



PCU073837

MACQUARIE BANK LIMITED  
Macquarie Cash Management Account  
1 SHELLEY STREET, SYDNEY NSW



Date 3 / 2 / 2018

This cheque has been printed on official paper used to reduce the risk of fraud. The absence of which could indicate a fraudulent cheque.

Pay The Department of Planning and Environment  
Amount in words Twenty thousand Dollars

GAISSET PTY LIMITED  
ACN 002 629 530

Not Negotiable  
Credit Department of Planning Account Only

\$20,000

Authorised Signatory

Not  
Negotiable

*[Signature]*  
Authorised Signatory

⑈000791 ⑈1820022201179⑈23953⑈

Department of Planning  
Received  
12 FEB 2018  
Scanning Room



Date received:

Reference No.

LODGEMENT

Instructions to users

This form is to be completed if you wish to request an independent review of a request for a planning proposal prior to a Gateway determination being issued.

A Rezoning Review can be sought before a planning proposal has been submitted to the Department of Planning and Environment (Department) for a Gateway determination in the following circumstances:

- a) the council has notified the proponent that the request to prepare a planning proposal is not supported; or
b) the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.

Before lodging a request for review, it is recommended that you consult the Planning Circular 'Independent reviews of plan making decisions' and 'A guide to preparing local environmental plans', which can be found on the Department's website www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning/The-Gateway-Process.

To ensure that your request for review is accepted, you must:

Note: Requests for review will not proceed to initial assessment stage unless the correct fee is provided.

- complete all relevant parts of this form
submit all relevant information required by this form, including the initial fee.
provide one hard copy of this form and required documentation
provide the form and documentation in electronic format (e.g. CD-ROM)

All requests should be lodged with the Department's relevant Regional Office. Please refer to www.planning.nsw.gov.au for contact details.

PART A - APPLICANT AND SITE DETAILS

A1 - Applicant Details

Principal contact

Mr x Ms Mrs Dr Other

First name

Nuala

Family name

O'Leary

Name of company (N/A if an individual)

Gaiset Pty Ltd

Street address: Unit/street no. 1, Street name Lynbrook Court, Suburb/town Castle Hill, State NSW, Postcode 2154. Postal address: PO Box or Bag, Suburb or town, State, Postcode, Daytime telephone 0413597295, Fax, Mobile. Email Caladines@optusnet.com.au

1 'A guide to preparing planning proposals' sets out what information a proponent may provide when requesting council to prepare a planning proposal. Information requirements will depend on the complexity of the planning proposal. Section 55 of the Act sets out what information a planning proposal is to include when submitted for a Gateway determination.

**A2 – Site Details**

Identify the land that is to be the subject of the planning instrument and for which you seek a review

	Unit/street no.	Street name		
Street address	<input type="text" value="235-237"/>	<input type="text" value="Marsden Road"/>		
	Suburb/town	State	Postcode	
	<input type="text" value="Carlingford"/>	<input type="text" value="NSW"/>	<input type="text" value="2118"/>	

**NAME OF THE SITE****REAL PROPERTY DESCRIPTION**

*The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Finance and Services, Land and Property Information. Please ensure that you place a forward slash (/) to distinguish between the lot, section DP and strata numbers. If the proposal applies to more than one piece of land, please use a comma (,) to distinguish between each real property description.*

**PROVIDE DETAILS OF ALL AFFECTED LANDOWNERS WHERE THEY ARE NOT THE DIRECT APPLICANT****HAVE ALL OWNERS OF LAND TO WHICH THIS PROPOSED INSTRUMENT APPLIES BEEN NOTIFIED?**

- Yes  
 No  
 Some have but not all  
 N/A (Applicant is owner)

**Note:** If some land owners, but not all, have been notified, list below those notified:

**CURRENT ZONING OF THE LAND AT THE SITE****CURRENT LAND USE AT THE SITE****PART B – REASON FOR REVIEW AND THE PLANNING PROPOSAL****B1 – Reason for Rezoning Review and the Relevant Planning Authority (RPA)**

Indicate below the reason for seeking a rezoning review. A review can only proceed if either of these two circumstances has occurred.

- The council has confirmed in writing that the request to prepare a planning proposal is not supported. Confirmation dated**
- The council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information<sup>2</sup> or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.**

Indicate below whether the request to prepare a planning proposal was submitted to the council prior to November 2012?

- Yes      Date: \_\_\_\_\_  
 No

**Note:** If you have answered 'yes' to the above question, please note that a review can only be sought where the supporting information accompanying the request is less than two years old.

**Note:** If you have answered 'no' to the above question, please note that a review request accompanied by information that is more than 2 years old, may, but will not normally, be considered.

<sup>2</sup> 'A guide to preparing planning proposals' sets out what information a proponent may provide when requesting council to prepare a planning proposal. Information requirements will depend on the complexity of the planning proposal. Section 55 of the Act sets out what information a planning proposal is to include when submitted for a Gateway determination.

