



# **INNER WEST COUNCIL**

**INNER WEST LOCAL PLANNING PANEL  
MEETING**

**28 August 2018**

**MINUTES**

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on 28 August 2018.

Present: Adjunct Professor David Lloyd QC in the chair; Mr David Johnson; Ms Heather Warton, Ms Annelise Tuor

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

Meeting commenced: 2.09 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**

- Ms Annelise Tour declared a non-pecuniary interest in relation to item 7. She was absent for any discussions and the vote for this item.

**SUSPENSION OF STANDING ORDERS**

Standing Orders for item 7 were suspended to consider the following Items:

- **Item 8**

<b>IWPP688/18 Agenda Item 1</b>	<b>D/2018/213</b>
<b>Address:</b>	18A Adolphus Street Balmain
<b>Description:</b>	Demolition of existing retaining walls and boundary fences and construction of new retaining walls and front boundary walls to the Adolphus and Wallace Street frontages.
<b>Applicant:</b>	Land and Housing Corporation

## **DECISION OF THE PANEL**

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

Recommendation A as follows: “That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority...”

The decision of the panel was unanimous.

<b>IWPP689/18 Agenda Item 2</b>	<b>M/2018/6</b>
<b>Address:</b>	25 Lyall Street Leichhardt
<b>Description:</b>	Section 96 modification to approved two storey dual occupancy including provision of parking space for each dwelling and changes to external built form and internal layout changes.
<b>Applicant:</b>	R Moncada

## **DECISION OF THE PANEL**

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

- (i) “That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority...”
- (ii) Amend Condition 4 to delete reference to Section 94 and replace with Section 7.11

The decision of the panel was unanimous.

<b>IWPP690/18 Agenda Item 3</b>	<b>10.2018.37.1</b>
<b>Address:</b>	102 Hawthorne Parade Haberfield
<b>Description:</b>	Alterations and additions to the existing dwelling house.
<b>Applicant:</b>	Raymond Panetta Architects

## **DECISION OF THE PANEL**

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

- (i) “That the Inner West Local Planning Panel exercising the functions of the Council approves a variation to the floor space ratio prescribed by clause 4.4 and a variation to landscaping prescribed by clause 6.5(3)(d) in Ashfield Local Environmental Plan 2013.

- (ii) Amend Recommendation B to include the following condition:

### **Design Changes**

All textured brickwork shall be rendered and painted in an appropriate colour consistent with the approved materials schedule.

The decision of the panel was unanimous.

<b>IWPP691/18 Agenda Item 4</b>	<b>10.2017.265</b>
<b>Address:</b>	1 Ramsay Street Haberfield
<b>Description:</b>	Alterations and additions to a dwelling house and the conversion of an existing garage into a secondary dwelling and a single garage.
<b>Applicant:</b>	Marcia Doheny & Nick Chapman

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

- *Lachlan Delaney*
- *Vanessa Palfreeman*
- *Nick Chapman*

## **DECISION OF THE PANEL**

Adjournment

Resumed

Due to the lack of a boundary definition survey to clarify the potential existence of encroachments of the existing garage onto 3 Ramsay Street and / or Council's footpath the Panel has deferred the determination of the application.

Within two weeks of the meeting the applicant is to provide a boundary definition survey in the vicinity of the existing garage demonstrating the existing garage is constructed wholly within the boundaries.

- (i) Should the survey find an encroachment onto the neighbouring property at 3 Ramsay Street Haberfield and / or Council's land, amended plans are to be provided to demonstrate the removal of that encroachment and construction of the encroaching portion of wall fully within the boundary reusing existing bricks or owners consent for the encroachment is to be provided. The information shall be provided within six weeks of the meeting. The panel will then determine the application electronically.
- (ii) Should the survey indicate there is no encroachment(s) or owners consent has been provided then the panel will determine the current development application electronically. The reference to the peppercorn tree in draft conditions (5) and (49) to be deleted
- (iii) The panel noted that in making this determination the representations regarding the removal of the Pepper tree are acceptable

The decision of the panel was unanimous.

<b>IWPP692/18 Agenda Item 5</b>	<b>10.2018.51</b>
<b>Address:</b>	1 Lackey Street Summer Hill
<b>Description:</b>	Alterations and additions to existing bar, gambling area and bottle shop within the licensed premises known as the Summer Hill Hotel.
<b>Applicant:</b>	Planik

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

- *Nicole Lennon*

## **DECISION OF THE PANEL**

Adjournment

Resumed

The Inner West Local Planning Panel exercising the functions of the Council as the consent authority disagrees with the findings contained in the assessment report and the applicant's acoustic reports and resolves that the application be refused for the following reasons:

The proposal does not demonstrate that it will not have an adverse impact on the amenity on the locality, in particular the panel is not satisfied with the adequacy of the acoustic reports.

