



INNER WEST LOCAL PLANNING PANEL
MEETING

TUESDAY, 8 SEPTEMBER 2020

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held via teleconference on Tuesday, 8 September 2020.

Present: Adjunct Professor David Lloyd QC 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: 2:14pm

**** 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.

DECISION OF THE PANEL

- *The matter is received and noted.*

The decision of the Panel was unanimous.

IWLPP893/20 <i>Agenda Item 2</i>	Standing Item - Report in Accordance with Ministerial Direction: Pending Local Planning Panel Matters
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DECISION OF THE PANEL

The Panel has looked at the Schedule and has given direction that any matter over 180 days is to be reported to the Panel.

This matter has been received and noted.

The decision of the Panel was unanimous.

IWLPP894/20 Agenda Item 3	DA/2020/0326
Address:	111 Moore Street, Leichhardt
Description:	Change of use of existing industrial warehouse and office to a fitness studio and office for Lot 8 Only.
Applicant:	Dhome Construction

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

- *Deb McKenzie*
- *Monique Perera*
- *Bradley Micallef*
- *Jude Batrac*
- *Chris Gough*

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:

- 1 The development is permissible in the IN2 light industrial zone
- 2 The development will be generally compatible with character of area
- 3 A trial period of 12 months will provide the applicant the opportunity to demonstrate whether the use can harmoniously co-exist with the surrounding properties.

The Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, approves Development Application No. DA/2020/0326 for Change of use of existing industrial warehouse and office to a fitness studio and office for Lot 8 Only at 111 Moore Street Leichhardt in accordance with the standard conditions provided by Council officers, in addition to conditions requiring the following:

1. That a Green Travel Plan be provided.
2. That the consent be limited to a 12-month trial period. The applicant must then submit a modified application requesting deletion of the trial period condition.
3. That a maximum of 20 people (including staff) be allowed on the premises at any given time, as agreed to by the applicant.

The decision of the panel was unanimous.

IWLPP895/20 Agenda Item 4	D/2019/400
Address:	9 Phoebe Street, Balmain
Description:	Alterations and additions to an existing dwelling including new extension and garaging, associated landscaping, pool and remediation works.
Applicant:	David Mitchell Architects

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

- Luke Collins
- Valisia Jollie
- Kerry Gordon
- Giselle Collins
- Scott Barwick
- David Mitchell

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 amended deferred commencement conditions below.

The Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grants deferred commencement consent to Development Application No. D/2019/400 for alterations and additions to an existing dwelling including new extension and garaging, associated landscaping, pool and remediation works at 9 Phoebe Street Balmain subject to the conditions listed in Attachment A and subject to the amended conditions below:

1. Reword Deferred Commencement Condition A to read: "The office/studio above the proposed garage is to be deleted and replaced with a flat roof no higher than the adjoining property to the south-west. The planter box above the garage is to be deleted."
2. Delete Deferred Commencement Condition B.
3. Delete the words "Evidence of the above matters must be submitted to Council within 2 years otherwise the Consent will not operate." and replace with the words "Evidence of above matters must be submitted to Council's Development Assessment Manager within 2 years otherwise the Consent will not operate."

The Panel supports the findings in the Assessment Report for the following reasons:

- 1 The development is permissible in the R1 general zone and generally satisfies the requirements of the applicable planning controls.
- 2 The development will be compatible with the character of the area subject to the recommended conditions contained in the Report.
3. The Panel requires the deletion of the office/studio/bathroom in order to preserve the private views of 2 and 4 Phoebe Street, in accordance with view sharing principles.

4. In relation to views from the public domain, there is no change proposed and there will be no reduction in water views from the public domain.
5. For the reasons given above reasons above the development will be in public interest

The decision of the panel was by majority votes – 3/1.

Mary-Lynne Taylor voted against this decision and would not approve the new garage element (and upper story office and bathroom over) because of the loss of view from the street of a contributory building in the Heritage Conservation area.

IWLPP896/20 Agenda Item 5	0102019000203.1
Address:	1A Orchard Crescent, Ashfield
Description:	Alteration and additions to a residential flat building
Applicant:	M P Australia Pty Ltd

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

- *Fergus Freeney*
- *Alex Richter*

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.

IWLPP897/20 Agenda Item 6	DA/2020/0165
Address:	139 Catherine Street, Leichhardt
Description:	Part demolition and alterations and additions to existing heritage listed building to provide mixed use development including two new dwellings.
Applicant:	5ifth Grade Pty Ltd

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

- *Liza Campbell*
- *Donna Moran*
- *Matthew & Amada-Jane Foglia*
- *Giuseppe Lombardo*
- *Jeff Mead*
- *Zoltan Kovacs*

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.

Note: The Panel commends the proposal to re-instate the heritage significance of the shop front; however, it considers the proposal an overdevelopment of the site which has external impacts on the neighbouring properties. The Panel also retains concerns about the unresolved lack of resolution of the stormwater from this property.

The decision of the panel was unanimous.

