

<b>DATE OF DEFERRAL</b>	1 April 2021
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Jan Murrell, Roberta Ryan, Ted Cassidy, Monica Wangmann
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held by videoconference on 1 April 2021, opened at 11.30am and closed at 1.10pm.

#### **MATTER DEFERRED**

PPSSEC-100 – Inner West – DA/2020/0815 at 120C Old Canterbury Road, Summer Hill – The Yard 120C - Construction of an 8-storey mixed-use development comprising ground level retail, 57 residential units, three levels of basement car parking and a pocket park.

#### **REASONS FOR DEFERRAL**

The Panel defers the determination of this matter to give the applicant the opportunity to: obtain properly documented owner's consent from Sydney Water; and to address concerns of the Panel by the submission of amended plans.

The matters the Panel requires the applicant to address in an amended set of plans include:

- Deletion of any residential floor space that is subject to the Probable Maximum Flood level (PMF). The Panel will not support additional height in the addressing of this issue.
- Increase the setback to the Eastern boundary to the centre of Hawthorn Canal from 7.5m to 9m and delete external privacy blades and replace with alternative design privacy measures.
- The proposed pedestrian bridges to remain in the amended plans.

The applicant is to provide amended plans and proof of owner's consent to the Council not later than 1 May 2021, and a new clause 4.6 written request for the reduced floor space given the design changes to accommodate the increased setback and PMF requirements above.

The Council is to provide an addendum assessment report and amended draft conditions to the Panel thereafter in a timely manner to enable this determination meeting to be reconvened. The Panel will then determine the matter electronically.




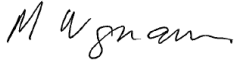

The decision to defer the matter was unanimous.

#### **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 notes that issues of concern included:

- Risk impacts during construction
- Height
- Density
- ADG – building separation in number of locations
- Flood risk exacerbated during excavation
- Access road

- Garbage trucks
- Light and privacy
- Parking and traffic
- Specific impacts on 120A and 14 McGill
- Difficult of exiting from 14 McGill onto Old Canterbury Road
- Overshadowing
- Biodiversity – bandicoots
- Public transport capacity
- Material of privacy hood
- Pedestrian bridge – privacy, acoustics and safety
- Acoustic
- VPA
- Communication between residents

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Roberta Ryan	 Monica Wangmann
 Ted Cassidy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-100 – Inner West – DA/2020/0815
2	PROPOSED DEVELOPMENT	Construction of an 8-storey mixed-use development comprising ground level retail, 57 residential units, three levels of basement car parking and a pocket park
3	STREET ADDRESS	120C Old Canterbury Road, Summer Hill
4	APPLICANT/OWNER	Applicant: Mr Conrad GT Johnston Owners: Mr Tyron P Timperi & Mr Rick Timperi
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments:</li> <li>• Owner's Consent</li> <li>• Biodiversity Conservation Act 2016 <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ Ashfield Local Environmental Plan 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Inner West Comprehensive Development Control Plan 2016</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 8 March 2021</li> <li>• Clause 4.6 variation requests – floor space ratio</li> <li>• Written submissions during public exhibition: 18</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Arman Kusmanov, Ian Dobinson, Sichen Song, Sarah Leong</li> <li>○ Council assessment officer – Conor Wilson, Luke Murtas</li> <li>○ On behalf of the applicant – Anthony Betros, Conrad Johnston, Jamie Howieson, Brett Phillips</li> </ul> </li> <li>• Total number of unique submissions received by way of objection: 18</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 8 December 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Monica Wangmann, Ted Cassidy</li> <li>○ <u>Council assessment staff</u>: Conor Wilson, Jai Reid</li> </ul> </li> <li>• Site inspection: Panel members visited the site independently, prior to 1 April 2021</li> </ul>

		<ul style="list-style-type: none"> <li>• Final briefing to discuss council's recommendation: 1 April 2021 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Monica Wangmann, Ted Cassidy</li> <li>○ <u>Council assessment staff</u>: Conor Wilson, Jai Reid, Luke Murtas</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report