



INNER WEST COUNCIL

ELECTRONIC DETERMINATION – INNER WEST LOCAL PLANNING PANEL

Site Address:	31 Crescent Street, Haberfield
Application No.	10.2018.187.1
Type of Determination	Electronic
Date of Determination	14 April 2019
Panel Members	David Lloyd- Chairman Mary-Lynne Taylor Annelise Tuor Kath Roach
Declarations of Interest	Nil

BACKGROUND

The Inner West Local Planning Panel defer its decision for the following reason:

- *Adequate Clause 4.6 requests (in accordance with recent decisions of the NSW Land and Environment Court) to contravene the development standards for height and basement area under Clauses 4.3 and 6.5(3)(a)(i) of the Ashfield Local Environmental Plan 2013 have not been provided with the application.*

The applicant is to submit amended Clause 4.6 requests by 10 April 2019 which satisfies Clause 4.6(3)(a) and (b) of the Ashfield Local Environmental Plan 2013, otherwise the Panel will determine the application based on the information before it.

Following receipt of this information, the Panel (as constituted at 27 March 2019) will determine the application under Clause 26 of Schedule 2 of the Environmental Planning and Assessment Act (electronically) unless the Chair determines that a further public meeting is required.

As per Agenda Item 6 of the March 27 IWLPP meeting, attached is the Clause 4.6 request for DA.2018.187 – 31 Crescent Street, Haberfield.

OFFICER'S COMMENTS:-

I have assessed the applicant's revised Clause 4.6 requests and I am satisfied that they now satisfactorily addresses the requirements of Clause 4.6(3)(a) and (b) of the Ashfield Local Environmental Plan 2013. The Panel has requested that the Clause 4.6 be issued electronically to panellists of the meeting to be determined electronically.



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PANEL DECISION

REASONS FOR THE DECISION

1. The applicant's submitted Clause 4.6 request adequately demonstrates that compliance with the development standards for building height and basement area is unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standards.
2. The development is permissible in the R2 Low Density Residential Zone and is consistent with the objectives of the zone.
3. The proposal is consistent with the objectives of the development standard for both building height and basement area.
4. The development will be compatible with the emerging and planned future character of the area.
5. The Panel supports the findings contained in the assessment report and endorses the reasons for approval contained in the report."

The decision of the panel was unanimous.