

The Panel issued a decision on 23 August 2023 requiring the planning proposal to be updated. Since this time the planning proposal and supporting documents have been updated in accordance with the Panel's conditions. An assessment against the Panel's conditions has been undertaken (see **Table 1**).

The Agile Planning team is satisfied that the planning proposal and supporting documents have been amended to meet the conditions of the Panel and the planning proposal can be progressed to Gateway assessment.

Table 1 - Summary Against Panel's Condition

Panel's Condition	Assessment
Prepare a flood study consistent with the Flood Risk Management Guideline, 30 June 2023 and to address Ministerial Direction 4.1 Flooding;	Condition met Water Technologies has prepared a comprehensive Flood Impact Risk Assessment (FIRA) that responds to, and incorporates flood modelling, consistent with the Floodplain Development Manual 2005 and the 'flooding in land use' planning guideline 2021. The FIRA includes a number of recommendations and strategies to be employed at the development stage to manage and mitigate flood risk, including site filling, compensatory flood storage, a boundary wall and short-duration (less than 2 hours) 'shelter in place' due to the flash flood nature of the catchment. Should the panel agree to changing the requirement for ground floor commercial uses, it is recommended that an updated FIRA be prepared.
Prepare a reference scheme taking into consideration the outcomes of the flood study and to demonstrate consistency with the Apartment Design Guide and other relevant site conditions to confirm the capability of the site to achieve the proposed Floor Space Ratio and Height of Building;	Condition met SJB's urban design report has been updated outlining a reference scheme that takes into consideration the outcomes of the flood study, whilst demonstrating consistency with the Apartment Design Guide and other key built form controls.
Prepare a Site Specific Development Control Plan (DCP) incorporating the outcomes of the above;	Condition met The site specific DCP has been amended to incorporate comments made by the Panel, Inner West Council and DPHI. It is anticipated that the DCP will be publicly exhibited and adopted by Council once the planning proposal has been finalised.
Demonstrate compliance with the PRCUTS criteria and Strategic Actions, specifically	Condition met

Assessment Against Panel's Condition

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Panel's Condition	Assessment
related traffic impact, affordability, design, sustainability and infrastructure to demonstrate consistency with Ministerial Direction 1.5 Parramatta Road Corridor Urban Transformation Strategy;	The planning proposal report, along with supporting technical reports has been updated to demonstrate consistency with the Ministerial Direction.
Undertake an economic analysis for the impact of the proposed non-residential uses on neighbouring local centres;	<p>Condition met</p> <p>A Local Centres Impact Study has been undertaken by Hadron Group to assess the likely impact. The study concludes that the provision of non-residential uses on the site will not create significant competition for neighbouring local centres however it is likely that the limitations of the site combined with high vacancy rates will make finding tenants for the space on the site difficult. The study recommends that, based on the assessment undertaken, the site should be developed fully consistently with PRCUTS by providing only residential uses.</p> <p>The planning proposal currently retains a minimum requirement of 1700m² of non-residential space to respond to Council's previously expressed concerns.</p> <p>Agile Planning recommends that the minimum requirement for 1,700m² non-residential floor space be removed as a development standard, whilst retaining the additional permitted non-residential uses for land use flexibility and to assist in managing flood risk.</p>
Confirm the proposed permissible uses on the site;	<p>Condition met.</p> <p>The planning proposal has been updated to detail proposed additional permissible uses on the site, being:</p> <ul style="list-style-type: none"> • Residential flat buildings (only shop top housing is currently permitted in IWC LEP R3 zone) • Recreation facility (indoor) • Office premises • Business premises • Light industry • Creative industry • Industrial retail outlet • Restaurant or café.

Assessment Against Panel's Condition

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Panel's Condition	Assessment
Clarify housing affordability rates, including floor space and number of units and method of management; and	Condition met The planning proposal has identified that a minimum of 5% of residential floor space is be provided as affordable housing, to be owned and managed by a community housing provider (approximately 10 affordable dwellings) through a site-specific local provision in the IWC LEP 2022).
Clarify the dedication and proposed management of the proposed RE1 land.	Condition met A VPA offer has been prepared offering dedication of the land proposed to be zoned as RE1 to Council along with embellishment and maintenance for a 2 year period. Should Council not want to retain ownership of the land, the proponent has suggested that they can rezone the site to be RE2 Private Recreation, with easements for public access and maintenance to be agreed between the proponent and Council.