

PCU057761

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19 December 2014

The Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Department of Planning
Received

6 JAN 2015

Scanning Room

Dear Ms McNally

RE: PRE-GATEWAY REVIEW REQUEST - PLANNING PROPOSAL FOR 245 MARION STREET, LEICHHARDT

On 25 November 2014 Leichhardt Council resolved not to support our Planning Proposal request to rezone land at 245 Marion Street, Leichhardt from an historic industrial zoning to permit a modern transit oriented residential or mixed use development under the provisions of the Leichhardt Local Environmental Plan (LEP) 2013. I hereby request a Pre-Gateway Review in accordance with the Department's *'A guide to preparing local environmental plans'*, and for the attached Planning Proposal to proceed through a gateway determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). I also request that the Secretary become the relevant planning authority under Section 54(2) of the EP&A Act for this Planning Proposal as it is of regional planning significance adjoining State transport infrastructure.

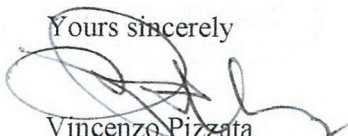
Attached are the relevant planning documents for the Pre-Gateway Review request submitted in accordance with the Department's *'A guide to preparing local environmental plans'*. The documents include a Pre-Gateway Review request letter by Andrew Wilson Town Planning Consultancy Service, which provides a justification for the review and comprehensive demonstration of the strategic merits of my Planning Proposal request. There is clear strategic merit in rezoning this underutilised land adjoining public transport infrastructure for residential or mixed use development at a medium to high density, and it is consistent with State planning policy/strategies. There are at least three other precedents for a change of use or rezoning of such fragmented industrial sites in the immediate locality including a seniors housing development on immediately adjoining land.

It is evident to us that Leichhardt Council is not willing and able to address the strategic planning of this locality or our land in a substantive and progressive way. The land is located in a strategically significant urban area which is under transition at the confluence of the new Inner West Light Rail Line and Parramatta Road urban renewal corridor, and adjoins the new Marion Street light rail stop and Marion Street bus corridor. The current industrial zoning of our land is from an historical land use pattern, which has been superseded by recent events that are drivers of change in the urban environment. The current industrial zoning with its limited potential uses and low density is an underutilisation of the site and adjoining passenger transport infrastructure

for which there has been substantial public investment by the NSW Government. There is clear potential for our site to support rezoning for residential or mixed use development in accordance with State planning policy and strategies.

We would be pleased to discuss and develop this Planning Proposal with the Department of Planning and Environment. Please contact Mr Stephen Figgis of Figgis + Jefferson Tapa Architects on Ph.9438 5555 or at stephen@figgis.com.au in the first instance as our contact representative. Thank you.

Yours sincerely



Vincenzo Pizzata
Managing Director
P&C Consulting Pty Ltd



Date received:

Reference No.

LODGEMENT

Instructions to users

This form is to be completed if you wish to request an independent review related to plan-making under Part 3 of the *Environmental Planning and Assessment Act 1979*. A review can be requested at pre-Gateway stage and following a Gateway determination. This form relates to pre-Gateway review requests.

A **pre-Gateway review** can be sought before a planning proposal has been submitted to the Department of Planning and Infrastructure (department) for a Gateway determination and in the following circumstances:

- a) the council has notified the proponent that the request to prepare a planning proposal is not supported; or
- b) the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information.

Before lodging a request for review, it is recommended that you consult the Planning Circular '*Delegations and independent reviews of plan-making decisions*' and '*A guide to preparing local environmental plans*', which can be found on the department's website www.planning.nsw.gov.au. The guide gives a step-by-step explanation of the review procedure and submission requirements.

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

- complete **all** relevant parts of this form
- submit **all** relevant information required by this form, including the **initial fee**.
- provide **one hard copy** of this form and required documentation
- provide the form and documentation in **electronic format** (e.g. CD-ROM)

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

The department may request further information if your request for review is incomplete or inadequate.

All requests **must be lodged** with the department's relevant Regional Office. Please refer to www.planning.nsw.gov.au for contact details.

PART A – APPLICANT AND SITE DETAILS

A1 – Applicant Details

Principal contact

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Vince

Family name

Pizzata

Name of company (N/A if an individual)

P&C Consulting Pty Ltd

Street address

Unit/street no.

60

Street name

Tillock Street

Suburb/town

Haberfield

State

NSW

Postcode

2045

Postal address
(or mark 'as
above')

PO Box or Bag

PO Box 7

Suburb or town

Haberfield

State

NSW

Postcode

2045

Daytime telephone

02 9799 7911

Fax

02 9716 5900

Email

francesco.morsello@gmail.com, admin@pandcc.com

Mobile

0419 204 961

A2 – Site Details

Identify the land that is to be the subject of the planning instrument and for which you seek a review

Unit/street no.	Street name	
245	Marion Street	
Suburb/town	State	Postcode
Leichhardt	NSW	2040

NAME OF THE SITE

245 Marion Street, Leichhardt

REAL PROPERTY DESCRIPTION

Lot 1 DP 507525

*The **real property description** is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Finance and Services, Land and Property Information. Please ensure that you place a forward slash (/) to distinguish between the lot, section DP and strata numbers. If the proposal applies to more than one piece of land, please use a comma (,) to distinguish between each real property description.*

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

HAVE ALL OWNERS OF LAND TO WHICH THIS PROPOSED INSTRUMENT APPLIES BEEN NOTIFIED?

