



# **INNER WEST COUNCIL**

**INNER WEST LOCAL PLANNING PANEL  
MEETING**

**16 JULY 2019**

**MINUTES**

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on Tuesday, 16 July 2019

Present: Mr Kevin Hoffman; Mr John McInerney; Ms Lindsey Dey, Ms Heather Warton.

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

Meeting commenced: 2:07pm

**\*\* 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**

Lindsey Dey declared no conflict of interest in relation to item 5, but stated that she worked as a Consultant at Fragar Planning and Development for 12 to 18 months in 2013 to 2014.

<b>IWLPP733/19 Agenda Item 1</b>	D/2019/119
<b>Address:</b>	64-66 Victoria Road, Rozelle
<b>Description:</b>	Replace the existing fixed outdoor advertising sign with a digital screen sign and installation of associated louvres to the adjacent residential window.
<b>Applicant:</b>	Ooh! Media

## **DECISION OF THE PANEL**

**This item was withdrawn from the agenda.**

<b>IWLPP734/19 Agenda Item 2</b>	M/2019/8
<b>Address:</b>	5 White Street, Lilyfield
<b>Description:</b>	Modification of Development Consent D/2017/250 seeking various changes, including an increase in height of lift overruns, materials and finishes changes and installation of additional basement carpark ventilation grilles.
<b>Applicant:</b>	Gledhill Constructions

## **DECISION OF THE PANEL**

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

The decision of the panel was unanimous

<b>IWLPP735/19 Agenda Item 3</b>	D/2019/74
<b>Address:</b>	22 Evans Street, Balmain
<b>Description:</b>	Alterations and additions to existing dwelling-house, and associated works, including tree removal.
<b>Applicant:</b>	Jane Edwards

## DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report and determines that the application be approved subject to a Deferred Commencement consent and subject to the following changes:

- A. The Applicant has made written requests pursuant to Clause 4.6 of the Leichhardt Local Environmental Plan 2013. After considering the request, and assuming the concurrence of the secretary has been given, the Panel is satisfied subject to a Deferred Commencement consent that compliance with the development standards is unnecessary in the circumstances and there are sufficient environmental planning grounds to support the variation. Details of the following are to be submitted to Council's satisfaction within 12 months:
- a) The eastern wall of the proposed internal house extension cannot project any further east than the existing wall of the ground floor bathroom;
  - b) The verandah may not extend further east than the eastern rear wall alignment of No.20 Evans Street and the proposed staircase from the verandah should be located near the current location of the existing staircase (at the side rather than the centre).

Reason:

In order to reduce the impacts of the proposal in relation to visual privacy and bulk (particularly for the neighbour to the rear), as well as non-compliance with FSR, site coverage and landscaped area and to better meet the objectives of the R1 General Residential zone and the development standards for FSR, Site Coverage and Landscaped Area:

- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16(3) of the Environmental Planning and Assessment Act 1979, grant Deferred Commencement consent to Development Application No. D/2019/74 for alterations and additions to existing dwelling house and associated works, including tree removal at 22 Evans Street, Balmain subject to the conditions listed in Attachment A below, subject to the deletion of Condition 6(b), and variation of Condition 7 to replace the species of tree with a native that will achieve a maximum mature height of 3 metres.

The decision of the panel was unanimous

<b>IWLPP736/19 Agenda Item 4</b>	D/2018/678
<b>Address:</b>	9 Oxford Street, ROZELLE
<b>Description:</b>	Torrens title subdivision into two lots
<b>Applicant:</b>	GK Wilson & Associates Pty Ltd

## **DECISION OF THE PANEL**

The Panel supports the findings contained in the Assessment Report and determines that the application be approved as per the recommendation contained in that report, subject to the following changes:

Amend the last paragraph in condition 5 to delete the words: “compliance with the requirements of this condition” and replace them with: “completion of these works.”

