



The Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attn: Juliet Grant

3 December 2012

Re: Request for Pre-Gateway Review of Planning Proposal for 141-159 Allen Street, Leichhardt

Dear Juliet,

I refer to the Department's letter dated 15 November 2012 and enclose a Pre-Gateway Review Application comprising:

- Application form;
- Cheque to the sum of \$5,000; and
- Documents in an attached folder.

We have not received a formal letter from Council, and enclose an extract of the publicly available minutes from the February 2012 Ordinary Council meeting, as evidence of Council's position.

The package includes maps separate from the documents submitted to Council for ease of reference, and a separate assessment against the Department assessment criteria identified in "A Guide to Preparing Local Environmental Plans".

One (1) hard copy and electronic version have been provided.

The Department's earliest consideration of this matter would be appreciated.

Should you require any further information, please do not hesitate to contact me on (02) 9380 9911 or by email at amccabe@sjb.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alison McCabe'.

Alison McCabe
Director

Encl.



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

Tony

Family name

Royal

Name of company (N/A if an individual)

Leichhardt 141 Pty Ltd C/- SJB Planning (NSW) Pty Ltd

Street address

Unit/street no.

Level 2, 490

Street name

Crown Street

Suburb/town

Surry Hills

State

NSW

Postcode

2010

Postal address
(or mark 'as
above')

PO Box or Bag

Suburb or town

'As above'

State

Postcode

Daytime telephone

(02) 9380 9911

Fax

(02) 9380 9922

Email

amccabe@sjb.com.au

Mobile

cc. tony-royal@necroyal.com.au

0419 621 123

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	
141 & 159	Allen Street	
Suburb/town	State	Postcode
Leichhardt	NSW	2040

NAME OF THE SITE

N/A

REAL PROPERTY DESCRIPTION

Lot 1 in DP 632522 and Lot X in DP 381373

*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

1. Leichhardt 141 Pty Ltd - owner of 141 Allen Street, Leichhardt
2. Arquilla Bulk Trading Co Pty Ltd - owner of 159 Allen Street, Leichhardt

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

Industrial - Leichhardt LEP 2000

CURRENT LAND USE AT THE SITE

Bulky Goods Retailing - Matt Blatt Furniture and Food and Beverage Distribution 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
- ☒ 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: 17 January 2012
☐ 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 Council

CONTACT DETAILS OF THE RELEVANT OFFICER AT RPA / COUNCIL

Roger Rankin, Team Leader - Strategic Planning
E: rogerr@lmc.nsw.gov.au
P: (02) 9367-9174

B2 – The Proposed Instrument

DESCRIPTION OF PROPOSED INSTRUMENT

Rezoning proposal to change the zoning of site from industrial to residential and to include site specific development standards.

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

Leichhardt LEP 2000 - map and clause 17 or Draft Leichhardt LEP 2012 (if finalised)

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.

- Planning Proposal Request
Request for a Planning Proposal to Leichhardt Council dated 17 January 2012.
- Council Report and Correspondence
Council report to the Ordinary Council on 28 February 2012 and minutes of this meeting.
All subsequent correspondence with Leichhardt Council.
- DP&I Correspondence
Correspondence with Department of Planning and Infrastructure.
- Owners Consent
- Map
Map of the site, showing location and existing zoning.
- Assessment Criteria
Brief summary addressing assessment criteria

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)



Name(s)

Tony Royal

In what capacity are you signing

Owner

Date

30 November 2012