

## **Meeting Minutes, 11 April 2018**



## MEETING MINUTES

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Subject: Lords Road, Leichhardt  
 Date and Time: 11 April 2018, 2pm  
 Attendees: Marcus Ray (MR) – DPE  
                   Steve Murray (SM) – DPE  
                   Amanda Harvey (AH) – DPE  
                   Sam Haddad (SH)  
                   George Revay (GR) – Platino  
                   Paula Mottek (PM) – Platino

Issue Number	Issue	Action by	Due Date
<b>1</b>	<b>General issues</b>		
1.1	<ul style="list-style-type: none"> <li>MR stated that the DPE will take a “clean sheet of paper approach” to the new proposal.</li> </ul>	n/a	
	<ul style="list-style-type: none"> <li>The Out Of Sequence Checklist will be important, as will community acceptance.</li> </ul>	All to note	
	<ul style="list-style-type: none"> <li>DPE does not want to “go over the top of Council.”</li> </ul>	note	
<b>2</b>	<b>Consultation</b>		
2.1	<ul style="list-style-type: none"> <li>Platino will need to demonstrate that community consultation has been undertaken for the new Planning Proposal</li> </ul>	n/a	
2.2	<ul style="list-style-type: none"> <li>AH suggested that a design workshop could be held with locals</li> </ul>	All to note	
2.3	<ul style="list-style-type: none"> <li>SM suggested that perhaps Platino could provide for “art studio rent at half cost for X many years”.</li> </ul>	Note	
2.4	<ul style="list-style-type: none"> <li>MR advised that the APIA Club did not feature in the DPE assessment of the previous proposal.</li> </ul>	note	



<b>3</b>	<b>Traffic and Road Network</b>		
3.1	<ul style="list-style-type: none"> <li>Platino needs to consider the traffic and road capacity in the documents and also look at the impact of WestConnex.</li> </ul>	All to note	
3.2	<ul style="list-style-type: none"> <li>Platino should talk to RMS regarding the Proposal and to see if we can obtain their modelling/data</li> </ul>		



## **Meeting Minutes, 10 May 2018**





**Subject:** Lords Road Meeting – Meeting 1

**Date and Time:** 10 May 2018, Approx. 3:00pm – approx. 4:00pm (1 hour)

**Attendees:** Harjeet Atwal (Inner West Council) - HA  
 Leah Chiswick (Inner West Council) - LC  
 Roger Rankin (Inner West Council) - RR  
 George Revay (Platino) - GR  
 Paula Mottek (Platino) - PM  
 Fay Kokolakis (Platino) - FK  
 Kate Bartlett (Mecone) - KB  
 Michael Hanisch (Mecone) – MH

## Meeting Minutes

Carrington Road, Workshop #1	
Point	Discussion
<b>Overview of Inner West Council approach to Parramatta Road Corridor Sites</b>	<ul style="list-style-type: none"> <li>HA - Council does not have a current position on PRUTs</li> <li>HA and RR – Council has received one Planning Proposal (PP) that is out of sequence with PRUTs. This PP is not publically available but will be going to the IHAP in June, where it will then become public. RR outlined that there are some holes in the out of sequence checklist– mostly related to infrastructure. The PP has however done extensive consultation as part of the process.</li> </ul>
<b>Out of Sequence Checklist Requirements</b>	<ul style="list-style-type: none"> <li>KB and MH - On account Council does not have a position on PRUTs, there is a need to establish a clear process to meeting the out of sequence checklist.</li> <li>HA – Council would want to see the out of sequence checklist addressed extensively – with the following points being the main considerations;               <ul style="list-style-type: none"> <li>Consultation</li> <li>Infrastructure provision</li> <li>Preliminary Planning Proposal</li> </ul> </li> <li>HA – Consultation to include range of stakeholders and surrounding land owners. KB and GR – a consultant has already been engaged to undertake community consultation. HA would like to see scope of consultation and list of stakeholders identified</li> <li>MH – Infrastructure provision should concentrate on the infrastructure identified for delivery by 2023 under PRUTs schedule and what added pressure bringing the development ahead of scheduled would have on these services. RR – This is the approach taken by the out of sequence planning proposal that has recently been submitted to</li> </ul>



Carrington Road, Workshop #1	
Point	Discussion
	<p>Council, however there are gaps in the infrastructure provision. Many of the relevant NSW Govt Departments do not yet fully understand the impact of PRUTS.</p> <ul style="list-style-type: none"> <li>HA and RR – A Preliminary Planning Proposal should be submitted to Council and include as much information as possible. KB – The Preliminary Planning Proposal process should be run concurrently with the community consultation – as it is essentially a part of the consultation process.</li> </ul>
<b>Planning Proposal tasks and timeframes.</b>	<ul style="list-style-type: none"> <li>RR – Regardless of PRUTS there will be pressure for any PP to have employment on the site.</li> <li>HA - Preliminary Planning Proposal will be confidential and separate from Councillors and public.</li> <li>HA – This PP and associated process will be undertaken independent of any opinions formed from the previous Planning Proposal.</li> <li>MH – To provide some clarity around how Council want to address the out of sequence checklist – Mecone will submit scope and list of consultants to address relevant sections. HA agreed.</li> <li>KB and HA – meetings to be held weekly to inform the Prelim Planning Process so that real-time feedback can inform the addressing of the checklist and PP.</li> <li>MH – This process of weekly meetings to inform the final PP would be undertaken as the Preliminary Planning Proposal.</li> <li>HA – with upfront agreement on the scope and process Council, if followed through, Council will agree that the checklist has been addressed and can proceed to the Planning proposal.</li> </ul>

## Actions

- Outline the scope and other consultants that will be engaged to address the out of sequence checklist (attached)  
**Responsibility – Mecone**
- Provide an indicative consultation strategy, including stakeholders being consulted as part of the consultation process and timeline.  
**Responsibility – Platino**
- Provide comment on the out of sequence checklist approach and the consultation timeframes.  
**Responsibility – Council**
- Identify time and date for meeting at Council offices (week starting 21 May 2018) – to review Consultation Strategy and scope of Out of Sequence Checklist.  
**Responsibility – Council**



### Out of Sequence Checklist – Scope for addressing

Checklist Criteria	Comment
<b>Criteria 1 – Strategic objectives, land use and development</b>	
The planning proposal can demonstrate significant delivery or contribution towards the Strategy's Corridor wide and Precinct specific vision.	The Planning Report will detail how the Planning Proposal specifically addresses the Corridor wide and Taveners Hill vision. It is understood that consistency with vision of PRUTS is required to demonstrate the Strategic Merit of the proposal.
The planning proposal satisfies the Strategy's seven land use and transport planning principles and fulfills the relevant Strategic Actions for each Principle.	Part of the Strategic Merit of the proposal includes being able to satisfy the seven principles for transformation including; <ul style="list-style-type: none"> <li>- Housing choice and affordability</li> <li>- Diverse and resilient economy</li> <li>- Accessible and connected</li> <li>- Vibrant communities and places</li> <li>- Green spaces and links</li> <li>- Sustainability and resilience</li> <li>- Delivery.</li> </ul>
The planning proposal can demonstrate significant net community, economic and environmental benefits for the Corridor and the Precinct or Frame Area within which the site is located.	It is understood that a large part of the benefit will be delivering urban services and/or employment opportunities on the site, which are strictly not identified on the site under PRUTS, but can be accommodated to demonstrate additional benefit that would not be realised if the proposal was development in sequence. The type of uses that should be included will be informed by a detailed; <ul style="list-style-type: none"> <li>- <b>Economic Impact Assessment</b>, which will review the existing and future economic landscape to propose employment uses that will be long term sustainable without unreasonably impacting on other centres or traffic constraints.</li> <li>- <b>Social Impact Assessment</b>, which will identify what social infrastructure might be required to meet the needs of existing and future locality.</li> </ul> The type of uses are intended to be subject of a workshop with Council and relevant Economic and Social consultants.
The planning proposal is consistent with the recommended land uses, heights, densities, open space, active transport and built form plans for the relevant Precinct or Frame Area.	The Planning Proposal will include indicative envelope that are informed by the PRUTS Planning and Design Guideline.
The planning proposal demonstrably achieves outcomes aligned to the desired future character and growth projections identified in the Strategy.	The proposal will align with land uses proposed under the PRUTS.
The planning proposal demonstrates design excellence can be achieved, consistent with councils adopted design excellence strategy or the design excellence provisions provided in the Parramatta Road Corridor Planning and Design Guidelines (Planning and Design Guidelines).	Subject to design workshops, the Planning Proposal can include indicative design outcomes and/or site specific DCP.
<b>Criteria 2 - Integrated Infrastructure Delivery Plan</b>	
An Integrated Infrastructure Delivery Plan, which identifies advanced infrastructure provision and cost recovery for the local and regional infrastructure identified in the Infrastructure Schedule, must support the planning proposal. The Integrated Infrastructure Delivery Plan must	We will be seeking Council's input as to the format of this Integrated Infrastructure Delivery Plan. The Report will focus on items listed in the Short Term (2016-2023) Infrastructure Schedule of the PRUTS relevant to Taveners Hill (the Schedule) and the additional impact the proposed development will



