



# **INNER WEST COUNCIL**

**INNER WEST LOCAL PLANNING PANEL  
MEETING**

**Wednesday, 27 March 2019**

**MINUTES**

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on Wednesday, 27 March 2019

Present: Adjunct Professor David Lloyd QC in the chair; Mrs Mary-Lynne Taylor; Ms Kath Roach, Ms Annelise Tuor

Staff Present: Development Assessment Manager; Team Leader Development Assessment and Development Support Officer.

Meeting commenced: 2:03 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>IWPP684/19 Agenda Item 1</b>	<b>M/2019/4</b>
<b>Address:</b>	Leichhardt Marketplace, 122-138 Flood Street Leichhardt
<b>Description:</b>	Modification of Development Consent D/2016/235 which approved alterations and additions to Marketplace shopping centre. Consent is sought for the modification of fire stairs at the premises.
<b>Applicant:</b>	Colliers International

## **DECISION OF THE PANEL**

The Panel supports the findings contained in the Assessment Report, adopts the Recommendation and endorses the reasons for the approval contained in that Report.

The decision of the panel was unanimous.

<b>IWPP685/19 Agenda Item 2</b>	<b>DA201500499.02</b>
<b>Address:</b>	326 -330 Marrickville Road Marrickville
<b>Description:</b>	Application under Section 4.55 of the Environmental Planning and Assessment Act to modify Modified Determination No. 201500499.01 dated 31 May 2017 to carry out changes so as to divide a 2 bedroom unit into 2 x 1 bedroom units and increasing their extent, increasing the total number of units to 40 and to carry out other changes to the stairwell along the eastern boundary.
<b>Applicant:</b>	Benson McCormack Architects

## **DECISION OF THE PANEL**

The Panel supports the findings contained in the Assessment Report, adopts the Recommendation and endorses the reasons for the approval contained in that Report with the following changes to the Recommendation:

It shall read as follows:

THAT the Inner West Local Planning Panel exercising the functions of the Council as the Consent authority approves the application under Section 4.55 of the Environmental Planning and Assessment Act 1979 to modify Determination No. 201500499.01 dated 31 May 2017 to carry out changes so as to divide a 2 bedroom unit into 2 x 1 bedroom units and increasing their extent, increasing the total number of units to 40 and to carry out other changes to the stairwell along the eastern boundary at 326-330 Marrickville Road, Marrickville NSW 2204 subject to the conditions listed in Attachment A below.

The decision of the panel was unanimous.

<b>IWPP686/19</b> <b>Agenda Item 3</b>	<b>DA201800483</b>
<b>Address:</b>	4 Railway Street Petersham
<b>Description:</b>	To carry out alterations and additions to a heritage listed dwelling house and associated works.
<b>Applicant:</b>	3D Projects

## **DECISION OF THE PANEL**

The Panel supports the findings contained in the Assessment Report, adopts the Recommendation and endorses the reasons for the approval contained in that Report.

The decision of the panel was unanimous.

<b>IWPP687/19</b> <b>Agenda Item 4</b>	<b>D/2018/465</b>
<b>Address:</b>	104 Trafalgar Street Annandale
<b>Description:</b>	Alterations and additions to main dwelling and rear garage/studio
<b>Applicant:</b>	Sam Crawford Architects

*The following people addressed the meeting in relation to this item:*

- *James Phillips*

## **DECISION OF THE PANEL**

**Matter adjourned 2:24pm**

**Matter resumed 2:49pm**

Whilst the Panel approves the variation to the floor space ratio prescribed by Clause 4.4 of the Leichhardt Local Environmental Plan 2013 pursuant to Clause 4.6 of that Plan, the Panel otherwise refuses the application for the remaining reasons set out in the assessment report.

The Determination of the Panel is not unanimous and the voting on it will be recorded as follows:

3 in favour and 1 against.

Annelise Tuor against the decision for the following reasons:

- I also agree that the matters required to be addressed under Clause 4.6 have been satisfied, in particular that the proposed addition is compatible with the desired future character of the area in relation to building bulk, form and scale and minimises the impact of bulk and scale. The additions are therefore consistent with the objective (i) and (iii) of the floor space ratio standard in Clause 4.4 of the LEP.
- Subject to modification of the front dormer window to comply with the proportions required under Clause C.3.4 of the DCP for dormer windows, I find that the front and rear dormer would meet the objectives of this control and the requirements in Clause 5.10 of the LEP in that it would have an acceptable effect on the significance on the Heritage Conservation Area.

<b>IWPP688/19 Agenda Item 5</b>	<b>DA.2018.2016</b>
<b>Address:</b>	46 Tillock Street Haberfield
<b>Description:</b>	Alterations and additions to a dwelling house
<b>Applicant:</b>	Filmer Architects

*The following people addressed the meeting in relation to this item:*

- *Colin Filmer*

## **DECISION OF THE PANEL**

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

- An adequate Clause 4.6 request (in accordance with recent decisions of the NSW Land and Environment Court) to contravene the development standard for basement area under Clause 6.5(3)(a)(i) of the Ashfield Local Environmental Plan 2013 has not been provided with the application.

The applicant is to submit an amended Clause 4.6 request 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.

The decision of the panel was unanimous.

<b>IWPP689/19 Agenda Item 6</b>	<b>DA.2018.187</b>
<b>Address:</b>	31 Crescent Street Summer Hill
<b>Description:</b>	Alterations and additions to a dwelling house including roof extension to facilitate an attic level, rear extension including balcony, landscaping and internal changes
<b>Applicant:</b>	Filmer Architects

*The following people addressed the meeting in relation to this item:*

- *Colin Filmer*

## **DECISION OF THE PANEL**

THAT 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.

The decision of the panel was unanimous.

**The Inner West Planning Local Panel Meeting finished at 2:54pm.**

**CONFIRMED:**

A handwritten signature in black ink, appearing to read 'David Lloyd', with a stylized flourish at the end.

**Adjunct Professor David Lloyd QC  
27 March 2019**