are a total of 179 vacant commercial premises, with a total area of 43,238 sq metres.

4 but 1 is already sold.

In addition, there are also ~~24~~ vacant premises for sale with a total area of 5,329 sq metres, giving a total of 48,567 sq metres of vacant property within this area listed on RealCommercial.com.

By a conservative estimate there is an additional 30% of vacancy, represented by space not listed or space that is currently underutilised. By this estimate there is as much as 63,000 sq. m of vacant commercial floor space in Leichhardt and surrounding suburbs. Thus there is over 6 times as much vacant space in the area as there is floor space in the Lords Road premises.

The tenancies listed in the attachment are located in mixed use and industrial zones.

Many of users currently accommodated in Lords Road would be more appropriately located in retail strips, where development consent for use is more easily obtained and where they would occupy otherwise vacant premises.

Further analysis of RealCommercial.com indicates:

Within a 2km radius of Leichhardt:

→ 45.

- There are 123 premises advertised with a total area of ~~31,740~~ sq m described as being suitable for use as offices, warehousing, industrial, showroom or bulky goods.
- There is 41,254 sq m of commercial space after allowance is made for ~~30%~~ *10%* of unadvertised vacancy.
- There are 155 premises advertised with a total area of 35,650 sq m described as being suitable for the above uses as well as retail use.

*?
Remove*

- There is 46,748 sq m of commercial and retail space after allowance is made for 30% of unadvertised vacancy.

Within a 3km radius of Leichhardt:

- There are 254 premises advertised with a total area of 68,072 sq m described as being suitable for use as offices, warehousing, industrial, showroom or bulky goods.

- There is 46,748 sq m of commercial and retail space after allowance is made for 30% of unadvertised vacancy.

Within a 3km radius of Leichhardt:

- There are 254 premises advertised with a total area of 68,072 sq m described as being suitable for use as offices, warehousing, industrial, showroom or bulky goods.
- There is 88,493 sq m of commercial space after allowance is made for 30% of unadvertised vacancy.
- There are 312 premises advertised with a total area of 84,180 sq m described as being suitable for the above uses as well as retail use.
- There is 107,663 sq m of commercial and retail space after allowance is made for 30% of unadvertised vacancy.