Checklist Criteria	Comment
demonstrate a cost offset to council and agency costs for a set period that aligns with the anticipated timing for land development identified in the Implementation Plan 2016 – 2023. Infrastructure to be considered includes:	have on these services. An <b>Economic Consultant</b> will assist in suggesting cost offset to Council and Agency for a set period. It is recognised that some items have not assigned a relevant cost and the Integrated Infrastructure Plan will have to investigate the cost of the provision of these items. This will likely include consultation with relevant State Agencies and Council.
<ul style="list-style-type: none"> <li>public transport.</li> <li>active transport.</li> </ul>	In accordance with the schedule the Planning Proposal will include a <b>Traffic and Transport Report</b> that will investigate the capacity of Lewisham rail station and Taverners Hill Light Rail Stop including frequency of services. Furthermore the report will investigate other mechanisms that can be implemented into the development that will provide an overall reduction in the trip generation from the site.
<ul style="list-style-type: none"> <li>road upgrades and intersection improvements.</li> </ul>	The <b>Traffic and Transport Report</b> will investigate the surrounding road network, including the Flood Street/Parramatta Road intersection, which is identified in the Schedule. This will include consulting with RMS to determine the works required and the relative impact the proposed development will have on these works.
<ul style="list-style-type: none"> <li>open space and public domain improvements.</li> <li>community infrastructure, utilities and services.</li> </ul>	There are several community infrastructure/facilities and open space and recreation area identified in the schedule. The <b>Social Impact Report</b> will demonstrate how the proposed development will impact on the delivery and operations of these services. The site itself may be able to provide some of the services identified to meet any shortfall. This will be subject of a workshop with Council.
<b>Criteria 3 – Stakeholder engagement</b>	
Consultation and engagement with relevant stakeholders (council, government agencies, business, community, adjoining properties and user or interest groups, where relevant) have been undertaken, including any relevant pre-planning proposal engagement processes required by local council.	A consultant has been engaged to prepare and undertake a <b>Consultation Strategy</b> . This includes facilitating discussions with identified stakeholders and technical consultation with relevant NSW Government Departments.
An appropriate level of support or agreement is documented.	The intention is that the community consultation will inform the overall outcome of the Planning Proposal. This should ensure an overall level of support from the community.
Provision of documentary evidence outlining the level of planning or project readiness in terms of the extent of planning or business case development for key infrastructure projects.	The scope of the consultation consultant's engagement, including identified stakeholders will be forwarded for your comment and will be subject of a workshop with Council. Provided at the end of this checklist response is an indicative <b>Timeline</b> that proposes a timeline and process for the Preliminary Planning Proposal process with Council.
<b>Criteria 4 – Sustainability</b>	
The planning proposal achieves or exceeds the sustainability targets identified in the Strategy.	A <b>Sustainability Consultant</b> will be engaged to review the Planning Proposal and advise how sustainability measures can be implemented to meet and exceed the targets of PRUTS
<b>Criteria 5 – Feasibility</b>	
The planning proposal presents a land use and development scenario that demonstrates economic feasibility with regard to the likely costs of	The <b>Economic Impact Report</b> will comment on the feasibility of delivering the site out of sequence, including consideration of the cost of infrastructure





Checklist Criteria	Comment
infrastructure and the proposed funding arrangements available for the Precinct or Frame Area.	and contributions.
<b>Criteria 6 – Market viability</b>	
The planning proposal demonstrates a land use and development scenario that aligns with and responds to market conditions for the delivery of housing and employment for 2016 to 2023. Viability should not be used as a justification for poor planning or built form outcomes.	A review of market conditions will be included in the scope of the <b>Economic Impact Statement</b> .

### **Preliminary Planning Proposal Indicative Timeline**

On account Council does not have a firm position on PRUTS or any guide on addressing the Out of Sequence Checklist, the following process is proposed to satisfy the Preliminary Planning Proposal process required under the checklist.

- Meeting 1 – Completed
- Meeting 2 week starting 21 May 2018
  - o Confirmation of the consultants to be engaged and their scope of work
  - o Review of Consultation Strategy
- Meeting 3 week starting 8 May 2018
  - o Scope and preliminary findings from Economic and Social Consultants
  - o Detail expectation of Integrated Infrastructure Delivery Plan
  - o Outline Feasibility and Market Viability
- Meeting 4 week starting 4 June 2018
  - o Traffic consultant findings
  - o Proposed Sustainability measures.
- Meeting 5 week starting 11 June 2018
  - o Findings from all consultants
  - o Findings from Consultation
  - o Design options and workshop

Submission of Planning Proposal including completed Out of Sequence Checklist.



## **Meeting Minutes, 20 June 2018**



## MEETING MINUTES

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Subject: Lords Road, Leichhardt

Date and Time: Wednesday 20 June 2018, 3pm

Attendees: Colette Goodwin (CG) – Inner West Council  
 Leah Chiswick (LC) – Inner West Council  
 Matthew Pullinger (MP) – Architect/Urban Design  
 Felicity Stewart (FS) – Stewart Hollenstein  
 Michael File (MF) – FPD  
 Anna Johnston (AJ) – FPD  
 George Revay (GR) – Platino  
 Paula Mottek (PM) – Platino

Issue Number	Issue	Action by	Due Date
<b>1</b>	<b>General issues</b>		
1.1	CG advised that she will be on leave until 16 July 2018	All to note	
1.2	LC advised that the fee for Planning Proposals will increase on 1 July 2018.	All to note	
<b>2</b>	<b>Consultation</b>		
2.1	PM provided details about the consultant team and gave an update on the consultation that has been undertaken with stakeholders.	n/a	
2.2	CG advised that the contact for any community engagement matters should be CW or LC	All to note	
2.3	CG advised that Council will be guided by the community in their response to any proposal for the site and that they will be looking for an outcome that is the best for the community.	All to note	
2.4	CW advised that Department of Health, Department of	All to note	



	Education and Infrastructure NSW should be consulted.		
2.5	<p>It was agreed that it would be useful to arrange future meetings to discuss specific issues including potential non-residential uses/market viability, community benefits/needs analysis and the relevant consultants and Council staff could attend.</p> <p>An outline of potential meetings to be provided to Council so suitable times can be arranged.</p>	<p>All to note</p> <p>MF</p>	
<b>3</b>	<b>Urban design Principles</b>		
3.1	<p>MP provided a presentation on the urban design principles that are being developed for the site. Key elements include:</p> <ul style="list-style-type: none"> <li>• Approximately 2500m<sup>2</sup> non-residential GFA predominantly at ground level;</li> <li>• Generous vertical dimension for ground floor to provide for flexible space that can accommodate a range of uses;</li> <li>• Consistency with PRCUTS guidelines has been maintained;</li> <li>• Potential to contribute to each of the 4 guiding principles for the Greenway.</li> </ul>	n/a	
3.2	CG advised that Council is aware of a need for affordable space for start-up businesses in the LGA, and that a meeting could be arranged with relevant staff within Council to discuss any opportunities on this site.	All to note	
3.3	LC noted that Council consider there to be inconsistencies between the diagrams and the text within the PRCUTS in relation to proposed heights and desired built forms, and advised that any proposal will be assessed based on its merits regardless of consistency with PRCUTS.	All to note	
<b>4</b>	<b>Precinct wide Transport Study</b>		
4.1	LC advised that stage 1 of the Precinct-wide transport study is due to be completed by the end of 2018.	All to note	
4.2	<b>Pre Planning Proposal Process</b>		
4.3	<p>CG advised that Council would expect their preliminary Planning Proposal process to be followed and that this would involve a referral to Council's Architectural Excellence Panel (AEP).</p> <p>Council agreed to provide further details on the documentation required for the preliminary Planning Proposal and the timeframes associated with Council's review and the referral to</p>	<p>All to note</p> <p>CG/LC</p>	





	the AEP.		
4.4	The fee for the Pre-Planning Proposal is \$8,000.	All to note	



**Email from Council, 19 July 2018**



**Subject:** RE: Lords Road - meetings  
**Date:** Thursday, 19 July 2018 at 4:58:58 pm Australian Eastern Standard Time  
**From:** Colette Goodwin  
**To:** Anna Johnston, Leah Chiswick  
**CC:** Paula Mottek, Michael File, Roger Rankin  
**Attachments:** image003.jpg, image004.jpg, image005.jpg

Hi Anna,

I was unsuccessful catching you by phone hence this email.

I hope there is no confusion but we are **not** seeking a Preliminary Planning Proposal at this stage (which addresses all the requirements of the Out of Sequence Checklist).

Council has a preplanning process which enables us to provide comprehensive and detailed advice back to a proponent so that the Planning Proposal when lodged has addressed all relevant matters.

We will through the preplanning process provide you with Council's advice as a key stakeholder as part of the consultation under the Out of Sequence Checklist. This advice will include all relevant sectors including community services, engineering, traffic etc.

You should be aware of any previous studies undertaken by Council and in particular Council's submission to the **2016SYE060 - Inner West - PP\_2016\_LEICH\_002\_00** for the earlier planning proposal for this site. See also page 46 & 47 of the Parramatta Road Corridor Strategy in relation to jobs.

I anticipate that the preparation of your preliminary proposal & community consultation would proceed in parallel with our assessment of the preplanning application. Our advice would then feed into the preliminary proposal.

Trust this is useful on process and I will ring you on Monday to ensure best possible outcome.

Regards

Colette

**Colette Goodwin** | Acting Planning Operations Manager  
**Inner West Council**  
**P:** +61 2 9392 5138 | **E:** colette.goodwin@innerwest.nsw.gov.au

**Ashfield Service Centre:** 260 Liverpool Road, Ashfield NSW 2131  
**Leichhardt Service Centre:** 7-15 Wetherill Street, Leichhardt NSW 2040  
**Petersham Service Centre:** 2-14 Fisher Street, Petersham NSW 2049



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**From:** Anna Johnston [mailto:Anna.Johnston@fileplanning.com]  
**Sent:** Thursday, 19 July 2018 4:18 PM  
**To:** Leah Chiswick



**Cc:** Paula Mottek; Michael File; Colette Goodwin; Roger Rankin  
**Subject:** Re: Lords Road - meetings

Hi Leah,

Thank you for your response.

We will proceed with finalising the preliminary planning proposal for lodgement.

We will aim to include as much information as possible in the preliminary proposal for your consideration and advice.

Kind regards,

Anna

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**From:** Leah Chiswick <[Leah.Chiswick@innerwest.nsw.gov.au](mailto:Leah.Chiswick@innerwest.nsw.gov.au)>  
**Date:** Monday, 16 July 2018 at 4:38 pm  
**To:** Anna Johnston <[Anna.Johnston@fileplanning.com](mailto:Anna.Johnston@fileplanning.com)>  
**Cc:** Paula Mottek <[paula@platino.com.au](mailto:paula@platino.com.au)>, Michael File <[Michael@fileplanning.com](mailto:Michael@fileplanning.com)>, Colette Goodwin <[colette.goodwin@innerwest.nsw.gov.au](mailto:colette.goodwin@innerwest.nsw.gov.au)>, Roger Rankin <[Roger.Rankin@innerwest.nsw.gov.au](mailto:Roger.Rankin@innerwest.nsw.gov.au)>  
**Subject:** RE: Lords Road - meetings

Hi Anna,

The best way forward would be the submission of a pre-planning proposal in accordance with Council's process.