NAME OF THE LOCAL GOVERNMENT AREA

The City of Parramatta

CONTACT DETAILS OF THE RELEVANT OFFICER AT COUNCIL

Kevin Kuo

**B2 – The Proposed Instrument**

DESCRIPTION OF PROPOSED INSTRUMENT

Amend Parramatta LEP 2011  
Amend Zone of Land from R2 Low Density Residential to R3 Medium Density Residential  
Amend Clause 4.3 Height of Buildings from 9m to 11m  
Amend Clause 4.4 Floor Space Ratio from 0.5:1 to 0.6:1.

LOCAL ENVIRONMENTAL PLAN (LEP) TO BE AMENDED BY THE PROPOSED INSTRUMENT

Parramatta LEP 2011

IS THE LEP TO BE AMENDED (ABOVE) A STANDARD INSTRUMENT LEP?

- Yes
- No

INFORMATION REQUIREMENTS

A proponent may request a review by writing to the Department and providing the following:

- a completed application form;
- a copy of the proponent's request for the council to prepare and submit a planning proposal for Gateway determination, including all supporting material and information that was submitted to Council (Note: A planning proposal request which has been amended after Council has resolved to not support the matter is not eligible for a Rezoning Review. The revised planning proposal request would need to be submitted to Council as a new planning proposal request);
- all correspondence from the council in relation to the proposed instrument, including (if relevant) a copy of the council's advice detailing why the council did not proceed with preparing a planning proposal;
- all correspondence from other Government agencies, if available, about the proposed instrument;
- proponent's justification to the Strategic and Site Specific Merit tests (refer to Step 2 of the Rezoning Review process as set out in 'A guide to preparing local environmental plans'), to confirm why a review is warranted;
- disclosure of reportable political donations under section 147 of the Act, if relevant; and
- fee for lodging a rezoning review.

INFORMATION PROVIDED

List below all the documents, maps, plans, studies, information and any other supporting information that comprises your proposed instrument and request for rezoning review.

1. Site Analysis and architectural drawings prepared by Architex;
2. Town Planning Report prepared by Caladines Town Planning Pty Ltd;
3. Economic Feasibility Assessment prepared by MacroPlanDimasi
4. Traffic & Parking Impact Statement prepared by Thompson Stanbury Associates
5. Statement of Heritage Impact prepared by NBR&S & Partners Pty Ltd
6. Preliminary Contamination Report prepared by Geotechnique Pty Ltd
7. Arboricultural Impact Assessment prepared by Redgum Horticultural

**PART C – PAYMENT, DISCLOSURE AND SIGNATURES**

**C1 – Application Fees**

You are required to pay a fee on lodgement of your request. The relevant fee is confirmed on the Department's website [www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning](http://www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning)

Please note that a further fee payment shall be required if a Planning Panel or the Secretary of the Department of Planning and Environment is appointed as an alternate relevant planning authority. Further details can be found within 'A guide to preparing local environmental plans' and the Planning Circular 'Independent reviews of plan making decisions'

Payment methods:

- Cheque / bank order

## C2 – Donation and Gift Disclosure

Section 147 of the Environmental Planning and Assessment Act 1979 requires the public disclosure of *reportable political donations* or gifts when lodging or commenting on a *relevant planning application*. This law is designed to improve the transparency of the planning system.

DO YOU HAVE ANY DONATIONS OR GIFTS TO DISCLOSE?

Yes

No

### How and when do you make a disclosure?

The disclosure to the Minister or the Director-General of a *reportable political donation* or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning submission if the donation is made before the submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning submission was made within 7 days after the donation is made.

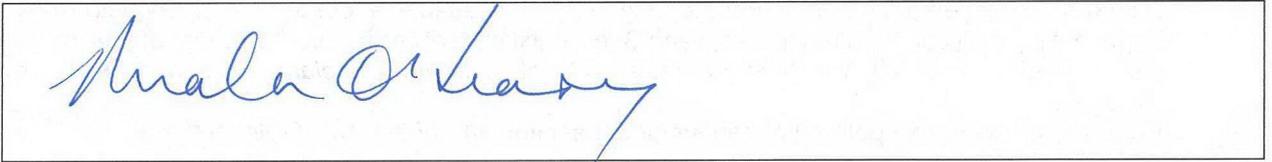
### What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act. A Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General can be found on the department's website: [www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Systems/Donations-and-Gift-Disclosure](http://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Systems/Donations-and-Gift-Disclosure)

## C3 – Signature(s)

By signing below, I/we hereby declare that all information contained within this application form is accurate at the time of signing.

Signature(s)



Name(s)

Nuala O'Leary

In what capacity are you signing

Owner 's representative

Date

29 January 2018



12.02.2018

Rezoning Review

Gaiset Pty Ltd  
1 Lynbrook Court  
Castle Hill, NSW 2154

Attention: Nuala O'Leary

### Receipt

This is your official Receipt relating to fees received in regards to the below mentioned project.  
Should you require further information concerning your application, please contact officer below.

