

**Attachment 3 – Minutes of the Inner West Council Local
Planning Panel**



INNER WEST COUNCIL

**INNER WEST LOCAL PLANNING PANEL
MEETING**

23 JULY 2019

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on 23 July 2019.

Present: Adjunct Professor David Lloyd QC in the chair; Mr Ian Stapleton; Ms Kath Roach; Ms Annelise Tuor.

Staff Present: Manager Strategic Planning & Policy; Team Leader Strategic Planning; Strategic Planners and Administration Officer.

Meeting commenced: 2:05pm

**** ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge the Gadigal and Wangal people of the Eora nation on whose Country we are meeting today, and their elders past and present.

**** DECLARATION OF PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS**

There were no declarations of interest.

IWLPP739/19 Agenda Item 1	Planning Proposal – 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield
Description:	Planning Proposal to amend Leichhardt Local Environmental Plan (LLEP) 2013 to amend the floor space ratio, introduce a maximum building height and addition of the site as a key site, and addition of a site specific clause for objectives, minimum setbacks, maximum number of storeys and non-residential development at street level adjoining City West Link.

The following people addressed the meeting in relation to this item:

- *Scott Barwick*
- *Derek Raithby*

DECISION OF THE PANEL

The Panel adjourned the decision of the matter at 2:35pm

The matter resumed at 3:15pm

The Panel agrees with the findings in the Council's report subject to the following advice:

RECOMMENDATION:

THAT the Inner West Planning Panel recommends to Council:

1. The proponent's planning proposal is not supported for the following reasons:
 - Inappropriate FSR and height controls which would result in excessive bulk and scale in relation to the surrounding residential area to the south and a desirable future character to the City West Link;
 - The proposed FSR and height controls would result in unacceptable overshadowing and visual privacy impacts on adjoining southern properties (in particular to No 37 Russell Street and No 34 Lonsdale Street);
 - Inconsistencies with the Apartment Design Guide (ADG) and the design quality Principles of SEPP 65;
 - A lack in the proposal of any alternative building envelopes, layouts or testing of various scenarios that would reduce the adverse impacts on the amenity of the adjoining residential properties to the south;
 - A lack of a site-specific development control plan, despite the proposal being inconsistent with provisions of the Leichhardt Development Control Plan 2013 (LDCP 2013);
 - Insufficient consideration of the likely overshadowing of adjoining western and eastern properties given the shadow analysis did not explore likely shadowing to the properties to the east (including 402 Catherine Street); and
 - A lack of information on acoustic impacts, water cycle management on the site (stormwater and flooding), and traffic impacts on the surrounding road network.

2. That Council endorse the Planning Proposal prepared by Council Officers for the land at 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield (provided in Attachment 2) which seeks to amend the *Leichhardt Local Environmental Plan 2013* (LLEP 2013) in relation to the site by:
 - a) Amending the Floor Space Ratio Map (Sheet FSR_004) to reflect a maximum floor space ratio for the site of 1.5:1 and removal of the site from Area 6;
 - b) Amending the Height of Building Map (Sheet HOB_004) to reflect a maximum height of buildings for the site to RL 33.2 by adding the site to the RL 21m – 40m category;
 - c) Amending the Key Sites Map (Sheet KYS_004) by adding the site as Key Site 7; and
 - d) Adding a site-specific Clause to Part 6 of LLEP 2013 generally as follows:
 - The objective of this clause is to facilitate the development of the land to which this clause applies by specifying controls for different maximum heights and minimum setbacks for buildings on the land to achieve a sympathetic building scale relationship with adjacent existing dwellings to the south and new appropriate form to City West Link, all to allow redevelopment without adversely affecting the streetscape, character, amenity or solar access of surrounding land.
 - any proposed building is set back at least:
 - 3 metres from the southern boundary adjoining No 34 Lonsdale Street and No 37 Russell Street;
 - 3 metres from the northern site boundary adjoining the City West Link; and
 - 4 metres from the eastern and western site boundaries to adjoining side streets.
 - 2 storeys - if the building is adjacent to the adjoining low density residential area at No 34 Lonsdale Street and No 37 Russell Street then stepping to 5 storeys towards the northern boundary to provide a transition in built form and land use intensity between these different areas having particular regard to the transition between houses and other buildings.
 - 5 storeys including a basement podium partially out of ground — if the building is adjacent to the City West Link on the northern site boundary.
 - Development other than residential uses is proposed on the level located at street level along the northern boundary adjoining the City West Link.
3. That the attached Planning Proposal be forwarded to the Minister for Planning and Open Space for a Gateway determination in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979* subject to the provision of the following amended and additional information as Gateway conditions:
 - a) Revised key development controls for the site (building height, FSR, building depth/separation/envelopes, deep soil zones, and setbacks);
 - b) Voluntary Planning Agreement (VPA) for infrastructure and affordable housing contributions;
 - c) Site-specific Development Control Plan; and
 - d) An amended Traffic Impact Assessment which considers impacts on the City West Link;

