



# **INNER WEST COUNCIL**

**INNER WEST LOCAL PLANNING PANEL  
MEETING**

**11 December 2018**

**MINUTES**

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on 11 December 2018

Present: The Honourable Angus Talbot in the chair; Mr Ian Stapleton; Mrs Mary-Lynne Taylor; Mr Kenneth Hawke.

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

**SUSPENSION OF STANDING ORDERS**

Standing orders for item 1 were suspended to consider the other 7 items

<b>IWLPP0647/18 Agenda Item 1</b>	DA201800163
<b>Address:</b>	223 Trafalgar Street Stanmore
<b>Description:</b>	To demolish part of the premises and carry out ground and first floor alterations and additions to a building and to use the premises as a transitional group home for a drug and alcohol rehabilitation facility
<b>Applicant:</b>	Steps Retreats (Australia) Ltd C/- ADW Johnson

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

- Gerard Turrisi
- Simon Kritsotakis
- Louise Steer
- Eva Caley
- Ralph Warta
- Ross Hewitt
- Maria Kritsotakis
- Dimitrios Karabatsos
- George Karabatsos
- Chris & Caroline Kritsotakis
- Mie Mie Ohn
- Nick Gormly
- Annabel Paleologos
- Matt Yeldham
- Christine Bolstad
- Sepfora Amanatiadis
- Peter Clarke
- John Malone
- Dr Stephen Jurd
- Adam Crampton
- Dr Bronwyn Hanna
- Helen Macfarlane

## **DECISION OF THE PANEL**

### **The Panel adjourned the decision of the matter at 4.05PM**

The meeting is now adjourned 5.36PM to a closed meeting to determine Item 1 and the chairperson advised the public gallery that the decision will be published on Councils website the next business day.

The Panel has inspected the site, held a public meeting addressed by 23 submitters and has considered the report provided by Council officers.

The Panel has considered:

- The development is not a medical facility and the participants are approved, voluntary adults;
- Participants who cannot present medical evidence of their detoxification and mental health status will not be admitted;

- The Police have reported no concerns to Council;
- There is a demand for drug and alcohol rehabilitation services;
- There will be a requirement for no participant to leave the premises unescorted.

The Panel has drafted additional conditions and amended conditions of consent to reflect submissions and concerns made to Council and the Panel in respect of management of the facility and the amenity of the building with respect to its heritage status and the new proposed use.

The panel is satisfied that the behaviour of residents will be acceptable, and not pose any threat to the amenity of the neighbourhood when they are in the care of the facility or when they are in the neighbourhood, particularly having regard to:

- the fact that the participants must not have any current physical or mental health problems,
- persons unable to present any evidence of their detoxification will not be admitted
- the Police have no concern regarding public safety
- there is clearly an existing and projected demand for these rehabilitation services in the inner west.
- The consent will be conditioned so that the Plan of Management does not allow any participant does not allow any participant to leave the site at any time whilst in the program unless under the supervision of a staff member.

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that and adverse effects on the surrounding area and the environment are appropriately managed.

The proposal generally complies with the provisions of State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy (Affordable Rental Housing) 2009, State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan 2011 and other relevant Environmental Planning Instruments.

The development will not result in any unacceptable impacts on the amenity of adjoining premises and the streetscape and thus the development is suitable for the site and is considered to be in the public interest.

The Inner West Local Planning Panel, exercising the functions of Council as the consent authority pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grant Deferred Commencement consent to Development Application number 201800163 to demolish part of the premises and carry out ground and first floor additions to a building and to use the premises as a transitional group home for a drug and alcohol rehabilitation facility at 223 Trafalgar Street, Stanmore, subject to the following:

1. Addition of the following additional conditions:
  - a) Add to Deferred Commencement condition A 1
    - (d) "state the required qualifications of staff";
    - (e) "establishment of a community liaison committee";
    - (f) "identify appropriate designated smoking areas";
    - (g) "revision of admission and expulsion criteria in consultation with an independent, qualified medical practitioner with appropriate skills and experience in drug and alcohol rehabilitation";

- (h) “amplified complaints procedure”
  - (i) “management of deliveries and other service vehicles so that they occur within the site”
  - (and, in the operational part of the consent)
  - b) The sashes of the western window of shared bedroom 5 and bedroom 6 are to be fixed closed and include translucent glazing.
  - c) The commercial kitchen to be mechanically ventilated to the satisfaction of Council’s Environmental Health Officer.
  - d) A performance solution is to be provided for the retention of doors within the existing heritage building to achieve equivalent deemed-to-satisfy requirements to solid core doors for bedrooms (30/30/30 ‘heritage kit’ treatment).
  - e) All doors and openings in the existing building are to be retained intact.
  - f) To create the required BCA Principal Pedestrian Entrance, a new gate shall be constructed in the front fence adjacent to the proposed ramp.
  - g) The BCA fire rating requirement 30/30/30 for the ground floor ceilings of the heritage item is to be achieved by sheeting with plaster board, salvaging and re-fixing/ replacing the existing fibrous plaster cornices.
  - h) Sprinkling of the windows to the heritage building adjacent to the boundaries is not required.
2. Proposed condition 3 of the Council’s recommended Deferred Commencement conditions is to be deleted.
  3. Proposed condition 4 of the Council’s recommended Deferred Commencement conditions is to be deleted.
  4. Proposed condition 72(b) of the Council’s recommended consent is to be deleted.
  5. After the word “indicating” in the second line of recommended condition 55(c), insert in lieu of the rest of that condition “that any changes made to the original staircase retain the original staircase and are made as reversible additions”.
  6. Amend Condition 14 to read:  
“All new building works must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).”

