



INNER WEST LOCAL PLANNING PANEL
MEETING

TUESDAY, 10 MARCH 2020

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held in the Council Chambers, Leichhardt Town Hall, Norton Street, Leichhardt on Tuesday, 10 March 2020

Present: Adjunct Professor David Lloyd QC; Mrs Mary-Lynne Taylor; Ms Annelise Tuor; Ms Kath Roach

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

Meeting commenced: 2:08 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.

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| IWLPP834/20 Agenda Item 1 | M/2019/150 |
| Address: | 23 Coleridge Street, Leichardt |
| Description: | Modification of D/2016/341 includes an attic in existing terrace, rear dormer window and 'parent's retreat' as new level at rear of new dwelling. |
| Applicant: | Justin Loe Architects |

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

- *Chris Young*
- *Justin Loe*

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, subject the following changes:

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55(2) of the Environmental Planning and Assessment Act 1979, modifies Determination No. D/2016/341 for attic in existing terrace, rear dormer window and 'parent's retreat' as new level at rear of new dwelling at 23 Coleridge Street, Leichardt together with other minor modifications in accordance with Application No. M/2019/150, subject to the conditions listed in Attachment A below.

The decision of the panel was unanimous.

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| IWLPP835/20 Agenda Item 2 | DA201800108.01 |
| Address: | 244-246 Marrickville Road, Marrickville |
| Description: | To modify Determination No. 201800108 dated 16 July 2018 to allow a continuation of extended trading hours, delete condition requiring a security guard, and allow entertainment. |
| Applicant: | David Jank |

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

- *David Jank*

DECISION OF THE PANEL

The Panel adjourned the decision of the matter at 2:31pm to consider items 3 to 5.

Matter resumed 4:05pm

The decision of the Panel is to defer the matter to be determined electronically upon receipt of an acoustic report to Council within two weeks as per the below:

An Acoustic Report is to be prepared by a suitably qualified acoustic consultant and to be submitted to and approved by the Senior Manager Planning at Inner West Council. The report is to assess and demonstrate the external and internal noise levels to ensure that the external noise levels in accordance with NSW Noise Policy for Industry and Liquor and Gaming NSW and any other relevant guidelines. The report is to include but not be limited:

1. Maximum noise levels
 - dB(A)
 - dB(C)
 of amplified entertainment, in both the indoor and outdoor area of the premises
2. the times of use of amplified entertainment in each area.
3. the times at which all windows and doors are to be closed to satisfy noise criteria.
4. the times that the atrium roof is to be closed to satisfy the noise criteria.
5. the cumulative impact of the indoor and outdoor areas operating at maximum patron capacity and noise level of amplified entertainment.

The decision of the panel was unanimous.

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| IWLPP836/20 Agenda Item 3 | D/2019/360 |
| Address: | 1 Athol Street, Leichhardt |
| Description: | Sub-division of existing land into 2 lots. External renovations to the existing dwelling and use of the ground floor as an office. New alterations and additions to the existing warehouse and conversion to a dwelling. Changes to parking arrangements. |
| Applicant: | Sandbox Studio Pty Ltd |

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

- *Margaret Roberts*

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.

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| IWLPP837/20 Agenda Item 4 | D/2019/242 |
| Address: | 18 Ferdinand Street, BIRCHGROVE |
| Description: | Alterations and additions to existing dwelling. |
| Applicant: | Oikos Architects |

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

- *Ray Stevens*

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 condition 3 to reflect the proposed plans
- Amend condition 17 to read as follows:
17. Concealment of Plumbing and Ductwork
Prior to the issue of a Construction Certificate, the Certifying Authority, must be provided with plans detailing the method of concealment of all plumbing and ductwork other than stormwater downpipes within the outer walls of building so they are not visible.
- Retain condition 9a (i) (vote 3/1)

The decision of the panel was unanimous.

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| IWLPP838/20 Agenda Item 5 | D/2019/381 |
| Address: | 194 Short Street, Birchgrove |
| Description: | Alterations and additions to existing dwelling-house, including to provide a roof terrace and associated access. |
| Applicant: | J Scuteri |

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

- *Joe Scuteri*
- *Lisa Fodero*

DECISION OF THE PANEL

The Chair invited the objectors to make representations who declined based on Chair's comment that the application be refused.