Please note that we would not consider this a 'Preliminary Proposal' as outlined in the Out of Sequence Process of the Parramatta Road Corridor Urban Transformation Implementation Plan 2016-2023. As part of the pre-planning proposal process we will brief relevant areas within Council and seek input which will then inform your 'Preliminary Proposal' (planning proposal). It is not expected that the pre-planning proposal submission will be accompanied by an Out of Sequence Checklist. This should be provided with your planning proposal. Similarly, it is not expected that a social infrastructure study would be provided at the pre-planning proposal stage. Notwithstanding, more information will allow for more comprehensive feedback.

It is understood that the concept for the site is unlikely to be fully developed in advance of consultation with relevant areas of Council, stakeholders and the community, and as such it is appropriate that the pre-planning proposal outlines an intent for the site, rather than a developed scheme. Given that this is a new scheme, it would be advantageous for the pre-planning proposal application to present an opportunities and constraints analysis to inform an outcome that fits its context, addresses surrounding uses and supports the existing uses on the site.

The pre-planning proposal application form can be found [here](#). The proposal would constitute a complex amendment which attracts a \$6,150 fee for pre-planning proposal consultation. This is likely to be \$7,000 from 25 July 2018.

Regards,

Leah





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**From:** Anna Johnston [<mailto:Anna.Johnston@fileplanning.com>]  
**Sent:** Wednesday, 11 July 2018 7:44 PM  
**To:** Leah Chiswick  
**Cc:** Paula Mottek; Michael File  
**Subject:** Re: Lords Road - meetings

Hi Leah,

Thanks so much for your emails today.

We had anticipated that our meetings with council would go some way to satisfying the consultation requirements in the out of sequence checklist, however we understood that the process to get detailed written comments on the proposal was via the preliminary planning proposal review process when the relevant areas within council will review and comment on the proposal and documentation.

Initially we were seeking a meeting with the open space / community facilities staff to input in the social infrastructure study, and with yourself and Colette to discuss the non-residential uses.

It sounds like your preference is to provide written feedback via Planning Operations team rather than via meetings. Please let me know if I've misinterpreted this. If that is the case would it be best to lodge our preliminary proposal and receive feedback that way?

I am available tomorrow or Friday if you would like to discuss further.

Kind regards,

Anna Johnston

**FPD Pty Ltd**

PO Box H219 Australia Square NSW 1215  
Ph 0401 330 707

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**From:** Leah Chiswick <[Leah.Chiswick@innerwest.nsw.gov.au](mailto:Leah.Chiswick@innerwest.nsw.gov.au)>  
**Date:** Wednesday, 11 July 2018 at 4:01 pm  
**To:** Anna Johnston <[Anna.Johnston@fileplanning.com](mailto:Anna.Johnston@fileplanning.com)>  
**Cc:** Colette Goodwin <[colette.goodwin@innerwest.nsw.gov.au](mailto:colette.goodwin@innerwest.nsw.gov.au)>  
**Subject:** FW: Lords Road - meetings

Hi Anna,

Further to my email of earlier today, the matter of consultation with relevant areas of Council was discussed at a meeting this afternoon. The decision was made that feedback should be through the Planning Operations team, rather than Platino/FP meeting with Council officers directly. We are currently working out how best to coordinate this internal process to ensure it runs efficiently. Do you have any documentation that you would think that would assist this process?

Regards,

Leah



**Leah Chiswick** | Executive Strategic Planner

**Inner West Council**

**P:** +61 2 9392 5232 | **E:** [Leah.Chiswick@innerwest.nsw.gov.au](mailto:Leah.Chiswick@innerwest.nsw.gov.au)

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**Petersham Service Centre:** 2-14 Fisher Street, Petersham NSW 2049



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**From:** Leah Chiswick

**Sent:** Wednesday, 11 July 2018 11:48 AM

**To:** 'Anna Johnston'

**Cc:** Colette Goodwin

**Subject:** RE: Lords Road - meetings

Hi Anna,

With some of the smaller, less complex pre planning proposals we aim for a turnaround of 3 weeks, but consideration of a proposal against the Out of Sequence Checklist (OOSC) is likely to take additional time. As explained in the meeting, our current staffing will also result in a slower turnaround. We could be looking at 4-6 weeks once we have all required information.

I do not anticipate that a pre planning proposal for the site will go to the AEP. Council officers are likely to provide comment on the urban design/architectural merit at the pre planning proposal stage, having regard to the Parramatta Road Corridor Planning and Design Guidelines, and then we would arrange an external peer review at the planning proposal stage. Notwithstanding, if Colette was to decide to send it to the AEP we would schedule it accordingly.

Do you anticipate that through the meetings with Council officers (you requested community services and open space) you would be working towards satisfying Criteria 3 of the OOSC, i.e. 'consultation and engagement with relevant stakeholders'? If so, there would be a number of other areas within Council that would need to be involved, either directly or by providing input through Planning Operations. Before we coordinate a meeting, we would want to brief these areas of Council in relation to the PRCUTS, including the Implementation Plan and Infrastructure Schedule, to ensure that they were appropriately positioned to provide input.

Regards,

Leah

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**From:** Anna Johnston [<mailto:Anna.Johnston@fileplanning.com>]

**Sent:** Monday, 9 July 2018 8:55 PM

**To:** Leah Chiswick

**Subject:** Re: Lords Road - meetings

Hi Leah,



Hope your week is going well.

I was wondering if you would be able to give us some more advice on the preliminary planning proposal review process. In particular we are keen to know what the timeframe is for the review, and whether the preliminary proposal would be considered by Council's Architectural Excellence Panel. If it does go to the AEP it would be great to know what the process is for getting on the agenda and what timeframes are required for providing documentation in advance of the meeting.

Also did you have any luck with getting meeting times for next week?

Please don't hesitate to contact me if you wish to discuss.

Kind regards,

Anna Johnston

**FPD Pty Ltd**

PO Box H219 Australia Square NSW 1215

Ph 0401 330 707

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**From:** Leah Chiswick <[Leah.Chiswick@innerwest.nsw.gov.au](mailto:Leah.Chiswick@innerwest.nsw.gov.au)>

**Date:** Monday, 2 July 2018 at 12:40 pm

**To:** Anna Johnston <[Anna.Johnston@fileplanning.com](mailto:Anna.Johnston@fileplanning.com)>

**Cc:** Michael File <[Michael@fileplanning.com](mailto:Michael@fileplanning.com)>, Paula Mottek <[paula@platino.com.au](mailto:paula@platino.com.au)>

**Subject:** RE: Lords Road - meetings

Hi Anna,

Unfortunately due to current staffing, we will not be able to facilitate a meeting until Colette returns. I will liaise with the relevant sections of Council and report back on their availability for the week commencing 16 July and the following.

Cred Consulting are currently engaged by Council to undertake a recreation needs study. While this study is now on exhibition, it is anticipated that their role will continue for some time as they consider feedback and prepare a final report. Cred was unable to consult for a proponent on another planning proposal as they could not manage the conflict of interest. I would suggest that their involvement with a proposal for Lords Road is likely to present a similar predicament.

Regards,

**Leah Chiswick** | Executive Strategic Planner

**Inner West Council**

**P:** +61 2 9392 5232 | **E:** [Leah.Chiswick@innerwest.nsw.gov.au](mailto:Leah.Chiswick@innerwest.nsw.gov.au)

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**From:** Anna Johnston [<mailto:Anna.Johnston@fileplanning.com>]

**Sent:** Friday, 29 June 2018 3:07 PM

**To:** Leah Chiswick

**Cc:** Michael File; Paula Mottek

**Subject:** RE: Lords Road - meetings

Hi Leah,

Thanks you for meeting with us last week to discuss the proposal for Lords Road.

One of the actions was to arrange some further meetings to progress these discussions.

We would like to meet with the relevant open space and community facilities staff within council to discuss any opportunities for this site. We would bring along Cred Consulting who are preparing the Social Impact Assessment and Community Facilities Plan.

It would also be good to meet with yourself and Colette again to discuss the land use mix and in particular the non-residential uses. We will arrange for AEC to attend that meeting.

I understand Colette is away until 16 July, however we thought it might be possible to do the community facilities / open space meeting while she is away and make a time for the other meeting for the week she returns.

Generally Wednesday - Friday suits me but we are happy to fit in with you.

Can you please consider and advise some suitable times, and please contact me if you wish to discuss.

