

Notice of Motion

Part 3A application for 14 story residential towers and supermarket complex at Longport Street and Old Canterbury Road Lewisham.

Councillor Max Phillips

That Marrickville Council notes:

- 1) that an application has been lodged with the Department of Planning for assessment under Part 3A of the *Environmental Planning and Assessment Act 1979* of a proposed development at Longport Street and Old Canterbury Road Lewisham;
- 2) the proposed development includes large residential towers and substantial retail space that is likely to have major effects on the local community, traffic generation and flow, and the Marrickville Urban Strategy;
- 3) the large amount of retail space in this development has potentially detrimental effects on main street shopping strips within the Marrickville LGA and is also likely to affect shopping areas in the Leichhardt and Ashfield LGAs;
- 4) 99% of applications accepted for assessment under Part 3A of the *Environmental Planning and Assessment Act 1979* have been approved.
- 5) the company Demian Developments which is related to the applicant company Demian Constructions through the director and secretary, has donated over \$20,000 to the NSW Labor Party since 2002.

That Marrickville Council:

- 6) rejects the applicant's claim that the development is of state significance and therefore calls on the Minister for Planning, Kristina Kennelly to reject the application for assessment under Part 3A, and for the development application to be assessed by Marrickville Council;
- 7) write to Leichhardt and Ashfield Councils informing them of this development application and asking them to support Marrickville Council's request that the request for assessment under Part 3A be rejected and that the application be assessed by Marrickville Council;
- 8) write to the member for Marrickville, Carmel Tebbutt, the member for Strathfield, Virginia Judge and to the member for Balmain, Verity Firth, asking

them to oppose the part 3A application and for the application be assessed by Marrickville Council.

Background:

The developer Demi an Constructions has submitted an application to the Department of Planning for the proposed development at Longport Street and Old Canterbury Road Lewisham to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*.

This will mean that the development will bypass council assessment and will limit community input and the transparency of the decision making process.

Marrickville Council has already made a strong submission outlining why this project should be assessed by the Council and rejected as a Part 3A application.

The development plans are for multiple residential towers up to 14 stories high and for around 9000 square metres of retail space, including a 4,000 square metre supermarket.

This large development will potentially impact on the integrity of the *Marrickville Urban Strategy* that was adopted by Council after considerable community consultation.

This development will have be likely to have major effects for local residents in Lewisham and Summer Hill and on traffic generation and flows around the site.

Fourteen storey high buildings will far exceed any existing building in the Marrickville LGA and has the potential to set a new precedent in building heights for the LGA.

The retail space proposed in this development will have major effects on local shopping strips within the Marrickville LGA, particularly Petersham, Dulwich Hill and Marrickville, and will also affect shopping strips in Summer Hill, Leichhardt and Ashfield.

Part 3A of the *Environmental Planning and Assessment Act 1979* strips the power of local councils to be the consent authority for very large or important developments. The stated intention is for it to be used only for developments of state significance

The Greens do not believe a few residential buildings and a supermarket mall in Lewisham meet the threshold of being of state significance

There is a strong public perception that Part 3A is used as a way for developers to bypass local councils and local communities for fast tracked development approval.

Since Part 3A came into operation 99% of projects accepted for assessment under Part 3A have been approved.

There is a strong public perception that many projects approved under Part 3A have been proposed by companies who have made donations to the NSW Labor Party. This has undermined the public's confidence in the integrity of our planning system and led to perceptions of corruption.

According to the financial disclosure records of the Electoral Funding Authority and the Australian Electoral Commission, the entity Demian Developments has donated over \$20,000 to the NSW Labor Party since 2002.

The director and secretary of Demian Developments during the time of these donations is the same director and secretary of Demian Constructions. They also share the same addresses. It is highly likely that the public will perceive a potential conflict of interest if this development is decided under Part 3A of the *Environmental Planning and Assessment Act 1979*