The decision of the panel was unanimous.

<b>IWLPP0648/18 Agenda Item 2</b>	D/2018/272
<b>Address:</b>	181 Annandale Street Annandale
<b>Description:</b>	Alterations and additions to existing dwelling, new roofed BBQ area, and associated works, including driveway, fence works and tree removal
<b>Applicant:</b>	Mr M A Calvetti and Mr C M Davis

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

- *Chris Davis*

## **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:

The new floor proposed in the original rear wing of the place is to be suspended Timber Framed.

The decision of the panel was unanimous

<b>IWLPP0649/18 Agenda Item 3</b>	<b>D/2018/282</b>
<b>Address:</b>	761 Darling Street, Rozelle
<b>Description:</b>	Ground and first floor alterations and additions to existing office / administration building, including new lift facility to rear.
<b>Applicant:</b>	B Inwood

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

- *Brad Inwood*

### **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:

That the proposed removal of the chimney breasts and nibs on the first floor are not approved.

The decision of the panel was unanimous

<b>IWLPP0650/18</b> <b>Agenda Item 4</b>	<b>D/2018/515</b>
<b>Address:</b>	49 Darling Street, Balmain East
<b>Description:</b>	Alterations and additions to existing two storey mixed use building, including renovation of first floor dwelling and a new second floor including a lift
<b>Applicant:</b>	Welsh & Major Architects

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

- *Matthew Toohey*
- *Geoff McAuliffe*
- *Martyn Winsen*
- *Bill Haesler*
- *John Pagan*
- *David Welsh*
- *Bruce lay*

## **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

**The Meeting was adjourned at 4.52PM**

**The meeting resumed at 5.04PM**



<b>IWLPP0651/18 Agenda Item 5</b>	<b>D/2018/417</b>
<b>Address:</b>	51 Gipps Street Birchgrove
<b>Description:</b>	Ground and first floor alterations and additions to existing dwelling-house and associated works.
<b>Applicant:</b>	Five4one Five Design

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

- *Tom Silivias*

## **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:

That there be no demolition of the chimney breast and fireplace in the front room and the archway in the front hallway.

[to be inserted at the foot of the table in condition 1]

The decision of the panel was unanimous

<b>IWLPP0652/18</b> <b>Agenda Item 6</b>	<b>D/388/2018</b>
<b>Address:</b>	6 Glassop Street Balmain
<b>Description:</b>	Alterations and additions to rear of dwelling dwelling-house.
<b>Applicant:</b>	John R Dean 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>IWLPP0653/18 Agenda Item 7</b>	<b>M/2017/236</b>
<b>Address:</b>	Balmain Rowing Club
<b>Description:</b>	Modification of Development Consent D/2008/325 which approved alterations and additions to existing rowing club and associated works, including pathway, road works and site remediation. Modifications include: relocate side access way; modify staging and pontoon / configuration; reconfigure entry desk and service areas
<b>Applicant:</b>	Balmain Rowing Club

## **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>IWLPP0654/18</b> <b>Agenda Item 8</b>	<b>D/2018/474</b>
<b>Address:</b>	103 Birchgrove Road, Birchgrove
<b>Description:</b>	Alterations and additions to a semi detached cottage
<b>Applicant:</b>	L Mitchell

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

- *L Mitchell*
- *Eugenia Harley*

## **DECISION OF THE PANEL**

The Panel disagrees with the findings contained in the Assessment Report and resolves that the application be refused for the following reasons:

- a) The proposal does not satisfy the view sharing planning principles set out in the *Tenacity* Land & Environment Court case in that it has a significant impact on iconic views from at least two adjacent properties.
- b) The proposal has an unacceptable heritage impact on the place, which is a component of the Iron Cove Conservation Area.
- c) The proposal exceeds Council's LEP controls for site coverage and the submitted Clause 4.6 request to vary to the development standard does not satisfy the relevant objectives as the design is not in keeping with the desired future character of the area and is therefore not well founded.
- d) And due to the above, approval of the proposal would not be in the public interest.

The decision of the panel was unanimous

## RESUMPTION OF STANDING ORDERS

Standing orders were resumed for item 1.

<b>IWLPP0647/18</b> <b>Agenda Item 1</b>	DA201800163
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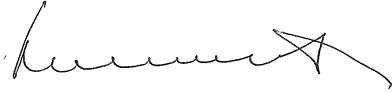
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  - k) The commercial kitchen to be mechanically ventilated to the satisfaction of Council’s Environmental Health Officer.
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  - p) Sprinkling of the windows to the heritage building adjacent to the boundaries is not required.
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  5. After the word “indicating” in the second line of recommended condition 55(c), insert in lieu of the rest of that condition “that any changes made to the original staircase retain the original staircase and are made as reversible additions”.
  6. Amend Condition 14 to read:  
 “All new building works must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).”

The decision of the panel was unanimous.

**The Inner West Planning Panel Meeting finished at 5.36pm.**

**CONFIRMED:**

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

**The Honorable Angus Talbot  
Chairperson  
11 December 2018**