Kind regards,





Anna Johnston

**FPD Pty Ltd**

PO Box H219 Australia Square NSW 1215

Ph 0401 330 707

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## **Meeting Minutes, 6 August 2018**



## MEETING MINUTES

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Subject: Lords Road, Leichhardt

Date and Time: Monday 6 August 2018, 11am

Attendees: Steve Murray (SM) – DPE  
 Amanda Harvey (AH) – DPE  
 Laura Lock (AH) – DPE  
 Charlene Nelson (CN) – DPE  
 Sam Haddad (SH) - SG HADDAD ADVISORY  
 Anna Johnston (AJ) – FPD  
 George Revay (GR) – Platino  
 Richard McLachlan (RM) – Platino  
 Paula Mottek (PM) – Platino

Issue Number	Issue	Action by	Due Date
<b>1</b>	<b>General issues</b>		
1.1	<ul style="list-style-type: none"> <li>An update on the status of the draft Planning Proposal documents was provided. PM advised that a pre Planning Proposal would be submitted to Council in the next few days.</li> </ul>	n/a	
<b>2</b>	<b>Consultation</b>		
2.1	<ul style="list-style-type: none"> <li>PM provided an update on the consultation that has been undertaken with stakeholders.</li> </ul>	n/a	
2.2	<ul style="list-style-type: none"> <li>SM acknowledged the difficulties with the checklist and noted that this was inherited by DPE for implementation.</li> </ul>	All to note	
<b>3</b>	<b>Affordable Housing</b>		
3.1	<ul style="list-style-type: none"> <li>SM noted that GSC quotes 5-10% of floor space for affordable housing based on feasibility. He questioned</li> </ul>	All to note	



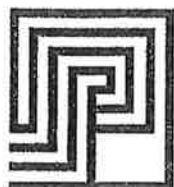


	the feasibility of 15% of floor space and indicated that the proposed provision of 15% of dwellings / 8% floor space would be a positive outcome for the site.		
<b>4</b>	<b>Precinct wide Transport Study</b>		
4.1	<ul style="list-style-type: none"> <li>AH advised that DPE was working with council on the preparation of a precinct wide traffic study for Taverners Hill with a view to providing certainty for developers and avoiding the need for preparation of multiple studies. The first stage of the study is expected to be completed by end of 2018 and will include initial findings and capacity.</li> </ul>	All to note	
<b>5</b>	<b>Planning Proposal Process</b>		
5.1	<ul style="list-style-type: none"> <li>SM advised that the caretaker period starts 3 weeks before the election, however DPE acts as a delegate of the GSC for planning proposals and should not be affected by caretaker.</li> </ul>	All to note	
5.2	<ul style="list-style-type: none"> <li>SM advised that timing for a Planning Proposal is generally as follows: <ul style="list-style-type: none"> <li>From lodgement of the PP with Council to a Pre Gateway Review request is <b>90 days</b>;</li> <li>From Pre Gateway Review request until communication of the determination to the Proponent and Council (ie: after the Panel meeting and determination issued by the DPE as delegate) is <b>90 days</b>. <b>THEREFORE THAT MEANS – 180 DAYS IN TOTAL FROM LODGEMENT OF THE PP UNTIL DETERMINATION.</b></li> </ul> </li> </ul>	All to note	
4.5	<ul style="list-style-type: none"> <li>SM noted that the Panel makes a recommendation to the delegate, however where it is not recommended to proceed it is not supported. If it is recommended to be supported it will be referred to the council to consider whether they wish to be the Planning Proposal Authority.</li> </ul>	All to note	



## **Meeting Minutes, 28 September 2018**





**PLATINO**  
PROPERTIES

Suite 11, 20 Young Street,  
Neutral Bay, NSW, 2089  
Phone (02) 8968 1900  
properties@platino.com.au

www.platino.com.au  
ACN: 002 388 856

**LODGEMENT MEETING MINUTES**  
**At Inner West Council Offices Ashfield**

**Friday 28 September 2018**

Present	Richard McLachlan	Platino	
	Faye Kokolakis	Platino	
	Gunika Singh	Inner West Council	
	Terry Southwell	Inner West Council	
Apologies	Collet Goodwin	Inner West Council	

	ISSUE	DISCUSSION		ACTION
1.	Pre-lodgement Advice	<p>Council noted that Council has not yet issued their Pre Lodgement advice, and therefore Platino have not included this in their documentation.</p> <p>It was noted and accepted that Council had advised on 9 August when the pre-lodgement was submitted that they would provide their response within 4-6 weeks.</p> <p>Council noted that we cannot lodge a Planning Proposal without these minutes.</p>	Platino noted that it was not reasonable to be delayed when Council has not met the timing commitment they made.	Council
2.	Integrated Infrastructure Delivery Plan	This was not provided as a separate document with sufficient detail as required by PRCUTS.	Platino noted that this was dealt with by the FPD Planning Report, through various sections of their report.	Platino
3.	Traffic Study	<p>Council noted that Council had not completed their precinct wide traffic study. They are working on this study with NSW DoPE.</p> <p>It is expected to be completed in Feb-March 2019. They did not want to be quoted on this date and noted we should perhaps plan for the report to be ready in April.</p> <p>Council stated that Planning Proposal cannot be lodged until the traffic study is completed.</p>	<p>Platino noted that the proposal reduces traffic, and therefore whatever the outcome, the traffic study will show there is no detrimental impact to assess. A precinct wide traffic study will support this.</p> <p>Platino also noted this should be assessed once the application is submitted.</p>	Council
4.	Ministry of Health	Council noted that Platino had not provided evidence of their consultation with the NSW Ministry of Health, as required in the PCUTS.	NSW Platino noted that we have submitted a detailed Social Impact Report ( Appendix	Platino

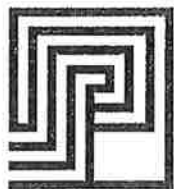


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			M), and Consultation Report ( Appendix P ) that deals with Government Consultation. Platino noted this should be assessed once the application is submitted.	
5.	Site Contamination	<p>Councils Planning Proposal Application Form Checklist requires the application to address Site Contamination ( in Accordance with SEPP 55).</p> <p>Platino's application documents included a letter from Benviron ( Appendix L – Contamination). This letter notes:</p> <p><i>"Based on review of the contamination potential and previous reports (EMS 2006) within the site it was identified that there are suitable remediation methods which can address the contamination issues and that subject to further works being undertaken the site could be made suitable for its proposed use".</i></p> <p>Council noted that the Benviron letter does not list the proposed uses for the site. Council did not accept that the Benviron letter is sufficient and require a Phase 1 Remediation Report.</p>	<p>Platino noted that detailed reporting has previously been submitted and this can be again be submitted. In any case the site can easily be remediated to be suitable for its proposed use.</p> <p>Platino noted this should be assessed once the application is submitted, and could be dealt with as a DA consent condition.</p>	Platino
6.	Change in Height	<p>The Planning Proposal seeks approval for a blanket height control at RL 35 AHD. Council would like the applicant to demonstrate how this is consistent with the PCUTS 30m. Council noted that perhaps a dotted line should show the 30m ht limit, RIs on the sections and ceiling heights.</p>	<p>Platino noted this could easily be provided, and that in most of the site the proposal is well below the PRCUTS ht limit.</p> <p>Platino noted this should be assessed once the application is submitted.</p>	Platino
7.	Basement Plan	<p>Council requires a basement plan so that they can properly assess the application and be certain that the appropriate quantum of deep soil can be provided, along with the required car parking.</p>	<p>Platino noted that the extent of deep soil has been shown on several plans and this is sufficient for a planning proposal. Further, council's checklist</p>	Platino



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			form does not show a requirement for a basement plan.,	
8.	Flood	The ING letter dated 7 August refers to a letter from NPC Project Consultants. Platino noted that NPC is now Tooker & Associates. Council requires written confirmation of this, or correction of the NPC letter. The letter was provided from Tooker & Associates as part of the proposal. Council believes that the letter from Tooker & Associates does not contain sufficient detail, including information regarding any overland flow path.		Platino
9.	Community Consultation	Council require copies of any and all correspondence letter box dropped or otherwise given to the community. This was not provided in the report.	Platino noted that a detailed Community Consultation report had been provided. ( Appendix P )	Platino
10.	Heritage	A Heritage Statement is required. This was not provided. Council noted this is needed as the adjoining park is listed as an Heritage Item.	Platino noted that the site does not contain a heritage item, and we are retaining the high blank masonry wall that adjoins Lambert Park unchanged.	Platino
11.	Design Excellence	The applicant needs to demonstrate how the project will achieve Design Excellence requirements, as part of PRCUTS. This was not provided in the report.	Platino noted that the Urban Design report was prepared by a member of Council's Design Review panel, and that Council had previously advised that this was sufficient to address this issue.	
12.	Other Matters	<p>Council also noted that:</p> <ul style="list-style-type: none"> <li>• Council may seek less parking than required in their DCP;</li> <li>• The location of the open space was not ideal;</li> <li>• 5 star green star was a good initiative</li> <li>• The cost of infrastructure was noted in the AEC report and feasibility studies;</li> </ul>	<p>Platino noted that we would accept the PRCUTS parking requirements if Council preferred.</p> <p>Council did not suggest an alternative location.</p> <p>Platino noted that the employment and creative uses were added as a</p>	<p>Council</p> <p>Pullinger</p> <p>Northrop</p> <p>AEC</p>



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		<ul style="list-style-type: none"> <li>The proposed employment uses were not consistent with the PRCUTS R3 zone;</li> <li>The character, height, bulk and scale was not consistent with the proposed R3, as this was general a zone for townhouses; and</li> <li>The Acoustic report appeared acceptable.</li> </ul>	<p>response to Council and Community input.</p> <p>Platino noted that the proposed heights vary from 3 to 8 storeys, and include townhouse forms.</p>	<p>FPD</p> <p>FPD</p> <p>nb</p>
13.	Summary	<p>Council completed the checklist on the Planning Proposal Application form by hand. Council noted a "N" ( ie not provided ) for the following items:</p> <ul style="list-style-type: none"> <li>Copy of Council's Pre Planning Proposal Advice</li> <li>Transport and Accessibility Study ( Council handwrote the words Precinct Modelling on the form);</li> <li>Flood Study ( Council handwrote the words Incomplete)</li> <li>Site Contamination ( Council handwrote the words Phase 1 Report )</li> </ul> <p>Against Section 8b Council wrote the word Incomplete, but did not tick N.</p> <p>In the blank space under the Privacy Statement Council wrote the following:</p> <ul style="list-style-type: none"> <li>Integrated Infrastructure Delivery Plan</li> <li>Survey Map</li> <li>Phase 1 Contamination report</li> <li>Consultation with Council, Health</li> <li>Urban Design Report with RLs / PRCUTS Ht control</li> </ul> <p>Council stated that they would not accept lodgement of the Planning Proposal.</p>	<p>Platino understood that Council would not accept the lodgement.</p> <p>The meeting was concluded.</p>	

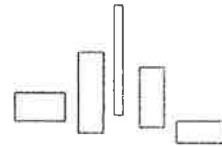
Richard McLachlan for Platino Properties



**Letter, 10 October 2018**



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Sydney 2000    Sydney 2001    DX 521 Sydney    ABN 77 357 538 421



PIKES & VEREKERS  
LAWYERS

10 October 2018

The General Manager  
Inner West Council  
PO Box 14  
PETERSHAM NSW 2049

BY EMAIL [council@innerwest.nsw.gov.au](mailto:council@innerwest.nsw.gov.au)

Dear Mr Hart

**PLANNING PROPOSAL - 67-75 LORDS ROAD, LEICHHARDT**  
**Our ref JRP:GT:180647**

We are instructed by Platino Properties with respect to a planning proposal for 67-75 Lords Road, Leichhardt.