- ☐ Yes
☐ No
☐ Some have but not all
☒ N/A (Applicant is owner)

Note: If some land owners, but not all, have been notified, list below those notified:

CURRENT ZONING OF THE LAND AT THE SITE

IN2 Light Industrial

CURRENT LAND USE AT THE SITE

Motor Vehicle Repair Station - Mazda service centre

PART B – REASON FOR REVIEW AND THE PLANNING PROPOSAL

B1 – Reason for Pre-Gateway Review and the Relevant Planning Authority (RPA)

Indicate below the reason for seeking a pre-Gateway review. A review can only proceed if either of these two circumstances has occurred.



The council has confirmed in writing that the request to prepare a planning proposal is not supported. Confirmation dated 1 December 2014



The council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information.

Indicate below whether the request to prepare a planning proposal was submitted to the council prior to November 2012?

- ☐ Yes Date:
☒ No

Note: If you have answered 'yes' to the above question, please note that a review can only be sought where the supporting information accompanying the request is less than two years old.

Note: If you have answered 'no' to the above question, please note that a review request accompanied by information that is more than 2 years old, may, but will not normally, be considered.

NAME OF THE LOCAL GOVERNMENT AREA

Leichhardt Municipality

CONTACT DETAILS OF THE RELEVANT OFFICER AT RPA / COUNCIL

Roger Rankin, Clare Harley

B2 – The Proposed Instrument

DESCRIPTION OF PROPOSED INSTRUMENT

As described in the attached Pre-Gateway Review Request cover letter

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

Leichhardt Local Environmental Plan 2013

IS THE LEP TO BE AMENDED (ABOVE) A STANDARD INSTRUMENT LEP?

- ☒ Yes
☐ No

INFORMATION REQUIREMENTS

Pre-Gateway review requests will not be expected to be supported by as much information as what would be required for a planning proposal. However, requests must be accompanied by sufficient information to support and justify the request. Please refer to 'A guide to preparing local environmental plans' for the necessary information requirements.

Information requirements will differ from case to case. However, all requests must be accompanied by:

- site plan
- location plan
- zoning map(s)

INFORMATION PROVIDED

List below all the documents, maps, plans, studies, information and any other supporting information that comprises your proposed instrument and request for pre-gateway review.

See list of documents in the attached Pre-Gateway Review Request cover letter

PART C – PAYMENT, DISCLOSURE AND SIGNATURES

C1 – Application Fees

You are required to pay an initial fee of **\$5,000** so that the department can undertake an initial assessment together with other associated administrative tasks relating to your pre-Gateway review request.

Please note that further fee payments shall be required should your proposed instrument qualify for review. Further details can be found within 'A guide to preparing local environmental plans'.

Payment methods:

- Cheque / bank order

C2 – Donation and Gift Disclosure

Section 147 of the Environmental Planning and Assessment Act 1979 requires the public disclosure of *reportable political donations* or gifts when lodging or commenting on a *relevant planning application*. This law is designed to improve the transparency of the planning system.

DO YOU HAVE ANY DONATIONS OR GIFTS TO DISCLOSE?

- ☐ Yes
☒ No

How and when do you make a disclosure?

The disclosure to the Minister or the Director-General of a *reportable political donation* or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning submission if the donation is made before the submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning submission was made within 7 days after the donation is made.

What information needs to be included in a disclosure?

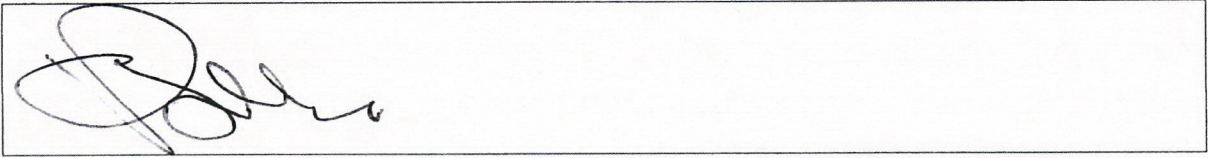
The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act. A Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General can be found on the department's website:

www.planning.nsw.gov.au/donation-and-gift-disclosure

C3 – Signature(s)

By signing below, I/we hereby declare that all information contained within this application form is accurate at the time of signing.

Signature(s)

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read 'Vince Pizzata'.

Name(s)

Vince Pizzata

In what capacity are you signing

Managing Director, P&C Consulting Pty Ltd

Date

16th December 2014