



INNER WEST COUNCIL

**INNER WEST LOCAL PLANNING PANEL
MEETING**

10 DECEMBER 2019

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on 10 December 2019.

Present: The Honourable Angus Talbot in the chair; Ms Jan Murrell; Mr Kenneth Hawke; Ms Lindsey Dey.

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.

IWLPP803/19 Agenda Item 1	10.2018.25.3
Address:	178 Smith Street, Summer Hill
Description:	Amend an existing consent to include new hardstand car parking associated with a Torrens title subdivision of 178 Smith Street to create two lots, construction of new two storey dwelling to Short Street.
Applicant:	Wil Nino

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

- *Wil Nino*

DECISION OF THE PANEL

Item 1 was adjourned, to consider item 10, at 2:08pm

Matter resumed at 2:17pm

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

- In condition 1, Plan DA07B is to be retained
- Additional endemic canopy tree, 4-6m in height, in the landscape plan

The decision of the panel was unanimous.

IWLPP804/19 Agenda Item 2	10.2019.84
Address:	79 Smith Street, Summer Hill
Description:	Alterations and additions to an existing dwelling including rear extension, new pool and secondary dwelling over garage.
Applicant:	Nick Hibberd Architect

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

- *Timothy Coen*
- *Ken Schaefer*
- *Tim Casey*
- *Nick Hibberd*
- *Thomas Aligounarias*

DECISION OF THE PANEL

The Panel deferred the decision of the matter to 4:00pm

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 Condition 5(a) to read:

The proposed rooftop 'studio terrace' associated with the secondary dwellings is to be setback a minimum of 2 metres at the eastern property boundary to provide a planter with appropriate landscaping to provide a buffer to the adjoining properties.

- Amend Condition 5(d) to read:

The awning above the walkway which connects the principal dwelling and garage must be deleted to eliminate unnecessary bulk.

- Amended Condition 5(e) to read:

The proposed attached box forms of the ground floor, east elevation are to be painted with the wall colour (see Condition 6(a) for colour scheme).

- Condition 5(f) be amended to permit longline cladding.

- Amended Condition 6 to read:

Prior to the issue of a Construction Certificate, the following must be submitted to the satisfaction of Council:

The colour scheme within the 'Schedule of Conservation Works' must be revised and submitted to the satisfaction of Council's Manager of Development Assessment. The revised colour scheme must be based on further investigation of the buildings original colour palette and/or consideration of typical colours for its

kind. Consideration to the rear secondary dwelling/garage must also have regard to neighbours' concerns for a lighter tone in that area.

The decision of the panel was unanimous.

IWLPP805/19 Agenda Item 3	10.2019.99
Address:	89 Smith Street, Summer Hill
Description:	Alterations and additions to an existing dwelling.
Applicant:	Mr A Yiannikas

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

- *Alexander Yiannikas*

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:

- Delete the word “custom orb” and insert the word: “longline cladding” in condition 5B

The decision of the panel was unanimous.

IWLPP806/19 Agenda Item 4	10.2019.69
Address:	89 Smith Street, Summer Hill
Description:	Removal of tree from a Heritage listed site.
Applicant:	Nick Hibberd

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

- *Alexander Yiannikas*

DECISION OF THE PANEL

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

Notwithstanding the Arborist's and Officer's reports which tend to prefer preservation of the tree or at least tolerate it the panel considers it to be far too big to ensure integrity of the heritage item and is likely to cause significant detriment in the future. The panel considers it to be timely on change of ownership and restoration that the tree be removed at this stage. The panel approves the application subject to the conditions of pgs. 320-326 in the Officer's report subject to amending condition 11 as follows:

The following trees must be planted:

A minimum of 1 x 75 litre size replacement tree, which will attain a minimum mature height of **4 – 5 metres** shall be planted in a more suitable location within the property at a minimum of 1.5m from any boundary structure. The tree is to **be endemic and** confirm to AS2303 – *Tree stock for landscape use*.

Note: any replacement tree species must not be a palm tree species of tree species listed as an exempt species under Council's Tree Management Controls.

If the replacement trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species. If the trees are found dead before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species.

The decision of the panel was unanimous.

IWLPP807/19 Agenda Item 5	10.2016.44.5
Address:	33 Smith Street, Summer Hill
Description:	Modification of the approved residential development including change of unit mix, new winter gardens, additional affordable housing unit, internal and external reconfiguration and changes to landscaping.
Applicant:	Drummoyne Building Service Pty Ltd

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

- *Hong Foo*

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:

Condition B be amended to include:

- e) That the roof of the top floor terrace be removed with the exception of an eave of up to 450mm; and
- f) All stairwell windows above ground level are to be translucent.

The decision of the panel was unanimous.