Our client requires Council's Pre Planning Proposal Advice with respect to the planning proposal to be provided by no later than 19 October 2018. After that date our client will proceed to lodge the documentation in support of its request to Council to prepare the planning proposal, and reserves its rights to seek to have the Planning Secretary (or other such panel, person or body) appointed as Planning Proposal Authority.

#### **BACKGROUND**

Our client has requested that Council, as the Planning Proposal Authority pursuant to section 3.32(1)(a) of the Environmental Planning and Assessment Act 1979 ("the Act") prepare a planning proposal for the subject site seeking amendments to Leichhardt Local Environmental Plan 2013 consistent with the Parramatta Road Corridor Urban Transformation Strategy 2016 ("the Strategy")

Our client has, consistent with the Parramatta Road Corridor Urban Transformation Implementation Plan 2016-2023 ("the Implementation Plan") and Council's own Guidelines for Preparing Planning Proposals, engaged in a pre planning proposal process with Council.

Our client's first approached Council on 10 May 2018 to make its request that Council prepare a planning proposal and subsequently lodged a preplanning proposal application with Council on 9 August 2018. At that time our client was advised that Council would provide its Planning Proposal Advice within four to six weeks (ie: by no later than Thursday 20 September).

That advice has not been forthcoming, and the latest advice from Council is that it will be provided to our client by "mid October."



All other statutory steps called for by the Act with respect to the preparation of a planning proposal, specifically those identified at section 3.33, as well as the matters called up by Ministerial Direction 7.3 (relevant to the preparation of the planning proposal pursuant to section 9.1 of the Act) have been satisfied.

Additionally, all of the matters required to be attended to by the Out of Sequence Checklist in the Implementation Plan have also been addressed.

Our client endeavoured to lodge its planning proposal documentation on Friday 28 September in order that Council could prepare the planning proposal to be forwarded to the Local Plan Making Authority (here the Planning Secretary under delegation from the Greater Sydney Commission) for a Gateway Determination pursuant to section 3.34 of the Act.

Our client's minutes of that lodgement meeting are **enclosed**.

Council refused to accept the planning proposal documentation or to progress the planning proposal and identified a number of purported deficiencies in the documentation provided by our clients.

#### **COUNCIL REJECTION UNFOUNDED**

Other than the absence of Council's pre lodgement advice, the matters raised were not preconditions to Council dealing with the request to prepare a planning proposal and do not form a proper basis for Council to reject or otherwise not accept and consider the material provided by our client. The matters raised go to the substance and merit of the planning proposal, and would inform whether Council would decide to formally prepare the planning proposal and forward it to the Local Plan Making Authority for Gateway determination.

Our client has nevertheless prepared a response to each of the matters raised by Council, set out in the table at Attachment A to this letter. The material referred to in the Annexure will be provided to Council in a comprehensive package in due course.

#### **Precinct Wide Traffic Study**

One matter which cannot be addressed by our client now, and which our client should not be expected to address before Council considers its request is the Precinct Wide Traffic Study ("the Study").

The Implementation Plan calls for the Study to be completed prior to any rezoning commencing as part of the standard implementation strategy for Taverners Hill. The Study is currently being prepared by the Department of Planning and Environment, and neither our client nor Council have any control over it.

Significantly, however, the Study is not referred to or called up by the Out of Sequence Checklist. Rather the Out of Sequence Checklist ensures that transport infrastructure is dealt with by way of an Integrated Infrastructure Delivery Plan ("IIDP").

An IIDP has been prepared, and will now form a standalone document to be provided to Council and will address transport infrastructure requirements. This is supported by the local traffic assessment prepared by TTPP which demonstrates a reduction in traffic generation from the site and no change to service levels at nearby intersections.

In addition, the Implementation Plan does not anticipate the Study being completed prior to planning proposals being prepared, or Gateway Determinations being made, but rather prior to rezoning in the precinct commencing. Rezoning in the precinct does not commence on a request for preparation of a planning proposal for a specific site being made, but rather on an amendment to an LEP being made.

There is no requirement for the Study to be completed now. Rather it must be completed before the LEP amendment is made, and would be expected to be dealt with by way of a condition on any Gateway Determination to that effect.

This is supported by the text of the Implementation Plan and the Precinct Transport Report, particularly in circumstances where it is demonstrated that there is no additional demand placed on the traffic network. The Implementation Plan provides (at p12):

*The Out of Sequence Checklist ensures that changes to the land use zone or development controls **do not occur without meeting the underlying Principles and Strategic Actions of the Strategy, such as the necessary transport, services and social infrastructure to service a new population.** It will also ensure the established benchmarks for the quality of development and public domain outcomes desired for the Corridor are achieved. [our emphasis]*

The Precinct Transport Report provides (at p143):

*Prior to any rezoning commencing, a Precinct wide traffic study and supporting modelling is required to be completed which considers the recommended land uses and densities, as well as future WestConnex conditions, **and identifies the necessary road improvements and upgrades required** to be delivered as part of any proposed renewal in the Precinct. [our emphasis]*

It is clear that the Study is called for to ensure that development will not result in unacceptable adverse effect, with the Study required to identify the necessary road improvements and upgrades that will be required to be delivered.

As there is no increase in traffic (when calculated according to RMS guidelines) resulting from the proposed amendments to the LEP, the Study should not be required before the commencement of the assessment of a proposal.

### **NEXT STEPS**

The matters raised by Council at the meeting of 28 September 2018 amounted to pre lodgement advice and our client is entitled to regard them as such for the purpose of the Out of Sequence Checklist, notwithstanding that Council has not formally issued written advice.

Accordingly, we are of the view that our client has satisfied the necessary requirements of the Out of Sequence Checklist (notably criteria 3) and also the expectations of the Department of Planning's Guide to Preparing Planning Proposals (section 1.4).

Notwithstanding this it is acknowledged that Council has, despite the extant delays in providing the Pre Planning Proposal Advice, requested further time to finalise that advice before the suite of documents to be considered by Council and the exercise of its functions as the Planning Proposal Authority can be completed.

Council has indicated that the Pre Planning Proposal Advice will be finalised by mid October. If the Pre Planning Proposal Advice is forthcoming by Friday 19 October, our client will deal with any additional matters raised, beyond those outlined by Council on 28 September.

If the Pre Planning Proposal Advice is not received by 19 October, our client will deem the meeting of 28 September (and its minutes thereof) as constituting the Pre Planning Proposal Advice and proceed to lodge the planning proposal documentation with Council forthwith, including all responses to the matters raised on 28 September.

Council is arguably already in dereliction of its obligations to deal with planning proposal requests under the Act as a Planning Proposal Authority in delaying the release of its Pre Planning Proposal Advice and in refusing to accept the planning proposal on 28 September.

Any further delay, or refusal to accept the planning proposal documentation would constitute sufficient grounds pursuant to section 3.32(2)(d) of the Act to warrant the Local Plan Making Authority direct that the Planning Secretary (or another such

panel, person or body) be the Planning Proposal Authority with respect to the subject planning proposal.

We hereby put you on notice that should the Pre Planning Proposal Advice not be received by 19 October, or should the submission of the planning proposal documentation otherwise be rejected by Council, our client reserves its rights to approach the Local Plan Making Authority for such a direction.

We will copy the Local Plan Making Authority into this correspondence.

Given that the planning proposal documentation satisfactorily addresses all of the statutory requirements for the preparation of a planning proposal, any rejection of our client's documentation must be deemed to be a refusal of the application by Council, triggering our client's ability to seek a rezoning review. Should Council refuse our client's request by refusing to accept the planning proposal documentation, our client reserves its rights to seek such review.

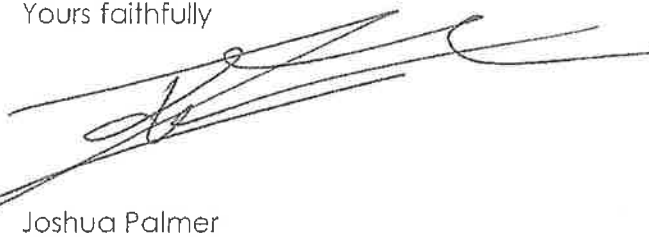
Either course would, in our view, be regrettable at this early stage and our client's strong preference is to continue to work with Council to ensure rezoning of the subject site consistent with the Strategy. Council's continued involvement in the Planning Proposal best serves the strategic interest of the Local Government Area.

Nevertheless, Council has an obligation to deal with the request and deal with it in a fair, reasonable and timely manner. If Council is not dealing with the request in this way, our client will have no choice but to pursue the planning proposal in other fora.

We would be grateful for your confirmation of receipt of this correspondence and further confirmation that the pre planning proposal advice will be forthcoming on or before 19 October 2018.

Should Council, or Council's legal representatives wish to discuss any aspect of the content of this letter, please feel free to contact the undersigned.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Joshua Palmer', written over a horizontal line.

Joshua Palmer  
Partner  
Accredited Specialist Local Government and Planning Law

encl





**Attachment A:****Consideration of issues raised by Council at meeting of 28 September 18**

Issue raised by Council	Response
An integrated infrastructure Delivery Plan was not provided as a separate document and with sufficient detail as required by the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).	A separate Integrated Infrastructure Delivery Plan will be prepared by Northrop to address the requirements of PRCUTS.
Council will not accept lodgement of the proposal until a precinct wide transport study has been completed which is expected by Feb/March 2019	<p>A local traffic assessment has been prepared which demonstrates that the proposal will reduce traffic generation and will not change the level of service at nearby intersections.</p> <p>It is unreasonable to delay the progress of the Planning Proposal to allow for the precinct wide traffic study to be finalised. The findings of the precinct wide traffic study can be considered following a Gateway determination.</p>
Consultation with NSW Health is required to be carried out by PRCUTS	Consultation has been carried out with NSW Health but a reply is yet to be received. It is noted however, that the Guide to Preparing Planning Proposals 2016 outlines that Government agency consultation on infrastructure and servicing requirements can be carried out following a Gateway determination.
The site contamination report does not list the proposed uses for the site, and as such does not confirm whether the site can be made suitable for the proposed uses.	This issue will be addressed in amended contamination advice from Benviron.
The proposal for RL35 should demonstrate how it is consistent with the 30 metre height limit in PRCUTS.	This will be illustrated in the relevant cross sections within the urban design study.