4. That a site-specific Development Control Plan (DCP) be prepared by the Proponent and reported to Council prior to the exhibition of the Planning Proposal, and for the exhibition of both the Planning Proposal and DCP to occur concurrently;
5. That the Department of Planning, Industry and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;
6. Following receipt of a Gateway determination, and compliance with any conditions, the Planning Proposal and revised supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway determination; and
7. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities.

The decision of the panel was unanimous.

IWLPP740/19 Agenda Item 2	Amended Planning Proposal - 1-5 Chester Street, Annandale
Description:	Revised planning proposal to amend the Leichhardt Local Environmental Plan (LLEP) 2013 to allow boarding house as an additional permitted use, amend the Floor Space Ratio and introduce a Maximum Building Height control.

The following people addressed the meeting in relation to this item:

- *Michael File*
- *Alex Sicari*

DECISION OF THE PANEL

The Panel adjourned the decision of the matter at 3:45pm

The matter resumed at 4:03pm

The Panel agrees with the findings in the Council's report subject to the following advice:

THAT the Inner West Planning Panel advise Council:

1. THAT it does not support the Planning Proposal for 1-5 Chester Street Annandale as:
 - It fails the strategic and the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) Out of Sequence Checklist tests;
 - It is inconsistent with the ministerial direction issued under Section 9.1 of the Environmental Planning and Assessment Act 1979 Direction 7.3 - Parramatta Road Corridor Urban Transformation Strategy; and
 - It is premature in the light of the prospective outcomes of current State and local government strategic planning studies and projects including the Inner West Local Strategic Planning Statement/ Local Environmental Plan/ Development Control Plan/Contributions Plan and PRCUTS precinct-wide traffic study.
2. THAT it does not support the proponent's proposal to proceed to Gateway.
3. THAT it generally supports the following principles for revising the planning proposal:
 - Rezone the site to B7 Business Park and allow boarding house as an additional permitted use;
 - Increase the FSR of the site up to 2:1 with a minimum non-residential floor space of 980 sqm (or FSR 0.75:1) dedicated to business and office premises and light industries in the technology, bio-medical, arts, production and design sectors. Refer to the alternate scheme developed by Architectus as provided in Attachment 4;
 - Establish a 17m height limit which would facilitate a five-storey development on the site with minimum floor to ceiling heights for employment uses to be incorporated in the DCP;
 - Ensure that the proposed boarding house will not have an adverse impact on the surrounding industrial uses and that the development will include the necessary design and acoustic measures to ensure that there are no significant adverse impacts on the amenity of future residents of the site;

- Ensure that a minimum percentage of non-residential floor space is made available as affordable space for tech start-ups, innovative creative industries, community uses and artists to align with the objectives of Camperdown Ultimo Collaboration area Place Strategy;
- Incorporate appropriate mechanisms to ensure that 'new gen' boarding house rents are affordable in perpetuity;
- Ensure that the development provides a pedestrian and cycle access through the site along Johnstons Creek to align with the objectives of the Parramatta Road Corridor Urban Amenity Improvement Plan and Camperdown Public Domain Masterplan;
- Ensure that the development will incorporate environmentally sustainable design principles which exceed the PRCUTS sustainability targets;
- Update the site - specific DCP to reflect Architectus's urban design recommendations and in particular, the re-orientation of the building form to front Chester Street and the southern boundary of the site and create open space facing Johnstons Creek;
- Update the proposal in response to the outcomes of the precinct-wide traffic study once completed;
- Update the IIDP and ensure that satisfactory arrangements are made for the provision of State and local infrastructure;
- Consider DCP requirements to provide infrastructure or the capacity for EV charging points, including appropriate charging outlets in each parking space
- Future-proof the development by incorporating for recycled water use; and
- Update the Out of Sequence Checklist assessment to reflect achievement of the above objectives.

The decision of the panel was unanimous.

The Inner West Planning Panel Meeting finished at 4:08 pm.

CONFIRMED:

A handwritten signature in blue ink, appearing to read 'D. A. Lloyd', is positioned above the typed name.

**Adjunct Professor David Lloyd QC,
Chairperson
23 July 2019**