

20 February 2019

Ms Amanda Harvey  
Director  
Sydney Region East  
NSW Department of Planning and Environment  
320 Pitt Street  
Sydney NSW 2000

**Rezoning Review for 67-75 Lords Road Leichhardt**

Dear Ms Harvey

On behalf of my client, Platino Properties, I am writing to seek a Rezoning Review in relation to a planning proposal lodged with Inner West Council for a site at 67 – 75 Lords Road, Leichhardt

**HISTORY**

A previous planning proposal for the site was submitted to the Inner West Council in May 2014 and was granted a gateway determination by the Department of Planning and Environment in July 2016 consistent with the recommendations of an independent regional planning panel.

Notwithstanding, following the progression of the rezoning process including public exhibition of the Planning Proposal, it was not supported by the Sydney Central Planning Panel in August 2017. The Panel determined by way of a casting vote from the chair that the proposed instrument should not be made. The key reason given was loss of employment land based on consideration of employment lands protection policies outlined in Ministerial Direction 1.1 and the then draft District Plan.

The Department supported the Panel's decision. However it highlighted that a revised proposal which addresses the issues raised by the Panel could be considered. In particular, the Department advocated that a revised proposal should:

- provide some employment opportunities on the site,
- be informed by community and Council consultation, and
- address issues associated with the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) out of sequence checklist.

It is noted that members of the panel who supported the proposal had raised concern that a failure to give due regard to the implementation of the PRCUTS would undermine the integrity of the planning system.

In March 2018 the Greater Sydney Region Plan and Eastern City District Plan were released. These plans confirmed that the land identified by PRCUTS is not subject to industrial land strategies and actions to retain and manage industrial land because it had undergone an extensive planning process.

## **CURRENT PROPOSAL**

### **Planning Policy**

The current proposal has been prepared in accordance with the Greater Sydney Region Plan, Eastern City District Plan and PRCUTS. We note in particular that the Planning Proposal is fully consistent with all relevant State planning strategies and Ministerial Directions for the preparation of local environmental plans.

### **Employment**

In response to concerns about loss of employment land raised by the Panel members, Council and the community, the proposal incorporates a minimum of 3,000 sqm of non-residential uses. This would be provided as flexible space, predominantly on the ground floor, which could adapt to demands over time and support a range of uses such as community uses, creative industries, health facilities, education uses, gymnasium, and local service business.

### **Community Consultation & Response**

Extensive consultation has been undertaken with Council, government agencies and the community and feedback has informed the proposal with respect to community and employment uses, and urban design.

In particular, the proposal responds to the APIA Club's concerns by retaining the existing blank wall and building adjoining Lambert Park (used by the APIA Club) and by setting any residential development 20m from this boundary. Platino Properties will also upgrade the existing lights at Lambert Park to minimise light spill throughout the proposal and the surrounding neighbourhood.

The proposal will target 5 star Green Building Council rating and includes 35 affordable rental housing units comprising 15% of the total number of dwellings to be managed by a community housing provider for a minimum of 10 years. This exceeds the requirements of the PRCUTS and the Greater Sydney Region Plan.

### **Out of Sequence Checklist**

The proposal incorporates a detailed consideration against the PRCUTS Out of Sequence Checklist.

We note PRCUTS envisages that 47,000 sqm of residential GFA will be constructed in the Taverners Hill first release area between 2016-2023. Given that that no planning proposals have been lodged in the first release area and the area comprises small sites with modest FSR, it is clear that development originally envisaged by 2023 cannot occur within this timeframe.

Consequently, the Lords Road site would make a substantial contribution towards the PRCUTS housing target. Further, given the slow rate of uptake in the first release area, redevelopment of the Lords Road site would not result in unreasonable impact on infrastructure.

Notwithstanding, the Planning Proposal includes a commitment to provide its own supporting infrastructure, and an Integrated Infrastructure Delivery Plan has been submitted with the Planning Proposal.

### **CONSIDERATION BY INNER WEST COUNCIL**

The Planning Proposal was lodged with the Inner West Council on 25 October 2018. On 13 February 2019 Council resolved not to support the proposal, following a recommendation from the Inner West Planning Panel.

The Inner West Planning Panel and the Inner West Council have ignored and/or fundamentally opposed the key State Government policy applying to the site, which has the potential to undermine the effective operation of the planning system.

### **REZONING REVIEW REQUEST**

I request that the proposal be the subject of a Rezoning Review, in accordance with section 6.2 of A Guide for Preparing Local Environmental Plans 2018.

To support the request the following information has been provided:

- Rezoning Review Report detailing:
  - justification against the Strategic and Site-Specific Merit tests,
  - a response to Council's reasons not to support the proposal, and
  - a chronology of matters dealing with the proposal including records of all consultation with Council and Government agencies.
- Copy of the Planning Proposal and attachments as submitted to Inner West Council.
- Rezoning Review Application Form.
- Statement regarding political donations under section 10.4 of the Act.
- \$20,000 assessment fee.

Should you wish to discuss or require any further clarification please do not hesitate to contact me on the number below.

Regards,



Michael File

**Director**

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