



INNER WEST COUNCIL

**INNER WEST LOCAL PLANNING PANEL
MEETING**

29 OCTOBER 2019

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on 29 October 2019

Present: Mr Kevin Hoffman in the chair; Ms Jan Murrell; Mrs Mary-Lynne Taylor; Mr Kenneth Hawke

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

Meeting commenced: 2.09pm

**** 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.

IWLPP783/19 <i>Agenda Item 1</i>	Inner West Local Planning Panel Declarations of Pecuniary Interest 2018/19
---	---

DECISION OF THE PANEL

This matter is received and noted.

The decision of the panel was unanimous

IWLPP784/19 Agenda Item 2	DA201900238
Address:	122 Victoria Street Dulwich Hill
Description:	To restore and reconstruct the heritage listed dwelling house following the unauthorised partial demolition of the structures.
Applicant:	Home Impact

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

IWLPP785/19 Agenda Item 3	DA201500632.03
Address:	819 New Canterbury Road Dulwich Hill
Description:	Modify Determination No.201500632.02 under Section 4.55 of the Environmental Planning and Assessment Act to construct an additional storey above Buildings A and B, resulting in a 5 storey mixed use development.
Applicant:	Mars City Pty Ltd C/o Nordon Jago Architects

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

- Giovanni Cirillo

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

IWLPP786/19 Agenda Item 4	DA201500378.04
Address:	31A Mallett Street Camperdown
Description:	To modify Modified Determination No. 201500378 to continue extended trading hours for the restaurant between 6.00am to 12.00 midnight Mondays to Saturdays and 6.00am to 10.00pm on Sundays and Public Holidays and the hours of operations for the caravan café being between the hours of 6.00am to 10.00pm daily including Public Holidays.
Applicant:	The Camperdown Project Pty Ltd

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

- Josh Martin
- Dean Thomas

DECISION OF THE PANEL

The Panel adjourned the meeting at 2.54pm to consider item 4.

The panel resumed the meeting at 3.16pm.

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:

2(i) Amend to read Inner West Council not Marrickville Council

14(ii) For a period of not more than 2 years from the date of this modified consent, the opening hours of the restaurant are restricted to between the hours of 6:00am to 11:00pm Monday to Thursday, 6:00am to 12:00 midnight Friday and Saturdays, and 6:00am to 10:00pm Sundays and Public Holidays. The opening hours of the caravan café are restricted to between the hours of 6:00am to 10:00pm daily including Public Holidays. During this 2 year trial period, no outdoor activities of the restaurant are permitted prior to 7:00am or beyond 10:00pm. In accordance with the criteria prescribed by the Addendum Acoustic Report prepared by Acoustic Consulting Engineers dated 9 November 2015 regarding the closure of windows/doors to the restaurant and use of the lawn area, outdoor pergola areas and covered deck.

Add the following conditions:

2(iii) A contact number and name is to be clearly displayed at the front of the premises (Mallett Street) to contact the Manager/Licensee of the venue. Any incidents/complaints are to be included in an incident/complaint register to be available to Council for inspection on request and include actions taken to address any incident/complaint.

- 2(iv) Conditions 2(iii) and 14(ii) are to be included in an amended Plan of Management and a copy submitted to Council within 30 days of the modified consent being issued.

Reasons for the decision – To ensure residential amenity is reasonably maintained.

The decision of the panel was unanimous

IWLPP787/19 Agenda Item 5	DA201900198
Address:	25 Palace Street Petersham
Description:	To carry out first floor alterations and additions to a dwelling house to extend a bedroom.
Applicant:	Mr Andrew Hokin

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

IWLPP788/19 Agenda Item 6	D/2019/268
Address:	Callan Park Lilyfield
Description:	A Classical Music Event - "Classics at Callan Park" - for up to 1000 people within the grounds of Callan Park to occur on Saturday 23 November 2019 between the hours of 5:00pm - 8:00pm with bump-in at 10:00am and bump-out at 10:00pm
Applicant:	Inner West Council

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

- *Michael Daly*

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

IWLPP789/19 Agenda Item 7	DA201800498
Address:	391 Illawarra Road Marrickville
Description:	To demolish part of the premises and carry out alterations and additions to erect a part 4 part 5 storey shop top housing development with ground floor commercial and 5 residential units above basement.
Applicant:	Chapman Planning Pty Ltd

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

- *Con Francis*
- *Garry Chapman*
- *Felipe Ayala (Applicant Architect)*

DECISION OF THE PANEL

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

Amend Deferred Commencement condition (a) to read as follows;

- (a) The plans are to be amended to show any new works being wholly contained within the subject site property boundaries. Supporting documentation is to be submitted to demonstrate how the development will preserve the adjacent wall (currently used as a party wall) of 393 Illawarra Road.

Retain Deferred Commencement Conditions (b), (c) and (d).

Add at the end of the Deferred Commencement condition after the words '2 years': 'of the date of the issue of these conditions'.

Amend the following condition to read:

- 11 Works outside the Property Boundary
The development consent does not authorise any new works outside the property boundaries on adjoining lands, this includes retaining walls, concrete slabs and subsoil drainage works.

The decision of the panel was unanimous.