The decision of the panel was unanimous

<b>IWLPP737/19 Agenda Item 5</b>	10.2018.217.1
<b>Address:</b>	27 Hercules Street (261-263 Liverpool Road), ASHFIELD
<b>Description:</b>	Change of use to a function centre
<b>Applicant:</b>	Fragar Planning and Development

## **DECISION OF THE PANEL**

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the refusal contained in that Report.

The decision of the panel was unanimous

<b>IWLPP738/19 Agenda Item 6</b>	D/2018/577
<b>Address:</b>	159 Allen Street, LEICHHARDT
<b>Description:</b>	Demolition of existing buildings on-site. Bulk excavation. Construction of a residential flat building development including: 1 basement level for 46 car parking bays with storage and loading areas; 46 residential units within 2 residential components: Building A comprising 3-4 storeys and Building B comprising 4-5 storeys with communal roof terrace. Associated works, including landscaping and communal open space provision.
<b>Applicant:</b>	Desane Properties Pty Ltd

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

- Clare Brown
- Lisa-Maree Carrigan

## DECISION OF THE PANEL

The Panel adjourned the decision of the matter at 3:19pm

The matter resumed at 4:56pm

- (A) Amend the first paragraph of the “Recommendation” on page 366 of the agenda to include the words “*subject to a Deferred Commencement Consent, and*” after the words “*the Panel is satisfied that*”

and

- (B) Amend the reference to “*section 4.16*” in the first sentence of paragraph (b) by referencing instead “*section 4.16(3)*”; after the words “*Planning and Assessment Act 1979 grant*”, insert the words “*Deferred Development*”; and at the end of paragraph (B), after the word “Leichhardt”, insert the words “subject to conditions in Attachment A as **amended as follows**”:

## ATTACHMENT A.

### Amend Attachment A as follows:

1. Delete Deferred Commencement condition (A).
2. Insert, as new Deferred Commencement condition (A):

The applicant is to provide

- a) Evidence of an in-principle agreement between the developers/ owners of the site and the adjacent site at No.141 Allen Street to service the whole development at 159 Allen Street which demonstrates that an easement allowing vehicular access and servicing for the purpose of garbage collection to the door of the garbage room at the point of the break-through panel in the subject site has been made;



or, alternatively

- b) Plans detailing a suitable alternative solution for permanent garbage collection via a garbage truck within the site to the satisfaction of Council's waste services manager including allowance for increased building clearances, protection of street trees, neighbour's amenity, and separation of residential and garbage circulation and access.
3. After item B in the Deferred Commencement part, the paragraph beginning "evidence" and ending "will not operate" shall be in **bold text** and the following words added "on compliance with the Deferred Commencement conditions, the following conditions apply:"

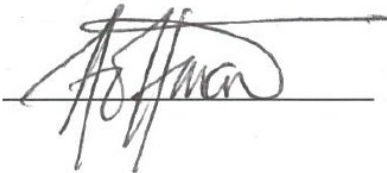
In the operational Part of the consent

4. Insert a new Condition 24A as follows: "Prior to the issue of a Construction Certificate, the certifying authority is to be provided with amended architectural plans detailing the garbage storage and collection, whether option a) or b) as referred to in Deferred Commencement condition (A) above."
5. Amend Condition 36 to read: "In the event that the solution for waste collection is via a vehicular easement over the adjoining site at 141 Allen Street (option a) as referred to in Deferred Commencement condition (A) above), the easement for truck access and servicing under s88B or 88E of the Conveyancing Act is to be registered prior to the issue of an Occupation Certificate."
6. Amend Condition 49 to read: "The communal roof terrace is not to be used between the hours of 10pm and 6am, Monday to Friday and 10pm to 7am Saturday and Sunday, excluding New Year's Eve. The above condition is to be included in the Body Corporate by-laws."

The decision of the Panel was unanimous.

**The Inner West Planning Panel Meeting finished at 5:10pm.**

**CONFIRMED:**

A handwritten signature in black ink, appearing to read 'Kevin Hoffman', is written over a horizontal line. The signature is stylized and cursive.

**Kevin Hoffman  
Chairperson  
16 July 2019**