



Rezoning Review Application Form

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 issued.

A **Rezoning Review** can be sought before a planning proposal has been submitted to the Department of Planning and Environment 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 request to prepare a planning proposal for a Gateway determination within a reasonable time after the council has in fact received the request.

Before lodging a request for review, it is recommended that you consult the Planning Circular '*Independent reviews of planning proposals: a guide to preparing local environmental plans*', which can be found on the Department's website www.planning.nsw.gov.au/Planning-and-Zoning/The-Gateway-Process. The guide gives a step-by-step explanation of the review procedure and submission requirements.

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

- 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)

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

All requests **should be lodged** with the Department's relevant office at www.planning.nsw.gov.au for contact details.

PART A – APPLICANT AND SITE DETAILS

A1 – Applicant Details

Principal contact

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Tony

Family name

Pratt

Name of company (N/A if an individual)

Fabcot Pty Ltd

Unit/street no.

1

Street name

Woolworths Way

Street address

Suburb/town

Bella Vista

PO Box or Bag

8000

Postal address
(or mark 'as above')

Suburb or town

Baulkham Hills

State

NSW

Daytime telephone

0404829843

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.

Email
tpratt@woolworths.com.au

Mobile
0404829843

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.
130-140 &
142

Street name
Parraweena Road

Street address

Suburb/town
Miranda

NAME OF THE SITE

N/A

REAL PROPERTY DESCRIPTION

Lot 2 DP 715461, Lot 1 DP 715461 and Lot B DP 385650

*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 description, you should contact the Department of Finance and Services, Land and Property Information. Please ensure you use forward slash (/) to distinguish between the lot, section DP and strata numbers. If the proposal applies to more than one lot, use a comma (,) to distinguish between each real property description.*

PROVIDE DETAILS OF ALL AFFECTED LANDOWNERS WHERE THEY ARE NOT THE DIRECT APPLICANT

Kingsley Projects Pty Ltd – land owners consent provided on Council application form

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

IN1 General Industrial

CURRENT LAND USE AT THE SITE

Warehouses with ancillary offices

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 have occurred:

- ☒ The council has confirmed in writing that the request to prepare a planning proposal is not supported. Council has indicated its support.
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information² 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 1 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 is provided.

² 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.

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 may, but will not normally, be considered.

NAME OF THE LOCAL GOVERNMENT AREA

Sutherland Shire Council

CONTACT DETAILS OF THE RELEVANT OFFICER AT COUNCIL

Mark Carlon

B2 – The Proposed Instrument

DESCRIPTION OF PROPOSED INSTRUMENT

Enabling clause to permit supermarket, café and liquor store in Schedule 1

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

Sutherland LEP 2015

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 determinative material and information that was submitted to Council (Note: A planning proposal request which has been amended not support the matter is not eligible for a Rezoning Review. The revised planning proposal request would need to be a new planning proposal request);
- all correspondence from the council in relation to the proposed instrument, including (if relevant) a copy of 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 *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 request for rezoning review.

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.dpi.nsw.gov.au/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 appointed as an alternate relevant planning authority. Further details can be found within 'A guide to preparing local environmental plans', 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 contributions* 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

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

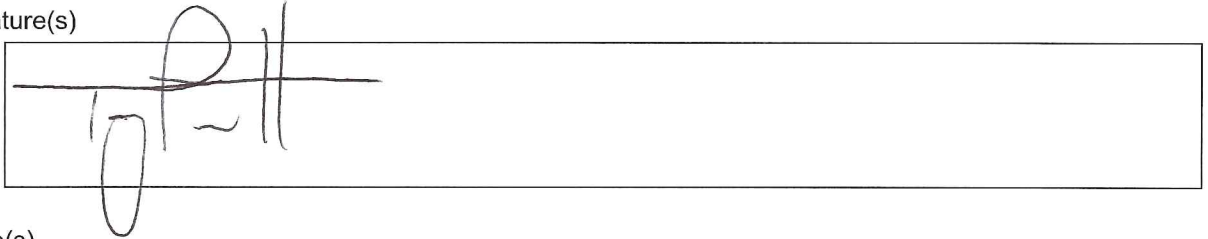
What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act. A document which outlines the information requirements for disclosures to the Minister or to the Director-General can be found on the d 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)

Tony Pratt

In what capacity are you signing

Regional Development Manager, Woolworths on behalf of Fabcot Pty Ltd

Date

29 September 2017