In particular there is no assessment of the impact of the open gaming area upon the nearest residences namely 1A and 3 Lackey Street.

Nor do the submitted plans or the reports adequately describe the open nature of the proposed gaming room and the terrace nor do they adequately describe any acoustic measures to these open areas that can be practically implemented.

The decision of the panel was unanimous.

<b>IWPP693/18 Agenda Item 6</b>	<b>10.2018.32</b>
<b>Address:</b>	264 Holden street Ashbury
<b>Description:</b>	Partial demolition of a heritage item and construction of a single storey rear addition, cabana and swimming pool.
<b>Applicant:</b>	Raymond Sader

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

- *Raymond Sader*

## **DECISION OF THE PANEL**

The Inner West Local Planning Panel exercising the functions of the Council as the consent authority resolves that the application be approved as per the recommendation contained in that report, subject to the following conditions:

The following deferred commencement conditions must be complied with to the satisfaction of Council, prior to the issue of an operational development consent:

- (i) Root mapping is to be undertaken to investigate the most appropriate form of construction for the rear cabana. Amended drawings are to be provided which show the RLs of the proposed ground level to be excavated.

The operational development consent will be issued by Council (in writing) after the applicant provides sufficient information to satisfy Council in relation to the conditions of the deferred commencement and any conditions that arise as a result of satisfying the above matters.

If the applicant fails to satisfy Council as to the above matters within 12 months from the date of determination this consent will lapse

The decision of the panel was unanimous.



<b>IWPP695/18 Agenda Item 8</b>	<b>D/2018/132</b>
<b>Address:</b>	37 Marion Street Leichhardt
<b>Description:</b>	Alterations and additions to existing garage, including to provide a new first floor attic storage space.
<b>Applicant:</b>	Mr S Jovcevski

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

- *Ryan Davis*
- *Eli Gescheit*
- *Van Janevski*
- *Steven Jovcevski*

## **DECISION OF THE PANEL**

The Inner West Local Planning Panel exercising the functions of the Council as the consent authority and resolves that the application be a Deferred Commencement consent subject to the following conditions:

The following deferred commencement conditions must be complied with to the satisfaction of the Council prior to the issue of an operational development consent: Amended plans must be prepared and submitted showing:

- (i) A flat roof garage sloping to the west that does not exceed the height of the existing parapet of RL 33.85
- (ii) An arborists report is to be prepared demonstrating the cross over will not impact on the street tree.

The operational development consent will be issued by Council (in writing) after the applicant provides sufficient information to satisfy Council in relation to the conditions of the deferred commencement and any conditions that arise as a result of satisfying the above matters.

If the applicant fails to satisfy Council as to the above matters within 12 months from the date of determination this consent will lapse.

Should the above matters be satisfied the Panel supports a variation to the floor space ratio prescribed in clause 4.4 and a variation to site coverage prescribed in clause 4.3(3)(b) of Leichhardt Local Environmental Plan 2013, as it is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4. Of that Plan, and the proposed development as amended would be in the public interest because it would be consistent with the objectives of those particular standards and the objectives for development within the zone

The decision of the panel was unanimous

## RESUMPTION OF STANDING ORDERS

Standing orders were resumed for item 7.

<b>IWPP694/18</b> <b>Agenda Item 7</b>	<b>Interim Heritage Order</b>
<b>Address:</b>	73 & 73A The Boulevarde Dulwich Hill

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

- *Alex Catania*
- *Andrew Pickles SC*
- *Stephen Davies*
- *Peter Failes*
- *Niall Macken*

### DECISION OF THE PANEL

The Panel supports the listing of 73 and 73A The Boulevarde, Dulwich Hill, as items of Environmental Heritage on Schedule 5 of Marrickville Local Environmental Plan 2011 as proposed in the Councils assessment report.

The reasons for the Panel's decision are listed below:

The Panel accepts the findings and recommendations in Councils planning proposal assessment report. In addition the Panel:

- Notes that the mission interior is found in other heritage listed homes which suggest that it is worthy of being listed.
- Notes that the other examples in the report of Mr Stephen Davies are not from the interwar period.
- Notes that the other examples in the report of Mr Stephen Davies are not in the local area which suggests that the mission interior is rare in the local area.

The decision of the panel was unanimous.

Note that Annelise Tuor has taken no part in this decision due to a potential conflict of interest

**The Inner West Planning Panel Meeting finished at 6.33pm.**

**CONFIRMED:**

A handwritten signature in blue ink, appearing to read 'D. A. Lloyd', is positioned above the typed name.

**Adjunct Professor David Lloyd QC  
Chairperson  
28 August 2018**