Issue raised by Council	Response
<p>A detailed flood study should be provided. Council also queried that the ING Consulting Engineering letter refers to a letter from NPC, but the flooding advice has been provided by Mark Tooker and Associates.</p>	<p>The advice from Tooker Associates will be updated to outline the requirements for a detailed flood study. It is considered appropriate that the detailed flood study be provided following a Gateway determination.</p> <p>NPC is now Mark Tooker and Associates. This will be confirmed through updated advice from ING Consulting Engineers.</p>
<p>A heritage assessment was requested as the proposal adjoins the Lambert Park heritage item.</p>	<p>A Heritage Report addressing this issue will be prepared by Architelle Architecture, Heritage Consultants.</p>
<p>Evidence should be provided of all material handed out including boards at the drop in session, letter box drops, flyer and advertisements.</p>	<p>The consultation report will be updated to include this information.</p>
<p>The proposal should demonstrate how the project will achieve design excellence as required by PRCUTS.</p>	<p>The proposal will be updated to provide further explanation of the design excellence strategy. In summary, the strategy comprises the following:</p> <ul style="list-style-type: none"> <li>• engagement of highly skilled, experienced and qualified architects and urban designers</li> <li>• a commitment to a robust process of peer based design review via the Inner West Council Architectural Excellence Panel both at Planning Proposal and Development Application stage, and</li> <li>• design processes guided by recognised principles of design excellence.</li> </ul>
<p>The provision of affordable housing for a 10 year period does not meet the requirements of the GSC.</p>	<p>The suitability of the proposed provision of affordable housing should be considered through the Gateway assessment.</p> <p>However, it is noted that the Greater Sydney Region Plan does not establish a timeframe for affordable housing and affordable housing provided under State Environmental Planning Policy (Affordable Rental Housing) 2009 is required to be provided for a minimum period of 10 years.</p>

Issue raised by Council	Response
The location of open space is not considered ideal.	Options analysis and further justification for the preferred location of open space will be provided.
The cost of infrastructure need to be clearly shown in feasibility studies.	This will be addressed through the Economic Impact Assessment.
The employment uses are not consistent with the R3 Medium Density Housing zone recommended by PRCUTS.	<p>The inclusion of employment uses has arisen out of the recommendations of the Sydney Central Planning Panel and consultation with the community and Council which has highlighted a desire to retain employment and urban services uses on the site.</p> <p>The planning proposal suggests the use the R3 General Residential zone with an additional permitted uses provision to allow the employment uses. There are a number of ways this outcome could be achieved and this could be considered by Council as part of its Gateway assessment.</p>
The character, height, bulk and scale are not consistent with the proposed R3 Medium Density Housing Zone.	The R3 Medium Density Housing zone has been proposed for consistency with PRCUTS. An alternative zone may be more suitable to reflect the height and built form recommended by PRCUTS and put forward in the proposal. An alternative zone could be considered by Council as part of its Gateway assessment.
A basement plan is needed to enable council to assess the capacity to provide car parking and achieve deep soil zones.	An indicative basement plan will be provided.



## **Pre-Lodgement Advice, 17 October 2018**





Contact: Leah Chiswick  
Phone: 9367 5232

17 October 2018

Platino Properties  
Attn: Richard McLachlan  
PO Box 1839  
Neutral Bay NSW 2089  
Sent by email to [richard@platino.com.au](mailto:richard@platino.com.au)

Dear Mr McLachlan,

**RE: Pre-Planning Proposal – 67-75 Lords Road, Leichhardt**

I refer to your application of 9 August 2018 for formal pre-planning proposal advice in relation to 67-75 Lords Road, Leichhardt (the site). This advice relates to the following amendments to *Leichhardt Local Environmental Plan 2013* (LEP 2013):

- Rezoning the site from IN2 Light Industrial to R3 Medium Density Residential
- Modify the FSR for the site from 1:1 to 2.4:1
- Introduce a maximum height of buildings of 30m
- Introduce a site-specific provision:
  - allowing a range of additional non-residential uses including recreation facility (indoor), office premises, business premises, light industry, industrial retail outlet, and restaurant or café;
  - requiring a minimum of 3,000 sqm of non-residential uses to be provided on the site; and
  - enabling a multi-use facility associated with Lambert Park to be provided as an FSR bonus.

Council's response (Attachment 1) outlines a number of issues with the proposal, including:

- loss of industrial land;
- workability of a mixed use development;
- prematurity of a planning proposal for the site and the requirements of the Out of Sequence Checklist, contained within the PRCUTS Implementation Plan 2016-2023, not being satisfied;
- inadequate justification for the planning controls sought;
- inconsistency with the Inner West Affordable Housing Policy; and
- lack of contribution to open space and public domain.

Furthermore, it identifies additional information that would be required if a planning proposal were to be pursued.

Council is currently undertaking a range of broader strategic planning work and studies including, but not limited to:

- Local Housing Strategy
- Local Strategic Planning Statement

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- Employment Lands Review
- Local Infrastructure Contributions Plan
- Integrated Transport Plan
- Comprehensive IWC LEP and DCP
- Affordable Housing Contribution Scheme
- PRCUTS precinct wide traffic modelling

This work will provide a comprehensive evidence base to inform the future strategic planning framework for the LGA, including land uses, infrastructure, public domain works, urban design and place making, community/social benefits, economic development and appropriate distribution of development uplift. A planning proposal for the subject site would be premature in relation to the completion of this broader strategic planning work, in particular the Local Housing Strategy and Employment Lands Review. The site and its future uses should be planned holistically in the context of the revitalisation of Parramatta Road Corridor rather than in an ad hoc manner.

Notwithstanding, if a planning proposal is to be lodged, it should adequately address all matters raised in this correspondence. Prior to Council taking receipt of a planning proposal, a thorough review of the documentation being submitted would be undertaken. This is to ensure that an adequate level of information is being provided. This requires a meeting to be scheduled with a member of Council's Planning Operations team.

It should be noted that this response constitutes preliminary feedback and further issues may be identified during the assessment of any detailed planning proposal.

Should you have any enquiries, please contact Council's Executive Strategic Planner, Leah Chiswick on 9392 5232 (Mon, Wed and Thurs) or [leah.chiswick@innerwest.nsw.gov.au](mailto:leah.chiswick@innerwest.nsw.gov.au).

Yours faithfully,

Colette Goodwin  
Acting Planning Operations Manager

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## Attachment 1 – Pre-Planning Proposal Assessment 67-75 Lords Road, Leichhardt

### Pre-Planning Proposal Concept

The pre-planning proposal presents a scheme for the redevelopment of the site for the purpose of a mixed use development comprising:

- 22,482 sqm of residential floor space delivering approximately 235 dwellings
- 3,000 sqm of non-residential floor space on the ground floor
- Five buildings located around the perimeter of the site ranging from three to nine storeys with a maximum height of 30 metres
- Open space of approximately 1,650sqm
- A public thorough site link and a secondary GreenWay connection to the Marion light rail stop
- 35 affordable rental dwellings

There are a number of fundamental concerns with the proposal as currently presented. These issues are outlined below.

### 1. Concerns with the Pre-Planning Proposal

#### Loss of Industrial Land

The planning proposal needs to demonstrate consideration of the Industrial Lands Study (2014) and Leichhardt Industrial Precinct Planning (2016) both undertaken by SGS Economics and Planning.

The recommendations of the Leichhardt Industrial Precinct Planning included two options:

1. Business as usual approach
2. Policy change for key precincts

Under both options, the recommendation for the Lords Road precinct was the same, to retain the IN2 zoning and continue to protect the precinct from rezoning. The rationale for the recommendations can be summarised as follows:

- The Industrial Lands Study (2014) identified a shortage of industrial floorspace in the LGA by 2036;
- While it will not increase industrial floorspace to address the identified shortage, retention and active protection of all IN2 (Light Industrial) zoned land is the best way to ensure that there is no continual erosion of remaining stock;
- The risks associated with introducing additional uses significantly outweigh the benefits, integrating land use types would likely generate conflicts, significantly limiting the ongoing function of the precincts concerned; and
- Introducing residential to a site could potentially result in this becoming the dominant land use, with industrial uses being pushed out.

In light of the above, concern is raised regarding the proposed loss of between 8,000sqm and 10,000sqm of industrial floorspace on the site. The loss of this floorspace, and the introduction of residential development to the site, are fundamental issues with the proposal going forward.

Furthermore, Council is currently undertaking an Employment Lands Review which will inform the preparation of an Inner West LEP. The land use future of this site should be informed by this process.

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The lodgement of a planning proposal for the site in advance of the completion of this work would be premature.

### Economic Impact

The Draft Community & Stakeholder Engagement Consultation Report outlines that during discussions with the Department of Planning and Environment (DPE), following the decision not to support the previous planning proposal, they identified "the need to provide affordable commercial/industrial space and employment opportunities in the local area". In addition, the consultation undertaken to date identifies existing tenants who serve the local population and hence need to remain in the area but are having difficulty finding an alternative space. The planning proposal should explore how these uses could remain on the site.

The EIA states that the proposal is addressing a market gap, responding to a "distinctly modest growth of employment in knowledge-intensive industries" by providing shared work space (comprising shared desks, workshops and studio space). The report however, does not consider how the existing tenants could be accommodated within a new development on the site, nor the impact of the loss of these uses. The net economic activity considers the proposal against the residential scenario (base case), rather than the existing situation, to argue a net increase in economic activity. There is no comparison with the existing situation in terms of jobs, both direct and flow-on.

