

**Joint Regional Planning Panel –  
Pre-Gateway Review – Recommendation Report**

The Sydney East Joint Regional Planning Panel (JRPP) has considered the request for a review of the proposed instrument as detailed below.

**The Pre-Gateway Review:**

<b>Dept. Ref. No:</b>	PGR_2013_WILLO_001_00
<b>LGA:</b>	Willoughby
<b>LEP to be Amended:</b>	Willoughby Local Environmental Plan 2012
<b>Address / Location:</b>	17-19 Smith Street, Chatswood (Lot 101 DP 714477)
<b>Summary of Proposal:</b>	To allow a supermarket and liquor store be a permissible use within the IN2 Light Industrial zone for the site located at 17-19 Smith Street, Chatswood.

<b>Reason for review:</b>	<input checked="" type="checkbox"/>	The council has notified the proponent that the request to prepare a planning proposal has not been supported
	<input type="checkbox"/>	The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of the department and the relevant local government authority. Based on this review the JRPP recommends the following:

<b>JRPP RECOMMENDATION:</b>	<input type="checkbox"/>	The proposed instrument <b>should</b> be submitted for a Gateway determination
	<input checked="" type="checkbox"/>	The proposed instrument <b>should not</b> be submitted for a Gateway determination
<b>Composition of Recommendation:</b>	<input type="checkbox"/> Unanimous <input checked="" type="checkbox"/> Not unanimous	<b>Comments:</b>

**JRPP Advice and Justification for Recommendation:**

- 1) The Panel did not reach a unanimous view. Two members (David Furlong and Pat Reilly) concluded that the planning proposal should proceed for further consideration on the grounds that
  - a) the variations to the relevant regional and metropolitan strategic plans is not unreasonable, as recommended in the Department's assessment report, and
  - b) the community has a right to be informed of this proposal and to comment on it.
  
- 2) However, the majority view (John Roseth, who, as chair, had a casting vote in addition to his member's vote, and Steven Head) concluded that the planning proposal should not proceed to exhibition for strategic reasons. John Roseth and Steven Head see the inconsistency of this proposal with the relevant regional and metropolitan strategic plans as major and significant.

- 3) The principal strategic reason is that, according to all relevant regional and metropolitan planning guidelines, a major supermarket of 4000 square metres should be located in a retail zone. If the East Chatswood Industrial Area is considered suitable for a major supermarket, then a supermarket should be a permissible use in the whole of the zone, not just on this site.
- 4) The majority view of the Panel was that a smaller supermarket of up to 1000 square metres principally serving the industrial area would probably be an appropriate permissible use on this site. However, this would be a different planning proposal from the one before the Panel.

**Date of Recommendation: 20 November 2013**

Signed by:

A handwritten signature in blue ink, appearing to read "John Roseth".

**Dr John Roseth  
Chair  
Sydney East Joint Regional Planning Panel**