IWLPP808/19 Agenda Item 6	10.2019.110.01
Address:	502 - 510 Parramatta Road Ashfield
Description:	Demolition of existing structures and construction of a 4 storey mixed use building with ground and mezzanine level commercial and 20 serviced apartments.
Applicant:	Sonar Australia Pty Ltd / Coso Architecture

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

- *Anthony Solomon*

DECISION OF THE PANEL

The Panel adjourned the decision of the matter at 3:06pm

Matter resumed at 4:04pm

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.

IWLPP809/19 Agenda Item 7	10.2019.109.1
Address:	164 Frederick Street, Ashfield
Description:	Demolition of existing structures and construction of a 3 storey serviced apartment building with 33 rooms, basement car parking, signage and associated landscape works.
Applicant:	Sonar Australian PTY LTD

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

- *Anthony Solomon*

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.

IWLPP810/19 Agenda Item 8	10.2019.125.01
Address:	75 – 75A Palace Street, Ashfield
Description:	Demolition of existing structures and construction of a two storey boarding house with 12 rooms (24 lodgers), managers residence and 7 car parking spaces with associated landscaping.
Applicant:	Brookes Associates Architects

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

- Christopher Brookes
- Themis Theo

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.

IWLPP811/19 Agenda Item 9	DA201900268
Address:	199 Enmore Road, Enmore
Description:	To extend the trading hours of the licensed premises known as the Sly Fox.
Applicant:	Urban & Co. Design Pty Ltd

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

- Sean Flood
- Karen Wiltshire
- Dylan Brooks
- Thomas Ellwood
- Kerry Wallace
- Remi Lamandieu
- Darcy Byrne

DECISION OF THE PANEL

The Panel adjourned the decision of the matter at 5:26pm

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:

Add a Deferred Commencement Condition which reads:

- The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter:

A Plan of Management must be submitted to and approved by Council's Environmental Health Officer for the operation of the licensed premises that addresses the following:

- a) Compliance with the relevant conditions of approval,
- b) Minimise the potential impact of the operation of the premises on nearby residents,
- c) Effectively minimise and manage anti-social behaviour,
- d) Minimise noise emissions and associated nuisances,
- e) Effectively manage and respond to resident complaints,
- f) Ensure responsible service of alcohol and harm minimisation, and
- g) Patron conductivity and security.

Evidence of the above matter must be submitted to Council within 2 years otherwise the Consent will not operate.

- Amend Condition 1(b) to be a trial period of 2 years
- Amend Condition 1(c) to become Condition 2 and refer to Condition 1(b)

- Amend Condition 2 to become Condition 3
- Renumber all conditions appropriately
- Amend Condition 4 to read:

The Plan of Management as submitted to and approved by Council's Environmental Health Officer is to be complied with by the premises at all times.

- Amend the heading in Condition 7 to read from 12 midnight to 3am
- Amend Condition 19 to add additional sub-condition to read:

An appropriate legible notice shall be placed on the outside wall of the building specifying a telephone number for complaints. The number shall be available during the whole of any opening hours.

- Amend the reference to 4 years to become 2 in last paragraph of the above clause.
- Amend Condition 20 to read:
 - a) Adjoining residents are to be advised in writing by the Hotel of where they can direct complaints and the name of officer attending to any complaints received. This will ensure that on-going problems such as litter, noise from patrons etc are investigated by Management and that residents are kept informed on the progress of any complaints; and
 - b) Hotel Management is to ensure that all staff is aware of all complaints received from adjoining residents and the measures to be implemented to minimise any disturbance to the amenity of the locality. Details, including a log of all complaints being kept by the Hotel Management and strategies implemented by Hotel Management to address complaints are to be submitted to Council at the end of the two year period of the consent.
 - d) Information recorded in the incident register is retained for at least 3 years from when the record was made and must be made available to Council upon request.

IWLPP812/19 Agenda Item 10	M/2019/88
Address:	69-73 Beattie Street, Balmain
Description:	Modification of Development Consent D/2015/139 which approved alterations and additions to an existing building and change of use to a childcare centre with basement carpark and associated landscaping, with site remediation. Consent is sought for internal and external changes.
Applicant:	Lbeb Pty Ltd

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

- *Graham Brooks*
- *Deborah Dickerson*

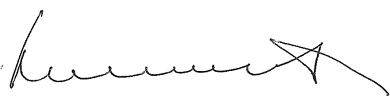
DECISION OF THE PANEL

Item 10 was moved forward to item 1. The Panel adjourned the decision of the matter to resume standing orders as the last item of the meeting.

A further Officer's report in respect of additional material provided by the applicant today will be made to the panel by 19 December following which the Panel will determine the application electronically or by such other means as the Chair directs.

The Inner West Planning Panel Meeting finished at 6:05pm.

CONFIRMED:



**The Honourable Angus Talbot
Chairperson
10 December 2019**