Every effort should be made to encourage the provision of large, versatile, unembellished and affordable non-residential spaces on the site, which could help support and grow the creative industries which this area and the Inner West are already known for.

A preliminary review of the EIA has raised queries relating to the selected 'catchment area' and 'analysis area'. Justification for using these areas as the basis for analysis is requested.

A peer review of the EIA, considering the methodology, analysis and assumptions, will be sought when the planning proposal is lodged.

### Functionality of mixed-use development

A planning proposal would need to demonstrate the workability of the proposed non-residential space for light industrial/local service uses and how these uses could co-exist with residential development. Consideration should be given to floorspace, floor to ceiling heights, access, parking and servicing requirements and compatibility with the proposed residential component, particularly in terms of amenity. More information is also required in support of the purported flexibility and adaptability of the non-residential space.

There is no indication that an alternative scheme which separates the uses horizontally (in different buildings) has been considered.

### Prematurity of a Planning Proposal

As noted above, a planning proposal for the site is considered premature in advance of the completion of broader strategic planning work, which has commenced. Furthermore, consideration against the criteria of the Out of Sequence Checklist (the Checklist) of the PRCUTS Implementation Plan 2016-2023 highlights a number of deficiencies.

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## Criteria 1

The planning proposal can demonstrate significant delivery or contribution towards the Strategy's Corridor wide and Precinct specific vision	The submission considers the proposal against the Strategy's Corridor-wide and Precinct Visions and the Strategy's seven land use and transport planning principles. While the adopted approach has merit, Council officers have yet to determine if the proposal as presented will achieve 'significant delivery or contribution' towards the identified visions and satisfy the Strategy's principles and Strategic Actions.
The planning proposal satisfies the Strategy's seven land use and transport planning principles and fulfils the relevant Strategic Actions for each Principle	The purported economic, community and environmental benefits have yet to be verified and their significance ascertained.
The planning proposal can demonstrate significant net community, economic and environmental benefits for the Corridor and the Precinct or Frame Area within which the site is located	The proposal includes provision of multi-purpose 'community floorspace' of 1,000sqm and notes that anticipated uses include A/PIA Leichhardt Football Club (500sqm); fitness studio/mixed martial arts (250sqm); dance/music/arts studio (200sqm); and café/takeaway food (50sqm). It is unclear how this proposed floorspace responds to an identified community need.
The planning proposal is consistent with the recommended land uses, heights, densities, open space, active transport and built form plans for the relevant Precinct or Frame Area	The pre-planning proposal states that it is consistent with the relevant provisions for the Taverneers Hill Precinct as outlined in the PRCUTS – Planning and Design Guidelines.  The recommended planning controls for the site are incongruous in that the building height and density do not align with the described land use.  In describing the recommended land use zones for the Taverneers Hill Precinct, the Guidelines state that (with the exception of the western Frame Area, both sides of Parramatta Road east of Hawthorne Canal, and the eastern side of Tebbutt Street) "low density residential uses are recommended" with an R3 Medium Density zone shown "in recognition of the need to permit town houses and terrace type dwellings given the good proximity to public transport". This conflicts with the recommended building heights in the following sub-section. Figure 10.18 shows the site with a recommended height of 30m and the text states that "a 32 metre height control is... recommended for land on Lords Road that is close to the Marion Light Rail stop and other nearby facilities and services such as Kegworth

	Public School and Leichhardt Marketplace".  There needs to be further consideration of the scale of the built form outcome for the site. This should include submission of an urban design study justifying the height and density controls sought by the proposal (refer to Urban Design comments).
The planning proposal demonstrably achieves outcomes aligned to the desired future character and growth projections identified in the Strategy	The approach taken to considering the planning proposal against the desired future character of the Taverneers Hill precinct is appropriate, however further consideration is required by Council as to the proposal's contribution.  Notwithstanding, concern is raised with regards to the impact of the proposal on achieving the desired preservation of the leafy, residential and low scale character north of Parramatta Road between Hahern Street and Lords Road. The pre-planning proposal asserts that the scheme would achieve an appropriate transition to adjacent low scale residential. This needs to be further justified (refer to Urban Design comments).
	The planning proposal must adequately demonstrate that it is consistent with the design excellence provisions of the PRCUTS Planning and Design Guidelines. The pre-planning proposal submission does not include detailed consideration of the proposal with regard to these provisions.

## Criteria 2

An Integrated Infrastructure Delivery Plan (IIDP) is yet to be provided. The planning proposal will need to detail how it will contribute to various infrastructure items to realise the PRCUTS vision. The IIDP is to include a methodology for calculating the local and state infrastructure contributions.

## Criteria 3

While the preliminary engagement with surrounding residents and existing tenants on the site is acknowledged, further consultation is required in relation to the detailed proposal. The Consultation Report notes that engagement with a number of stakeholders, including government agencies and Kegworth Public School has not been possible.

Overall, the engagement undertaken is inadequate and there is no evidence that the requirement for an appropriate level of support or agreement has been satisfied. To satisfy Criteria 3 of the Out of Sequence Checklist, a planning proposal would need to detail:

- the nature of consultation undertaken;

- stakeholders engaged, including the extent of notification areas;
- material provided to consultees; and
- evidence of stakeholder support.

Council has received correspondence (attached) from the South Haberfield Action Group outlining their opposition to the rezoning of the site and redevelopment for residential purposes. Future consultation and any planning proposal should take account of the concerns raised. This will be fundamental in obtaining the required stakeholder agreement.

The pre-planning proposal refers to further consultation being undertaken "through formal exhibition of the proposal following a Gateway decision". Consultation required by a Gateway determination is of no consequence to, and will go no way towards satisfying Criteria 3 of the Checklist.

#### Criteria 4

A sustainability report demonstrating how the proposal achieves or exceeds the targets of the Strategy is to accompany a planning proposal.

#### Criteria 5

The pre-planning proposal does not provide a thorough economic analysis to demonstrate feasibility with regard to the likely costs of infrastructure and the proposed funding arrangements available for the Precinct. This analysis should be informed by the Integrated Infrastructure Delivery Plan required under Criteria 2. A feasibility study should demonstrate the economic feasibility of the infrastructure works identified in the PRCUTS Infrastructure Schedule and how the works will be funded.

The submission makes reference to the development not being delivered until 2023. The relevance of this comment is unclear. The PRCUTS is a 30-year plan. While the Implementation Plan 2016-2023 provides the framework for the short-term delivery of the Strategy, the phasing of the Corridor's transformation beyond this time has yet to be determined. It is unreasonable to assume that land not identified for development between 2016 and 2023 will be ripe for development in 2024.

#### Criteria 6

Any planning proposal should be accompanied by a thorough needs assessment of the existing/future market conditions to support rezoning in the current context. As noted above, a peer review of the EIA will be undertaken should a planning proposal be lodged. This will ascertain whether the proposal adequately satisfies Criteria 6 of the Checklist.

Notwithstanding, the following preliminary concerns are raised in relation to market viability:

- The development would result in the loss of employment and urban services land which PRCUTS envisages being retained until at least 2023.
- The EIA notes that "soaring and sustained price growth in recent years is reflective of a market that is inadequately supplied". In demonstrating the market viability of the proposed residential development, sustained and significant growth in house prices should not be primarily attributed to an undersupply of housing.

#### Urban Design

- The submitted Urban Design Study relies on the built form controls prescribed in PRCUTS rather than demonstrating its own independent design merit. In this regard, the proposal does not provide a sound rationale for the sought FSR and height controls.

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- The report does not interrogate any alternative built form outcomes for the site to make its case for the preferred option.
- There are concerns regarding the relationship between the proposed building heights and surrounding context. The proposed building envelope is inconsistent with the prevailing built form character and the desired future character of the precinct.
- Any planning proposal should be supported by an analysis of the visual impact on the surrounding area. This will ensure that the height controls for the site have regard to the existing surrounding context.
- Any proposal to establish a reduced level height control needs to be accompanied by a site survey. While the site analysis provides some levels across the site, these need to be verified against a professional survey plan. Council's property records identify Lot 1 DP 550608 as being burdened by easements. The nature and extent of any affectation should be identified.
- The cross sections and elevations do not provide RLs to allow the floor to ceiling heights or maximum building heights to be determined.
- The report does not provide a basement plan/footprint to allow the extent of proposed deep soil area to be determined. There are concerns that basement car parking would limit the opportunities for on-site deep soil and tree planting.

#### Affordable Housing

The proposed affordable housing does not satisfy the mandatory affordable housing contribution of the Inner West Affordable Housing Policy which is 15% of gross floor area. The argument that the Inner West target is inconsistent with that of other councils lacks cogency. Any case for a housing target needs to be evidence based. While evidence for Council's target is provided in its Affordable Housing Policy, no evidence is provided for the proposed offer, relative to local need. The exclusion of moderate income households from the eligibility requirements is also an inconsistency with Council's policy.

While the proposed agreement with Bridge Housing is noted, this approach is also inconsistent with Council's Policy, which seeks ownership of these properties to enable more flexible use and respond to changing demand over time. In relation to the proposed allocation of 18 studio and 17 one bedroom apartments, it is not clear why larger apartments that would provide for families with children have been omitted. No justification for this configuration based upon housing-need data is provided. The EIA identifies that family households in the Analysis Area have increased over the 2006-2016 period, accounting for 60.3% of all households in 2016, with families with children being the dominant family cohort (47.4% of all family households).

#### Open Space and Public Domain

The PRCUTS Planning and Design Guidelines identify the Taverners Hill Precinct as being deficient in local open space, particularly north of Parramatta Road. Redevelopment of the site presents an opportunity to address the shortfall.

For open space to make a genuine contribution to the recreation needs of the local community, it must be appropriately located and designed. While likely to provide recreation opportunities and improved amenity for the occupants of the proposed development, the open space shown would be of little benefit to the wider community. As a minimum, the open space should have greater interface with the existing public domain.