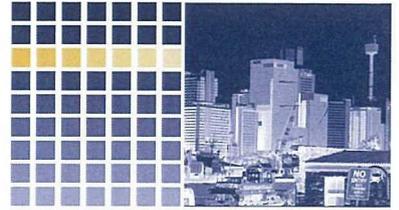
Payment Details : **Cheque No. 791 Received on 12.02.2018**

Description	Amount
<b>235-237 Marsden Road, Carlingford NSW 2118</b>	
Rezoning Review Fee	\$20,000.00
<b>Total</b>	<b>\$20,000.00</b>
<b>Amount paid</b>	<b>\$20,000.00</b>
<b>Balance</b>	<b>\$0.00</b>

Dinesh Upreti  
Administrative Officer  
Planning Services Division  
Email: [dinesh.upreti@planning.nsw.gov.au](mailto:dinesh.upreti@planning.nsw.gov.au)  
Telephone: (02) 9274 6126

CALADINES

TOWN PLANNING PTY LTD



# Rezoning Review Application

## 235-237 Marsden Road Carlingford

### 9 February 2018

**ALLAN CALADINE**   
Town Planner MPIA

1 Lynbrook Court Castle Hill  
NSW 2154

[T] (02) 9659 7211

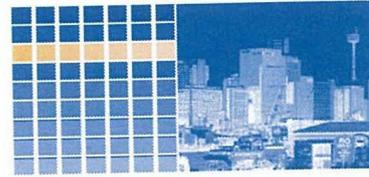
[F] (02) 9659 7244

[M] 041 359 7295

[E] [caladines@optusnet.com.au](mailto:caladines@optusnet.com.au)

**Local Government Specialist**  
ABN 91 096 903 347

**CALADINES**  
TOWN PLANNING PTY LTD



9 February 2018

The Secretary  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

**Re: Rezoning Review  
Planning Proposal  
Townhouse Development  
235 – 237 Marsden Road Carlingford**

Dear Madam,

On 22 December 2016, the applicant in this matter, Gaiset Pty Ltd lodged a Planning Proposal with The City of Parramatta Council to:

1. Rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential;
2. Amend the FSR for the site from 0.5:1 to 0.6:1;
3. Amend the Building Height from 9m to 11m

The application as lodged has not been finally determined by Council to-date and accordingly the applicant seeks to have the Department of Planning & Environment review the application as submitted to Council. See documents below:

- The City of Parramatta Council Planning Proposal application form;
- Site Analysis and architectural drawings prepared by Architex;
- Town Planning report prepared by Caladines Town Planning Pty Ltd;
- Economic Feasibility Assessment prepared by MacroPlanDimasi;
- Traffic & Parking Impact Statement prepared by Thompson Stanbury Associates;
- Statement of Heritage Impact prepared by NBRS & Partners Pty Ltd;
- Preliminary Contamination Report prepared by Geotechnique Pty Ltd;
- Arboricultural Impact Assessment prepared by Redgum Horticultural.

**ALLAN CALADINE**  
Town Planner MPIA

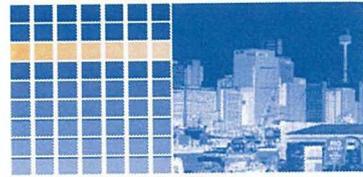
1 Lynbrook Court Castle Hill  
NSW 2154

[T] (02) 9659 7211  
[F] (02) 9659 7244  
[M] 041 359 7295  
[E] caladines@optusnet.com.au

**Local Government Specialist**  
ABN 91 096 903 347

## CALADINES

TOWN PLANNING PTY LTD



It should be noted that the application was reported to Council's IHAP on 14 December 2017 with a recommendation that the application not be supported. IHAP made the following recommendation to the elected members of Council:

- (a) That Council consider this report on the assessment of the Planning Proposal for the land at 235 – 237 Marsden Road, Carlingford (submitted by the applicant and contained in Attachment 1) which seeks to amend the Parramatta Local Environmental Plan 2011 to rezone land from R2 - Low Density Residential to R3 – Medium Density Residential and increase maximum height and floor space ratio controls;
- (b) That the Planning proposal for land at 235-237 Marsden Road, Carlingford which seeks to rezone the subject site from R2 - Low Density Residential to R3 – Medium Density Residential to facilitate townhouse development is inconsistent with the current Strategic Framework identified in the Parramatta Residential Development Strategy for land outside of identified study areas.
- (c) That the proposal will act as a precedent that will ultimately undermine the adopted Strategic Planning Framework.
- (d) (d) That following assessment of the Planning Proposal, that Council not support the Planning Proposal for land at 235-237 Marsden Road, Carlingford (Attachment 1) as it does not meet the strategic merit test;
- (e) (e) Further, that the applicant be notified in writing of Council's decision. The decision of the panel was unanimous.

The application is yet to be finally determined by Council.

Yours sincerely,

Allan Caladine  
Town Planning Consultant

**ALLAN CALADINE**  
Town Planner MPlA

1 Lynbrook Court Castle Hill  
NSW 2154

[T] (02) 9659 7211  
[F] (02) 9659 7244  
[M] 041 359 7295  
[E] caladines@optusnet.com.au

**Local Government Specialist**  
ABN 91 096 903 347