



RECORD OF DEFERRAL

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DEFERRAL	Thursday 4 April 2019
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Sue Francis, Vic Macri, Sam Iskandar
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at St Peters Town Hall 39 Unwins Bridge Road St Peters on Thursday, 4 April 2019, opened at 10.50am and closed at 5.15pm.

MATTER DEFERRED

2017SCL027 – Inner West – DA2017/00185 at 728-750 Princes Highway Tempe (as described in Schedule 1)

REASONS FOR DEFERRAL

The Panel previously deferred determination to seek advice from an independent traffic consultant (Mr Rhys Hazell of GTA) as to the traffic impact of the proposal. A report was presented to the Panel and they heard from Mr Rhys Hazell, that, in conclusion, subject to a LATM scheme for local traffic, the traffic impact of the proposal on the intersection of Princes Highway/ Smith Street/ Union Street would be unacceptable, unless the existing parking spaces on the western side of the Highway (north of Union Street over a distance of 100 metres) were removed. If these spaces were removed, however, the impact would become acceptable. The RMS has so far indicated that it would not agree to the removal of these spaces.

Mr Hazell was not able to indicate the likely future impact of Westconnex on traffic on the Highway. The applicant indicated that the section of Westconnex which is to be located underneath the Highway, will open in 2020; and therefore before the proposed development will be complete. In the Panel's opinion, this impact is likely to be of great importance and may make the difference between an acceptable and an unacceptable traffic impact.

As the Panel considered that it still did not have sufficient information to make a decision, it again deferred the determination of the application.






The Panel requires the following information:

1. Mr Hazell to advise the Panel of the likely impact on the traffic on the Highway of the opening of the tunnel section under the site of Westconnex, and whether he agrees that this is likely to occur in 2020.
2. Mr Hazell to advise of the traffic impact of the approval for bulky goods development, which is still current and the difference between that traffic impact and the traffic impact of the proposed development.

3. Mr Hazell to undertake a consideration and to inform the Panel what would need to be included in a LATM scheme to limit rat-runs through local roads surrounding the site and the estimated cost of any work.
4. Council staff to obtain evidence from the applicant that physical commencement has in fact occurred to render the previous approval 'current'.
5. The Council to liaise with the applicant to establish a mechanism for the delivery of the LATM scheme at no cost to Council.
6. The cost of Mr Hazell's advice is to be borne by the applicant.
7. The applicant is to approach the RMS with a request to re-consider the removal of the parking spaces on the western side of the Highway opposite the site and to advise the Panel of the response.
8. Prior to preparing a supplementary report back to the Panel the report of Mr Hazell is to be provided to the applicant and Council and a meeting convened by Councils Planning Manager to identify any queries or differing positions such that the report back to the Panel can clearly identify the different positions (if they exist) and the basis of those positions.

Following receipt of the above advice, the Panel will conduct a public meeting to determine the application.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	 Vic Macri
 Sam Iskandar	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL027 – Inner West – DA2017/00185
2	PROPOSED DEVELOPMENT	To partially demolish the rear of the existing building, construction of a new building form and adaptively reuse the site for use as a 2 level hardware and building supplies store with undercroft car parking, erection of signage, boundary adjustments to provide a slip lane from the Princes Highway into Smith Street and the widening of Smith Street on the north-eastern side.
3	STREET ADDRESS	728-750 Princes Highway, Tempe
4	APPLICANT/OWNER	Bunnings Properties Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No.55 – Remediation of Land ○ State Environmental Planning Policy No.64 – Advertising and Signage ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Marrickville Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Draft Marrickville Development Control Plan 2011 (Amendment 4) • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 8 October 2018 • Applicant submission: 10 October 2018 • Council supplementary report: 22 March 2019 • Applicant submission: 29 March 2019 • Council memo: 3 April 2019 • Written submissions during public exhibition: 108 • Verbal submissions at the public meeting 18 October 2018: <ul style="list-style-type: none"> ○ Object – Darcy Byrne, Katy Rogers, Stephanie Ward, Mark Ludbrooke, Catherine Stewart, Ian Hudson, Graham Griffith, Angus Hughson, Margaret Simpson, Juliet Barr ○ On behalf of the applicant – Phil Drew, Bernard Lo • Verbal submissions at the public meeting 4 April 2019: <ul style="list-style-type: none"> ○ Object – Katy Rogers, Jenny Griffiths, Tim Mills, Scott Liddicoat, Jude Cobb, David Walker, Stephen Laws

		<ul style="list-style-type: none"> ○ On behalf of the applicant – Phil Drew, Ross Nettle ○ On behalf of council – Rhys Hazell (consultant for Council), Asher Richardson
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing: 8 February 2018 • Final briefing meeting to discuss council's recommendation, 18 October 2018 at 9.50am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), John Roseth, Sue Francis, Sam Iskandar, Vic Macri ○ <u>Council assessment staff</u>: Jair Reid Ruba Osma, Asher Richardson, George Tsaprounis Ian McKenzie, Graham Hall (council consultant), Simon Watts • Final briefing meeting to discuss council's recommendation, 4 April 2019 at 10am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), John Roseth, Sue Francis, Sam Iskandar, Vic Macri ○ <u>Council assessment staff</u>: Ruba Osma, Asher Richardson, George Tsaprounis, Rhys Hazell (council consultant), Luke Murtas
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report