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 Panel adjourned the meeting at 3:03pm to discuss Item 2.

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| IWLPP389/20 Agenda Item 6 | D/2019/287 |
| Address: | 163 Catherine Street, LEICHHARDT |
| Description: | Subdivision into 2 lots and adaptive re-use of existing industrial building resulting in a dwelling on each newly created lot. |
| Applicant: | Brenchley Architects |

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

- *Julian Brenchley*

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.

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| IWLPP840/20 Agenda Item 7 | 10.2019.148.1 |
| Address: | 7/27 Hercules Street, Ashfield (261-263 Liverpool Road) |
| Description: | Fit out and use of the first floor as a gym. |
| Applicant: | Michael Rodgers |

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.

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| IWLPP841/20 Agenda Item 8 | DA 10.2019.146 |
| Address: | 25 Alt Street, Ashfield |
| Description: | Demolition of existing structures and construction of a 12 room Boarding House with basement carpark. |
| Applicant: | Moses Chami |

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.

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| IWLPP842/20 Agenda Item 9 | 10.2019.107 |
| Address: | 354 Canterbury Road, Hurlstone Park |
| Description: | Demolition of existing structures, construction of a three storey mixed use building with ground floor childcare centre, business premises and two levels of residential accommodation with 10 residential units, basement car parking, associated works and strata subdivision. |
| Applicant: | Technik Haus PL |

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

- *Jim Morris*
- *Laura Paton*
- *Ashley Cooper*
- *Kate Dally*
- *Soner Geren*
- *Benjamin Black*

DECISION OF THE PANEL

The Panel recommends Council's Transport Manager review the traffic situation in and around Watkin Street, Canterbury Road and Hardy Street and take any action as deemed appropriate.

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 6 to replace Parramatta Road and Bland Street with Canterbury Road and Watkin Street.
- Amend condition 102(c) to replace Friday with Sunday.

The decision of the panel was unanimous.

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| IWLPP843/20 Agenda Item 10 | DAREV/2019/9 |
| Address: | 9 Gladstone Street, Balmain |
| Description: | Review of Determination of D/2019/33 which was refused seeking consent to demolish existing dwelling-house and construct new two storey dwelling-house, and associated works. |
| Applicant: | Aaron Stevens Architects |

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

- *Maria Tennant*
- *Leonie Olsen*
- *Ali Noroozi*
- *Aaron Stevens*
- *Brendon Clendenning*

DECISION OF THE PANEL

David Lloyd excused himself from the panel for the reason that he was a member of the panel that determined the original application.

David Lloyd left the meeting at 4:55pm.

Kath Roach moved that Annelise Tuor chair the meeting. Mary-Lynne Taylor seconded the motion. Annelise Tuor chaired the meeting for this item.

The Panel adjourned the decision of the matter at 5:35pm.

The matter resumed 6:01pm.

The Panel considers that the information submitted as part of the Review has not adequately addressed the previous reasons for refusal by the Panel. It supports the findings contained in the Assessment Report and resolves that the application be refused as per the recommendation contained in that report, subject to the following changes

- Include Recommendation A to read:

The applicant has not demonstrated that the proposal satisfies the Clause 4.3A(3)(a) – Landscaped Area, Leichhardt Local Environmental Plan 2013 and has not provided a written request under Clause 4.6.

- Renumber Recommendations accordingly
- Amend Reason 2 to read:

The proposed development cannot be approved as the information does not demonstrate sufficient Landscaped Area is provided as stipulated by Clause 4.3A(3)(a), and no Clause 4.6 request to vary this standard under Leichhardt Local Environmental Plan 2013 was submitted.

- Include Reason 11 to read:

The plans are also inconsistent to fully understand the proposed development.

The decision of the panel was unanimous.

The Inner West Planning Panel Meeting finished at 6:03pm.

CONFIRMED:

A handwritten signature in blue ink, appearing to read 'D. A. Lloyd', is positioned below the 'CONFIRMED:' heading.

**Adjunct Professor David Lloyd QC
Chairperson
10 March 2020**