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The proposal states that it "provides pedestrian improvements along Lords Road between the pedestrian light rail underpass and Kegworth Primary School". The documentation submitted does not demonstrate how the proposal will contribute to Lords Road being prioritised for pedestrians.

## Community Strategic Plan

In June 2018 Council adopted a new Community Strategic Plan (CSP). Our *Inner West 2036*. Any planning proposal must address *Our Inner West 2036*, rather than the former Leichhardt Community Strategic Plan.

The CSP is guided by the principle: To work together in a way that is creative, caring and just. In the case of this proposal, creative is a key component of the principle and the Plan commits Council to the following expression:

*Inner West is an environment where all forms of creativity flourish. This generates socio-economic growth and development, linking together the economy (creative industries), places (creative spaces) and people (creative talent), making a 'creative ecosystem' that reflects the relationship between creativity and place.*

## Traffic and Transport

Prior to any rezoning commencing, the PRCUTS Implementation Plan requires completion of a precinct-wide traffic study and supporting modelling which considers the recommended land uses and densities, as well as future Westconnex conditions, and identifies the necessary road improvements and upgrades required to be delivered as part of any proposed renewal in the Precinct. The above mentioned study is being undertaken in collaboration with the Department of Planning and Environment (DPE) and its completion is not anticipated until the end of March 2019. It is unlikely that a planning proposal could be supported prior to the completion of this study.

Concern is raised regarding the increased use of Davies Lane and the possibility that vehicles associated with the new dwellings fronting Davies Lane may try to park (even temporarily) in Davies Lane, severely restricting access to the rear garages of properties fronting Davies Street. This is further exacerbated by the internal road exiting onto Davies Lane.

While the active transport link through Lambert Park is discussed, there is no formal commitment to this from either party. This connection is unlikely to be achieved unless Lambert Park is reconfigured.

Application of a green/home-based travel plan will assist in reducing private car dependency, particularly at a site with proximity to both light rail and buses, however current spare capacity/occupancy levels on the network is uncertain (the applicant's assessment and Council's assessment seem to differ).

The proposed access road is located in close proximity to the 90 degree road bend which may result in unsafe conditions for vehicles turning right into the site.

"Scenario 3" indicates Level of Service F at the Marion/Foster Intersection for 2028, however no assessment of the public transport impacts (either delay due to the LoS F, or the increased population) on spare public transport capacity by 2028.

The current proposal will generate additional pedestrian traffic in Davies Lane. To ensure pedestrian safety, provision of a 1.5m wide wide footpath will need to be considered. This would require the dedication of land along the length of Davies Lane.

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- To enable vehicles to exit Davies Lane in a forward direction, a "Y" turning head may be required at the northern end of the lane.
- The traffic report states that the assessment is for "63-73 Lords Road, Leichhardt". However, the study area should be "63-75 Lords Road, Leichhardt".
- The survey date and raw data have not been provided for the "Existing Peak Hour Traffic Volume" for the intersections along Foster Street and Tebbutt Street (presented in Figure 2.8).
- The traffic report (Table 6.1) notes that the traffic generation of the existing development is estimated using the RMS guide. An overall rate of 1 trip per 100sqm was applied to all light industrial type uses which result in a higher generation rate for 'warehouse and storage' use. The RMS guide specifies that 0.5 trips per 100sqm for warehouses and 1 trip per 100sqm for factories. Traffic generation rates should be revised in accordance with the RMS guide.
- An overall rate of 1.69 trip per 100sqm was applied to all office/community space type uses. The RMS guide specifies 1.6 trips (AM peak) and 1.2 trips (PM peak) per 100sqm for offices. Traffic generation rates should be revised in accordance with the RMS guide.
- Notwithstanding the overall reduction in the peak traffic generation identified, the most critical times for the location are during school pick-up and set down. As such, the likely traffic movements at these times should be demonstrated (through surveys of similar developments in the inner west).
- The existing traffic surveys were undertaken in 2013. The relevance of the data should be justified, and evidence presented of the business occupancy in the precinct during the survey.
- The traffic report used RMS (TDT2013/04) Sydney Average traffic generation rate for high density residential flat dwellings of just 0.19 peak vph per unit. The surveys used to derive this rate include those from St Leonards and Chatswood, which have very different traffic generation rates than the inner west. The traffic generation rates shall be amended to use a rate of 0.3 peak vph per unit which is derived from the RMS survey data, excluding St Leonards and Chatswood.
- Both Figure 6.1 and Figure 6.2 show the PM peak hour traffic volume generated from the study area. AM peak is not presented.
- Further clarification is required regarding traffic distribution at the Lords Road/Foster Street intersection.
- Concern is raised regarding the potential for additional right turn movements at the Foster/Tebbutt Street/Kegworth Street intersection, particularly during school peak period.
- The ability to comply with the car parking requirements of Leichhardt DCP 2013 should be demonstrated.

Section 7: Intersection Capacity Analysis

- Clarify the growth rate that was used in the analysis
- SIDRA calibration and validation report to be provided for review

## 2. Additional Information

### Site-specific Development Control Plan provisions

A planning proposal of the nature outlined would need to be accompanied by site-specific DCP provisions to be incorporated into Leichhardt DCP 2013. This would constitute a Complex DCP amendment under Council's Fees and Charges and as such a fee of \$35,000 would be payable at lodgement (in addition to the \$100,000 Complex LEP Amendment fee).

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## Social Impact Statement

A Social Impact Statement is required to be prepared in accordance with the guidelines of the former Leichhardt Council. This approach to identifying social impacts (positive and negative), strategies and mitigation measures is the established mechanism for ensuring the balanced assessment of a proposal.

The Social Impact Assessment should take account of the Leichhardt Community and Cultural Plan 2011-2021 which identifies this site as being a component of the Iron Cove Arts, Culture and Recreation Corridor, containing significant creative sector employment lands, recreation lands, and community infrastructure.

## Flood Study

The site is identified as a Flood Control Lot and as such a flood study must be submitted with a planning proposal. The study must establish the flood planning level, the probable maximum flood level and the hazard category. The study should be informed by an updated Flood Certificate obtained from Council. Without a flood study, consistency with Ministerial Direction 4.3 cannot be determined.

An overland flowpath must be maintained along the western boundary of the site. The existing flood waters pass from Parramatta Road, through George and Upwards Streets and on to Beeson Street. As the waters cannot pass the rail embankment, the flood waters travel alongside the embankment to Marion Street where it then has access to Hawthorne Canal. This flowpath will need to be maintained as part of any proposal to ensure that flooding of other properties in Lords Road or Kegworth Street is not exacerbated.

## Heritage Impact Study

A Heritage Impact Study must accompany a planning proposal for the site. The study should consider the impact of the proposal on nearby heritage items, including the former house located within Lambert Park and Kegworth Primary School.

## Contamination

While the pre-planning proposal states that an updated contamination assessment will be prepared to support the planning proposal, it is pertinent to note that in addition to a preliminary investigation, a detailed investigation may be necessary to adequately satisfy the requirements of SEPP 55 and demonstrate that the land can be remediated to make it suitable for the intended use.

## Acid Sulfate Soil Study

The site is identified as having a probability of containing acid sulfate soils. Accordingly, an Acid Sulfate Soils Study must accompany a planning proposal for the site.

## Voluntary Planning Agreement

Council will be seeking 50% of any uplift in value facilitated by amendment of the planning controls for the site, to be secured through a Voluntary Planning Agreement (VPA). A VPA offer is to be submitted with a planning proposal and is to contribute towards meeting local infrastructure/service demands.

**Notes:** A new fee structure for planning proposals and DCP amendments was adopted by Council on 24 July 2018. In addition to allowing for the recovery of costs associated with additional studies and peer reviews, it also stipulates that the costs of referring planning proposals to the Inner West Planning Panel and Architectural Excellence Panel are to be borne by proponents.

**From:**

**Sent:** Saturday, 6 October 2018 9:31:01 AM

**To:** Inner West Council

**Subject:** Haberfield residents against Lords Road rezoning

Dear Mr Hart,

Haberfield residents are alarmed that Platino Properties is again trying to get the 67 Lords Road site rezoned to high-rise residential uses.

We had a meeting last week as the South Haberfield Action Group, and released the attached statement.

We urge Council to continue opposing the rezoning, and support our call for genuine consultation over the future of this important community resource.

Convenor

This email has been scanned by Symantec Email Security cloud service on behalf of Inner West Council.

## South Haberfield Residents Statement

The owners of our local industrial site, at 67-73 Lords Road, Leichhardt (Platino Properties), is preparing a new bid to rezone the site for high-rise residential development. It is only 12 months since the last bid to rezone this land to residential was rejected by the Regional Planning Panel.

Platino Properties has been carrying out a sham consultation before resubmitting its plans. They want to argue that their redevelopment should be given priority so it can occur out-of-sequence before 2023. Their consultants have met some Leichhardt residents, who repeated their objections to the proposed scheme. But they did not talk to local Haberfield residents, not even those who addressed the Regional Planning Panel which rejected the proposed rezoning. They put on a planning display at the Haberfield library, but did not leaflet or inform most of the Haberfield houses directly affected.

The 'consultation' is a sham to justify a redevelopment almost as large as that rejected. We object to the proposal for rezoning and intensive residential development of this site because:

1. The site with its diverse employment uses provides local services to the community including cultural and recreation services. This area has already lost much of its industrial lands, but a community is more than just dwellings.
2. The development is grossly out-of-scale with the surrounding community.
3. The increased residential population will put additional strain on local services such as the school and light rail
4. The development will increase traffic and congestion around the school, pedestrian routes and bike paths.
5. Residents in Haberfield will suffer a loss of privacy and sunlight, with likely effects on their property value.
6. The proposal has not taken into account that Haberfield is a heritage conservation area, subject to height restrictions which should apply to developments adjoining the conservation area.

We call upon our Local, State and Federal Government representatives to reject the redevelopment schema for the Lords Roads Industrial Lands.

We call on Platino Properties to meet representatives of the local community including the South Haberfield Action Group and the Lords Road Precinct Residents Committee to negotiate an acceptable consultative planning process.

