



INNER WEST LOCAL PLANNING PANEL  
MEETING

**25 March 2025**

MINUTES

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held via teleconference on 25 March 2025

Present: John Brunton; Brian Kirk; Marjorie Ferguson; Silvia Correia

Staff Present: Nigel Riley – Senior Strategic Planner; Gunika Singh – Team Leader Planning Operations; Hadi Nurhadi – Senior Urban Designer; Jyn Kim – Strategic Planner; Samuel Paul Cocker – Business Administration Officer; Laura Chen – Graduate/Student Planner

Meeting commenced: 1:00 PM

**\*\* ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge the Gadigal and Wangal people of the Eora nation on whose Country we are meeting today, and their elders past and present.

**\*\* DECLARATION OF PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS**

There were no declarations of interest.

<b>IWLPP25/03/25</b> <b>Agenda Item 1</b>	<b>PPAP/2024/0001</b> <b>75-85 Crown Street and 116 Princess Highway</b> <b>ST PETERS NSW 2044</b>
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The following people addressed the meeting in relation to this item:

- Paul Apostoles
- Sophie Kuszniczuk
- Ben Porges
- Peter Antoniou

### **PROPOSAL SUMMARY**

The Planning Proposal relates to land at 75-85 Crown Street and 116 Princes Highway, St Peters. It seeks to amend the *Inner West Local Environmental Plan 2022* in relation to this land by:

- increasing the maximum Height of Buildings (HOB) from 9.5m and 14m to RL51 (35m);
- increasing the maximum Floor Space Ratio (FSR) from 0.85:1 and 1.75:1 to 5:1; and,
- introducing an additional local provision allowing residential accommodation at ground floor, provided it is part of a mixed-use development and contains no more than 88 sqm of residential Gross Floor Area (GFA) at ground level.

### **DECISION OF THE PANEL**

The Inner West Local Planning Panel (LPP) informs Council:

1. In relation to the strategic merit of the Planning Proposal
  - a. There is strategic merit to the extent that the site is suitable for higher residential density which has the potential to increase housing supply.
  - b. This potential is not unique to the subject site as numerous nearby sites have similar ability to accommodate more housing. There is no evidence that the potential of this site to increase housing supply will be realised in the short-term.
  - c. The Panel is concerned that the Planning Proposal is premature because the potential of St Peters for future housing opportunities has not been adequately evaluated.
  - d. There is also concern that it may be difficult to achieve the objectives of the Mixed-use Zone with the requested height and density, acknowledging that there are strategic objectives to retain employment uses in this zone.
2. In relation to the site-specific merit of the Planning Proposal
  - a. There is an apparent lack of site-specific merit due to constraints on developing the site to the requested density. The principal constraints are:
    - i. the height of buildings is restricted by the Sydney Airport flightpaths.
    - ii. the extent of basement excavation is restricted by the motorway tunnel below the site.
    - iii. to the north and east restrictions on building heights and setbacks are necessary due to the continuing presence of lower density housing.
    - iv. vehicular access is limited to Crown Street

