

<b>DATE OF DECISION</b>	Thursday 27 June 2019
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Abigail Goldberg, Mark Grayson, Ted Cassidy, Monica Wangmann
<b>APOLOGIES</b>	Debra Laidlaw, Jacinta Reid
<b>DECLARATIONS OF INTEREST</b>	Sue Francis, John Roseth and Brian McDonald all declared non-pecuniary conflict of interest. They participated on the original pre-Gateway on this site and believed it would not be appropriate to sit on this panel because the applicant could perceive a biased opinion

### REZONING REVIEW

2019ECI013 – Inner West - 2019\_IWEST\_001\_00 at 65-75 Lords Road Leichhardt (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

### PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
  - ☒ not demonstrated strategic merit
  - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

### REASONS FOR THE DECISION

The Panel in considering this matter, took into account a number of planning documents, and written submissions from both the proponent and Council. In particular the Panel had due regard to Parramatta Road Corridor Urban Transformation Strategy (the Strategy) and its associated Action Plan as well as the Ministerial Direction 7.3, which requires a relevant planning authority, when considering planning proposals, to make decisions consistent with the Strategy.

The Panel notes that the planning proposal whilst generally consistent with various aspects of the Strategy in terms of the proposed land uses and density for the site, is however located outside the 2016-2023 Release Area as identified by the Strategy. Accordingly, the Panel must have regard to the Out of Sequencing Checklist adopted by the Strategy when establishing whether or not the planning proposal has strategic merit.

The Panel in considering the criteria set out in the Out of Sequence Checklist has formed the view that the planning proposal does not satisfy various aspects of the checklist, including






- Criteria 1 (Strategic Objectives, land use and development)

- Criteria 2 (Integrated Infrastructure Delivery Plan)
- Criteria 5 (Feasibility)

The Panel is of the view that the planning proposal is not of minor significance and nor consistent with the Out of Sequence Checklist in the Parramatta Road Corridor Implementation Plan 2016. Accordingly, the Panel has formed the view that this planning proposal does not have strategic merit and should not proceed to Gateway Determination.

Whilst a majority of the panel were satisfied with the Proposal's provision re employment land, panel member Ted Cassidy provided a minority view as follows: Having noted that having reviewed the submission from the proponent and the Department of Planning Industry and Environment, I have concluded that the planning proposal cannot be supported for the following reasons:

- The former Leichhardt Municipal Council land use areas have historically had a significant component of industrial use that has supported employment prospects for the residential component of the municipality.
- A change of zoning from Light Industrial (IN2) to Medium Density Residential (R3) will impact indefinitely on the prospect of the site ever achieving its optimum use as an employment generating entity supporting the living environment for residents of the Inner West Council.
- The reasons stated by the Inner West Local Planning Panel review of the proposal on 17 December 2018 and Inner West Council Resolution of 12 February 2019.

PANEL MEMBERS	
 Carl Scully (Chair)	 Abigail Goldberg
 Mark Grayson	 Monica Wangmann
 Ted Cassidy	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2019ECI013 – Inner West - 2019_IWEST_001_00 at 65-75 Lords Road Leichhardt
2	LEP TO BE AMENDED	Leichhardt Local Environmental Plan 2013
3	PROPOSED INSTRUMENT	The rezoning review request seeks to amend the Leichhardt Local Environment Plan 2013 to change zoning from IN2 to R3, with additional permitted uses, to increase the height to a maximum to RL35 and to increase the maximum floor space ratio from 1:1 to 2.4:1 at 76-75 Lords Road Leichhardt.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Rezoning review request documentation</li> <li>Briefing report from Department of Planning and Environment</li> </ul>
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> <li><b>Site inspection:</b> 25 June 2019 <ul style="list-style-type: none"> <li>Panel members in attendance: Carl Scully (Chair), Abigail Goldberg, Mark Grayson, Monica Wangmann, Ted Cassidy</li> <li>Department of Planning and Environment (DPE) staff in attendance: Kris Walsh, Laura Locke</li> </ul> </li> <li><b>Briefing with Department of Planning and Environment (DPE):</b> 25 June 2019 at 11am <ul style="list-style-type: none"> <li>Panel members in attendance: Carl Scully (Chair), Abigail Goldberg, Mark Grayson, Monica Wangmann, Ted Cassidy</li> <li>Department of Planning and Environment (DPE) staff in attendance: Kris Walsh, Laura Locke, Amanda Harvey</li> </ul> </li> <li><b>Briefing with Council and Proponent:</b> 25 June 2019 at 11.30am <ul style="list-style-type: none"> <li>Panel members in attendance: Carl Scully (Chair), Abigail Goldberg, Mark Grayson, Monica Wangmann, Ted Cassidy</li> <li>Department of Planning and Environment (DPE) staff in attendance: Kris Walsh, Laura Locke, Amanda Harvey</li> <li>Council representatives in attendance: Daniel East, Leah Chiswick, David Birds, Kim Johnston (consultant for Council)</li> <li>Proponent representatives in attendance: George Revay, Paula Mottek, Michael File, Matthew Pullinger</li> </ul> </li> <li>Papers were circulated electronically between 25 June and 27 June 2019</li> </ul>