

DATE OF DEFERRAL	Thursday 2 May 2019
PANEL MEMBERS	Carl Scully (Chair), Julie Savet Ward, Peter Brennan, Deborah Laidlaw, Jacinta Reid
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Sue Francis declared a conflict as City Plan Services is the town planner for this application.</p> <p>Brian McDonald declared a conflict having participated on a separate panel regarding this application.</p> <p>Sam Iskandar and Vic Macri both declared a conflict having participated in discussions on this application in their role as Councillor for Inner West Council.</p> <p>John Roseth declared a non-pecuniary conflict as his daughter is close friends with the architect for this development.</p>

Public meeting held at Fraser Suites Sydney, 488 Kent Street Sydney on 2 May 2019, opened at 9.50am and closed at 11.50pm.

MATTER DEFERRED

2018SCL035 – Inner West – DA20800173 at 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street Petersham – Petersham RSL redevelopment (as described in Schedule 1)

REASONS FOR DEFERRAL

The Panel resolved to defer determination of the application to enable the applicant to submit the following additional information by no later than 17 May 2019:

1. Amend the clause 4.6 requests to vary the height and floor space ratio development standards in clauses 4.3 and 4.4 of the Marrickville Local Environmental Plan 2011 ('the MLEP') to adequately address the matters required to be demonstrated in clause 4.6(3) of the MLEP and to ensure all variations including (if any are in breach) roof top structures shown on the landscape plans and gross floor area (as per item 2) to be in breach of the applicable standards are addressed.
2. Provide updated plans showing calculations of the gross floor area in consultation with Council's planner to provide for an agreed floor space ratio, if possible.
3. Amend the landscape plan for "site 3" to provide landscape treatment along Trafalgar Street, to improve the overall streetscape appearance, including but not necessarily limited to, the external face of the baffles to the outdoor gaming area. The minimum depth of any such landscaped area to be no less than 1 metre.
4. Amend plan DA.099K "plan Level B1 – Ground Floor RSL" prepared by Nordon Jago Architects dated 4 April 2019 to be consistent with plan TP01 issue 6 "Proposed Ground Floor Plan" prepared by Red Design Group dated 13 November 2017.

The Panel recommends that a condition requiring a Green Travel Plan for the development be required before occupation certificate. The plan could cover a range of initiatives including car sharing.

While the application is deferred, the Panel requests that Council consider the changes to the conditions requested by the applicant and submit an amended set of conditions with its supplementary Council assessment report.

Additionally, the Panel requests that Council provide a detailed summary of all issues raised during the public exhibition.






The Panel will meet and determine the matter at 2pm on 4 June 2019.

The decision to defer the matter was unanimous.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel noted that issues of concern included:

- excessive height, bulk and scale and consequently overshadowing on existing residential properties and lack of privacy
- inadequate provision of open space and loss of trees
- inadequate provision of affordable housing
- the impact on the existing congested roads and inadequate consideration of the cumulative impacts from traffic congestion and parking
- unsuitable location of the outdoor gaming area along Trafalgar Street
- provision of a community meeting room, separate to the club facilities, for general community use.

PANEL MEMBERS	
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 Peter Brennan	 Deborah Laidlaw
 Jacinta Reid	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL035 – Inner West – DA201800173
2	PROPOSED DEVELOPMENT	Demolish existing structures and construct ‘staged’ development over three (3) sites. The proposal includes 357 apartments, a registered club with ancillary uses and a food and drink premises. A new through-site link connecting Regent Street to Fozzard Lane is also proposed.
3	STREET ADDRESS	3-7 & 13-17 Regent Street. 287-309 Trafalgar Street & 16-20 Fisher Street Petersham
4	APPLICANT/OWNER	Deicorp Projects Petersham 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 (Infrastructure) 2007 ○ State Environmental Planning Policy No 65 —Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Commonwealth Airports (Protection of Airspace) Regulations 1996 ○ Civil Aviation Regulations 1988 ○ Roads Act 1993 ○ Marrickville Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Marrickville Development Control Plan 2011 • 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: 23 April 2019 • Clause 4.6 variation request • Written submissions during public exhibition: 179 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In objection – Adrienne Shilling ○ Council assessment officer – Tom Irons ○ On behalf of the applicant – Danny Fitzgerald, Stephen Kerr, Fouad Deiri, Glen Barker, Angelo Candalepas, Robert Day
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection: 7 March 2019 • Briefing: 29 November 2018, 7 March 2019 • Final briefing to discuss council’s recommendation, 2 May 2019 at 9am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Julie Savet Ward, Peter Brennan, Deborah Laidlaw, Jacinta Reid ○ <u>Council assessment staff</u>: Luke Murtas, Tom Irons,
9	COUNCIL RECOMMENDATION	Approval