IWLPP790/19 Agenda Item 8	DA201900121
Address:	94 Illawarra Road Marrickville
Description:	To demolish part of the premises and carry out ground and first floor alterations and additions to the building and use the ground floor as an office and first floor as a dwelling
Applicant:	Circle Square Pty Ltd C/- Kreis Grennan Architecture

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

- *Chris Kreis and Christian Grennan*

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:

Amend the following conditions to read:

- 5 Design Changes
 - (c) Updated elevation drawings showing all openings, windows, shopfront windows, doors and decorative elements of the original portion of the building as retained and restored and clarifying that the existing security screening to the large shopfront windows are removed. The plans can indicate unused flashings are able to be removed.
- 30 Public Domain Works
 - (c) The existing concrete footpath north west of the existing vehicle crossing to the western boundary must be reconstructed.
 - (d) Any works in the Public Domain are subject to the Roads Act 1993 approval.

The decision of the panel was unanimous

IWLPP791/19 Agenda Item 9	DA201900186
Address:	631 King Street Newtown
Description:	To erect a new raised and covered deck on the rooftop level of the hotel including new toilets to be used in conjunction with the existing hotel.
Applicant:	Elaine Richardson Architect

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

- Virginia Pascall
- Georgia Fitzgerald
- Elaine Richardson (Applicant)
- Ray Reily (Owner)

DECISION OF THE PANEL

The Panel adjourned the meeting at 4.41pm to consider item 9.

The Panel resumed the meeting at 4.53pm.

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

The Panel requires a lift to make the roof terrace to be accessible. However, the proposed location has not demonstrated that it is acceptable against the relevant heritage provisions. As a result, the access and heritage provisions have not been adequately resolved. The Panel note that the Heritage Listed Item under the Schedule 5 – Environmental Heritage, MLEP 2011 is in good condition and presents well in the street. The Panel is not yet satisfied the heritage impact has been adequately addressed. Any lift provision will need re-notification in accordance with Council's notification policy.

The Panel is not convinced that the currently proposed location for the lift is appropriate in heritage terms. Further consideration should be given to a more suitable location that is not visible from the public domain, for example in the northwestern corner of the site. A lift proposal will require amended plans.

Reasons for refusal

1. The design has not been resolved as the proposal requires a disabled lift to the roof terrace, in accordance with Part 2.5 – Equity of Access and Mobility, Marrickville Development Control Plan 2011.
2. The location of the lift currently proposed by late submission could not be fully assessed because of its impact on the Heritage Item and there being no Heritage Impact Statement as required under Clause 5.10 - Heritage Conservation, Marrickville Local Environmental Plan 2011.

The decision of the panel was unanimous

IWLPP792/19 Agenda Item 10	DA201900132
Address:	27 Kintore Street Dulwich Hill
Description:	To demolish part of the premises and carry out ground and first floor alterations and additions to the existing building and to use the premises as a child care facility for 20 children
Applicant:	Emily Joseph

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

- Chris Jones
- Shikki Wang
- Emily Joseph
- Victoria Alexander
- Shaun Carter
- Jeff Mead
- Ian Warren

DECISION OF THE PANEL

The Panel deferred the decision of Item 10 at 6.07pm to consider Item 11.

The Panel note the Applicant's comments in relation to the stormwater pipe that was not identified on documentation with the property. The Panel also note the Applicant's comments in relation to the relocation of the pipe and the Applicant's intentions to upgrade and encase the existing pipe in concrete in its current location. The Panel note the comments made by 29 Kintore Street in relation to water impacts of local flooding.

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:

Replace condition 5 to read:

- 5(a) The associated roof over the first floor balcony is to be replaced with a light weight structure or sail over the balcony to a maximum height of 3m above finished floor level.
- 5(b) A revised landscape plan to reflect the approved northern side boundary setbacks identified on the ground floor architectural plan 10-04B dated 9/8/2019 is also to include the steps in the southern side path to be timber.

Delete the following conditions

49 in relation to the easement

61(b) in relation to amending the Plan of Management

Amend the following condition to read:

57 Staff and Children Numbers

There must be no more than 5 employees and not more than 20 children attending in the child care centre at any time.

Reasons for the decision – Reduce visual bulk, circumstances of the site warrant deletion of the requirement for an easement.

The decision of the panel was unanimous

IWLPP793/19 Agenda Item 11	DA2019000162
Address:	11 A Tupper Street Enmore
Description:	To demolish the existing dwelling house and construct a four storey boarding house containing 21 rooms above basement parking..
Applicant:	Emag Apartments Pty Ltd

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

- Garry Chapman

DECISION OF THE PANEL

The meeting is now adjourned at 6.14 PM to a closed meeting to determine Item 10 and Item 11 and the chairperson advised the public gallery that the decision will be published on Council's website after two business days.

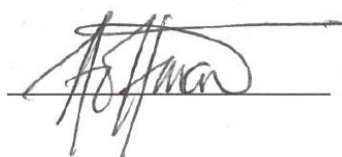
The Panel notes the comments made in relation to the actions during the assessment of the application.

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

The decision of the panel was unanimous

The Inner West Planning Panel Meeting finished at 7.20pm.

CONFIRMED:



Kevin Hoffman
Chairperson
29 October 2019