- b. The location of the site at a major road intersection generates potential amenity issues which could have negative impacts on future occupants. Traffic and aircraft noise are a significant issue at present. Access to natural ventilation is also compromised because of the noise conditions. An increase in residential dwellings would increase the number of occupants exposed to these adverse conditions.
  - c. Despite these significant shortcomings, the Panel considers that there is the opportunity for these to be addressed by refining the contents of the Planning Proposal.
3. In relation to building height:
- a. The proposed building height is the maximum permitted below the flight path restriction for Sydney Airport. If this is an appropriate maximum height there is no apparent need to apply a further statutory restriction on height for this site.
  - b. The studies that have been conducted identified the need for varied heights across the site to take account of potential adverse impacts on adjoining land. As building separation requirements of the Apartment Design Guide (ADG) need to be satisfied, there must be differing heights across the site. It is not possible for the Panel to determine the most appropriate location for these changes in height. The locations for the height transitions must be determined by further study and these can be incorporated in a development control plan.
  - c. Prescribing a single maximum height development standard over the entire site may very well give rise to a significant mismatch between maximum height and maximum FSR.
  - d. It could be prejudicial to prescribe a maximum height prior to Council completing its strategic assessment of heights, and it could predetermine an inappropriate development standard for building height in this vicinity.
  - e. There is no benefit in prescribing a height which already cannot be exceeded. Further, the potential for a lower height to be applied when the strategic studies are complete may encourage the immediate development of this site.
  - f. The Panel recommends that the LEP building height map not allocate a maximum building height, for this site, at this time.
4. In relation to floor space ratio:
- a. The applicant advised the Panel that the submitted request for a FSR of 5:1 is no longer being pursued, and that the recommendation of the Council Officers for a FSR of 4:1 is accepted.
  - b. The Panel is not convinced that a FSR of 4:1 will produce a good design outcome, and therefore a lower FSR could be more appropriate. The potential to achieve this FSR needs to be tested by further urban design/architectural analysis by Council officers. Through this analysis it should be verified that all of the provisions of the ADG can be achieved, especially after taking account of the requirements to:
    - i. ensure at least the ground floor is used for commercial premises or health services in accordance with the definition of shop top housing;
    - ii. satisfy the objectives of the Mixed-use to promote employment uses, provide active street frontages, and minimise conflict with development in adjoining zones;
    - iii. provide a minimum of 135 sq. metres of deep soil with a minimum dimension of 6 metres, and preferably 290 sq. metres, in accordance with Part 3E;
    - iv. increase the boundary setback by an additional 3 metres along the eastern boundaries where there is a change in zone between the subject site and the

lower density residential zone to the east and north, as specified in Parts 2F and 3F. This requirement applies because the boundary of the subject site delineates the change in zone.

- c. Further consideration needs to be given to the potential FSR for the land in the Mixed-use Zone further to the north along the Princes Highway. It is important that the FSR for the subject site does not prejudice or predetermine the FSR that will be applied to that land under some future housing strategy.
5. In relation to affordable housing:
- a. The Panel notes the offer of the applicant to provide 10% of apartments as affordable housing for a period of ten (10) years. The Panel appreciates that this is not consistent with Council's adopted Policy which requires the provision of 15% affordable housing in perpetuity.
  - b. A Planning Proposal provides the opportunity for public benefit through the provision of affordable housing which should be utilised in this instance.
  - c. The Panel does not support the Council Officer's recommendation for the provision of 2% of new residential gross floor area as affordable housing. Given the proponent's offer, the Panel recommends that at least 10% of new residential gross floor area on the site be provided as affordable housing in perpetuity.
6. Subject to the matters above, the Panel recommends that Council forward the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for Gateway assessment subject to the following amendments:
- a. The maximum FSR as determined from the urban design analysis/architectural analysis required in 4.b. above, up to a maximum of 4:1.
  - b. The maximum building height not be specified.
  - c. Incorporation of an additional site-specific local provision requiring at least 10% of new residential Gross Floor Area (GFA) on the site be provided as affordable housing, managed by a tier one registered community housing provider in perpetuity.
7. The Panel recommends that Council request a Gateway Determination from the Minister for the amended Planning Proposal which, if supported, contain Gateway conditions that the following information be provided or updated prior to community consultation:
- a. Planning Proposal documents including references to reduced FSR, GFA, and number of dwellings, and at least 10% affordable housing;
  - b. Urban design report reflecting the output from the analysis at 4b above illustrating the built form outcome with the amended FSR, heights and applicable setbacks;
  - c. Traffic Impact Assessment and strategic-level green travel plan outlining mechanisms for delivering effective mode shift on the site;
  - d. Updated draft site-specific amendment to Marrickville Development Control Plan 2011 and draft Inner West Development Control Plan 2025; and
  - e. A sustainability strategy to demonstrate a commitment to exceed minimum sustainability requirements established by standards such as NABERS, BASIX, or NatHERS.

8. The Panel is satisfied that the above matters can be satisfactorily resolved by the Council Officers and further referral to the Panel is not necessary.

The decision of the panel was unanimous.

**The Inner West Planning Panel Meeting finished at 3:06PM.**

**CONFIRMED:**

A handwritten signature in black ink, appearing to read 'John Brunton', with a long horizontal flourish extending to the right.

**John Brunton  
Chairperson  
27 March 2025**