

DATE OF DETERMINATION	1 December 2020
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Roberta Ryan, Deborah Laidlaw, Brian McDonald
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by Public Teleconference on 1 December 2020, opened at 9.50am and closed at 11.30am.

PLANNING PROPOSAL

2017SCL068 – Inner West - PP_2017_IWEST_018_00 at 469-483 Balmain Road, Lilyfield (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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

As the planning proposal authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made subject to amendments below. The Panel adjourned after the meeting to deliberate on the matter and formulate a resolution. The decision was unanimous.

REASONS FOR THE DECISION






- The Panel is satisfied that the proposal has been amended satisfactorily to warrant proceeding to make an LEP.
- In particular, the amended proposal provides for a built form that will sit comfortably in its context.
- The proposal provides for a number of building elements which reduce the bulk and scale and increase open space, deep soil planting and setbacks, in particular to Balmain Road.
- The Panel considers the built form controls provide an appropriate relationship to Callan Park respecting its heritage and to the adjoining area.
- That there are improved through site links and amenity for both the adjoining properties and future residents.
- The proposal provides for affordable housing.
- Traffic impacts have been satisfactorily addressed for the purposes of a rezoning and will be assessed in greater detail at the development application stage, including further consultation with Transport for NSW.

The Panel approves the proposal proceeding to an LEP amendment with a maximum floor space ratio of 2.2:1 and a maximum height of 23 metres and a maximum of 6 storeys. The Panel considers that the built form should not exceed 2.2:1 (not 2.22:1) to allow more flexibility in the built form outcomes and greater setbacks as identified below. The LEP is to include a provision to provide 5% of the total number of dwellings as affordable housing in perpetuity in accordance with Council's approach to the dedication of

those dwellings and that the dwelling mix of the dedicated dwellings is consistent with the overall development. Should this Clause not be permitted that the proponent enter into a VPA to dedicate the affordable housing to Council.

In finalising the DCP, the Panel considers the following matters should be addressed:

- That a 4 metre setback applies to the 4, 5 and 6 storey elements from Cecily Street.
- That dimensions are applied to the setbacks between tower elements shown in Figure 3 of the DCP.
- That the legend of Figure 3 is amended to reflect what is shown on the figure, ie '3 storeys' not '3-4 storeys'.
- Amend G11.7 Control C2 to read 'new building heights are to be consistent with Figure 3. The built form is to meet the relevant objectives of this section and the relevant principles'
- Amend G11.5 Public Domain Control C3 by adding (e) provide for activation and passive surveillance of the public plaza.
- The objectives in G11.3, G11.6 and G11.7 are to be amended to ensure residential development is designed to ensure acceptable amenity having regard to ongoing industrial development on and around the site and to minimise conflict between residential and industrial land use.

PANEL MEMBERS	
 Carl Scully (Chair)	 Roberta Ryan
 Jan Murrell	 Deborah Laidlaw
 Brian McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. - ADDRESS	2017SCL068 – Inner West - PP_2017_IWEST_018_00 at 469-483 Balmain Road, Lilyfield
2	LEP TO BE AMENDED	Leichhardt Local Environmental Plan 2013
3	PROPOSED INSTRUMENT	Planning proposal to amend floor space ratio controls, introduce a maximum building height control, include residential accommodation as an additional permitted use in the IN2 Light Industrial zone and insert a local provision under the Leichhardt Local Environmental Plan 2013.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Submissions report: 3 September 2020 • Addendum assessment package: dated 3 November 2020 • Written submissions during first public exhibition: 17 • Written submissions received for addendum assessment package: 3 • Verbal submissions at the public panel meeting: <ul style="list-style-type: none"> ○ Stuart Skevington, Kealan Coleman, Chris Badger, Rohan Dickson, Gillian Goldsmith ○ On behalf of the applicant –Thomas Scarf, Wes van der Gardner, Stephen Moore ○ On behalf of Council –Alan Qi Chen, Roger Rankin • Total number of unique submissions received by way of objection: 20
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 2 July 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Deborah Laidlaw, Brian McDonald ○ <u>DPIE representatives</u>: Brendan Metcalfe, Kris Walsh • Briefing: 23 July 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Deborah Laidlaw, Brian McDonald ○ <u>DPIE representatives</u>: Brendan Metcalfe, Kris Walsh • Site inspection: Due to Corona virus precautions, Panel members visited the site independently prior to 17 September 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Roberta Ryan, Jan Murrell, Deborah Laidlaw, Brian McDonald • Public Briefing: 17 September 2020 (Decision deferred) <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Deborah Laidlaw, Brian McDonald ○ <u>DPIE representatives</u>: Brendan Metcalfe, Alex Hill, John Kurko • Final Briefing: 1 December 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Deborah Laidlaw, Brian McDonald ○ <u>DPIE representatives</u>: Brendan Metcalfe, Alex Hill, John Kurko, Kris Walsh