IWLPP898/20 Agenda Item 7	DA/2020/0051
Address:	328-336 Liverpool Road, Ashfield
Description:	Demolition of existing structures and construction of a 6 storey residential flat building with 73 units and 72 car parking spaces and tree removal.
Applicant:	Urban Link Pty Ltd

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

- *Phillip North*

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 Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grants consent to Development Application No. DA/2020/0051 for Demolition of existing structures and construction of a 6 storey residential flat building with 73 units and 72 car parking spaces, tree removal at 328-336 Liverpool Road, Ashfield, subject to the conditions listed in Attachment A.

The decision of the panel was unanimous.

IWLPP899/20 Agenda Item 8	DA/2020/0346
Address:	14 Forrest Street, Haberfield
Description:	Demolition of existing rear extension, construction of single storey pavilion and basement carpark.
Applicant:	Mr Domenico Alvaro

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

- *Domenico Alvaro*

DECISION OF THE PANEL

The applicant has requested that this matter be deferred to the next Inner West Local Planning Panel meeting. The Panel agrees that the matter be deferred to the next meeting on 13 October 2020. The Panel requires the applicant to formally submit amended documentation, including an amended Clause 4.6 request, by 11 September 2020.

The amended Clause 4.6 request that Mr Alvaro brought to the Panel meeting was not able to be assessed on the day as the Panel is a decision-making body, rather than an assessment body. Council officers will prepare a supplementary report to the Panel based on the amended information submitted by Mr Alvaro.

The decision of the panel was unanimous.

IWLPP900/20 Agenda Item 9	DA/2020/0150
Address:	175 Johnston Street, Annandale
Description:	Ground and first floor alterations to the existing dwelling
Applicant:	Alice C Sun

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

- *Alice Sun*

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 condition named 'Design Change' on page 563 of the Agenda.

The Panel supports the findings contained in the Assessment Report for the following reasons:

1. The development is permissible in the R1 zone and generally satisfies the requirements of the applicable planning controls.
2. The development will be compatible with the area subject to the conditions listed in the Report.
3. For the reasons given above the application will be in the public interest.

The decision of the panel was unanimous.

IWLPP901/20 Agenda Item 10	REV/2020/0014
Address:	61 Louisa Road, Birchgrove
Description:	S8.2 Review of Conditions 1a, 1b, 1e, of Development Application DA/2020/0116
Applicant:	Andrew Vingilis c/o Corben Architect

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

- *Peter Duerden*
- *Stuart Cain*
- *Graham McKee*
- *Andrew Vingilis*

DECISION OF THE PANEL

The applicant's lawyer submitted a request for this matter to be deferred to the next Panel meeting. The Panel declined this request as it will be outside of the time period in which the Review can be determined.

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

1. Omit "and 1e" from the fourth line of the recommendation.
2. Delete paragraph B on page 613 of the recommendation.
3. Amend the first sentence of Deferred Commencement Condition 1e to read "The first floor to be setback a further 570mm from the rear building alignment and a further 500mm from each side boundary.", with the rest of the condition retained as-is.

All other conditions to remain the same.

The decision of the panel was unanimous.

IWLPP902/20 Agenda Item 11	DA/2020/0136
Address:	62 Alfred Street, Annandale
Description:	New garage and secondary dwelling over to rear and associated work
Applicant:	Billie Harkness C/- Saturday Studio Pty Lt

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

- *Nadia Colussi*
- *Nick Richter*

DECISION OF THE PANEL

The applicant submitted a request for this matter to be deferred to the next Panel meeting. The Panel agrees to defer this matter, provided that an amended application is submitted by Tuesday, 29 September 2020.

Reasons for deferral:

1. There are environmental management issues in relation to flooding and the protection of significant native trees which need to be properly resolved.
2. The Panel agrees with Council's assessment that residential amenity issues such as overlooking remain unresolved and could be readily addressed by an amended design.

The decision of the panel was unanimous.

IWLPP903/20 Agenda Item 12	DA/2020/0285
Address:	6 Murrell Street, Ashfield
Description:	Construction of an 8 storey residential flat building with basement car parking
Applicant:	Chapman Planning Pty Ltd

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

- *Garry Chapman*

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:

1. Condition 11 - Replace the words “XX units” with the words “units 3 and 6”.
2. Condition 22 – Replace the words “of all the adjoining property/ies” with the words “of all properties required by the expert.”

The Panel supports the findings contained in the Assessment Report for the following reasons:

1. The Development is permissible in the B4 mixed use zone.
2. The development will be compatible with the area subject to the conditions listed in the Report.
3. For the reasons given above the application will be in the public interest.

The decision of the panel was unanimous.

The Inner West Planning Panel Public Meeting finished at 4:43pm.

The Inner West Planning Panel Closed Meeting commenced at 4:45pm.

The Inner West Planning Panel Closed Meeting finished at 5:50pm.

CONFIRMED:

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

**Adjunct Professor David Lloyd QC
Chairperson
8 September 2020**