

INNER WEST LOCAL PLANNING PANEL  
MEETING

**12 APRIL 2022**

MINUTES

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held via teleconference on 12 April 2022

Present: Adjunct Professor David Lloyd QC in the chair; Mrs Mary-Lynne Taylor; Mr Brian Kirk, Ms Kath Roach.

Staff Present: Acting Development Assessment Manager - Martin Amy, and Administration Officers.

Meeting commenced: 2:02 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.

<b>IWLPP983/22</b> <b><i>Agenda Item 1</i></b>	Standing Item – Report in Accordance with Ministerial Direction: Pending Local Planning Panel Matters
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Matters pending were presented to the Panel Chairman and noted.

<b>IWLPP984/22</b> <b><i>Agenda Item 2</i></b>	Memo for Legal Delegations
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The Item was presented to and accepted by the Panel.

<b>IWLPP985/22 Agenda Item 3</b>	DA/2021/1088 -
<b>Address:</b>	7/236 Johnston Street, Annandale
<b>Description:</b>	Alterations and additions to existing townhouse, including the raising of one side of the roof
<b>Applicant:</b>	Tadas Marininas

## 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.

- A. The applicant has made a written request pursuant to Clause 4.6 of the *Leichhardt Local Environmental Plan 2013* to vary Clause 4.4 Floor Space Ratio of the Plan. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. 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/2021/1088 for Alterations and additions to existing townhouse, including the raising of one side of the roof at 7/236 Johnston Street, Annandale subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

<b>IWLPP986/22 Agenda Item 4</b>	MOD/2021/0174
<b>Address:</b>	2-8 Weston Street, Balmain East
<b>Description:</b>	Modify approval to allow outdoor shade umbrellas over outdoor seating area; external coffee cart waiter's station; bin storage enclosure; air conditioning and cool room condensers located externally; glazed air lock to eastern entry; overhead shelving to existing bar/kitchen; and door threshold infill.
<b>Applicant:</b>	The Fenwick Balmain Pty Ltd

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

- *Warrick Dobbie*
- *Helen Quilliam*
- *Garry Saunders*
- *Christopher Brown*
- *Barry Babikian*

## **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.

- A. The Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55 of the Environmental Planning and Assessment Act 1979, grants consent to Modification Application No. MOD/2021/0174 to modify the approval to permit internal alterations, outdoor shade umbrellas, coffee cart, garbage store and various operational requirements such as mechanical/cooling installations at 2-8 Weston Street, Balmain East subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

<b>IWLPP987/22 Agenda Item 5</b>	MOD/2021/0433
<b>Address:</b>	2-8 Weston Street, Balmain East
<b>Description:</b>	Modify approval for restaurant as follows: amend Conditions 12(e), 55, 65, and 66 of Development Consent D/2015/299 (as modified), relating to the Plan of Management, approved operating hours, bicycle parking provision, and waste disposal. Also, satisfy Condition 12(e) relating to parking and patron travel patterns and seeks to renew the trial extended operating hours of the venue for a further five (5) years.
<b>Applicant:</b>	Bill Drakopoulos

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

- Warrick Dobbie
- Garry Saunders
- Christopher Brown
- Barry Babikian
- Bill Drakopoulos

## DECISION OF THE PANEL

The Panel notes that this Modification has been considered and determined after the consideration and determination of MOD/2021/0174.

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:

A. 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 MOD/2021/0433 to modify Development Application No. D/2015/299 relating to the Plan of Management, approved operating hours, bicycle parking provision, and waste disposal at 2-8 Weston Street, Balmain East subject to the conditions listed in Attachment A of the officer's report and subject to the amendments below:

1. That condition 12(e) be deleted.

2. That the following conditions be added:

12 f) Noise Emission Controls:

The Plan of Management is to be amended to include the following point under **3.2 Noise Emission Controls:**

- The kitchen exhaust fan and air conditioning units are to be turned off each night at the closure of the food and drinks premises.

12 g) Transport

The Plan of Management is to be amended to include the following amendments under **4.9 Transport**:

1. Replace the words *“The Licensee/Approved Manager and management shall endeavour to promote the use of alternative forms of transport to the venue as follows:”* with the words *“The licensee/approve manager shall make every effort to promote the use of alternative means of transport to the site to avoid the use of local parking spaces as follows.”*
2. Add the following words to the end of the first dot point: *“and shall endeavour to install a taxi call phone at the site.”*
3. Include the following point:
  - In addition, in any written material or communication such as website site or email booking, there shall be a warning of the lack of available parking in the vicinity and the details of taxis, uber and buses and ferries.

The decision of the panel was unanimous.



<b>IWLPP988/22 Agenda Item 6</b>	DA/2021/1082
<b>Address:</b>	Callan Park – Glover Street, Lilyfield
<b>Description:</b>	Maintenance, repair, conservation, and upgrade (including demolition of intrusive elements) to buildings 497 & 512 in Callan Park; and change the of use of these buildings to community facilities.
<b>Applicant:</b>	Centennial Park and Moore Park Trust

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

- Carol Allen
- Sarah Cameron
- Steve Querin

## 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, and subject to the following changes:

- A. 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/2021/1082 for Maintenance, repair, conservation, and upgrade (including demolition of intrusive elements) to buildings 497 & 512 in Callan Park; and change the of use of these buildings to community facilities at Callan Park at Glover Street, Lilyfield subject to the conditions listed in Attachment A of the officer’s report and subject to the amendment below:
1. That condition 31 be amended to read:
    31. The premises do not need to notify Council as they are a not-for-profit organisation. All fundraising events at which only food that is “not” potentially hazardous or is to be consumed immediately after thorough cooking are to be sold. Basic hygiene and food safety requirements are to be followed as outlined in the Food Standards Australia New Zealand (FSANZ).

The decision of the panel was unanimous

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<b>IWLPP989/22 Agenda Item 7</b>	DA/2021/0325
<b>Address:</b>	Callan Park – Glover Street, Lilyfield
<b>Description:</b>	Stage 1B Waterfront Green works, including demolition of hardstand / paving areas and demolition of slab and footings of Buildings 505 and 514; tree removal and new tree planting; re-turfing and re-grading works; new pathways and picnic facilities; and site remediation.
<b>Applicant:</b>	Josh Owen

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

- Paul Power
- Louisa Larkin
- Mark Tyrrell
- Josh Owen

## **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.

- A. 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/2021/0325 for Stage 1B Waterfront Green works, including: demolition of hardstand / paving areas and demolition of slab and footings of Buildings 505 and 514; tree removal and new tree planting; re-turfing and re-grading works; new pathways and picnic facilities; and site remediation at Callan Park at Glover Street, Lilyfield subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

<b>IWLPP990/22 Agenda Item 8</b>	DA/2021/0915
<b>Address:</b>	88 Evans Street, Rozelle
<b>Description:</b>	Ground and first floor alterations and additions to dwelling-house and associated works, including a parking space and associated access off Hanover Street.
<b>Applicant:</b>	Jeffrey E Madden

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

- Trent Hill
- Jeff Madden
- Martin Cox

## **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:

- A. The applicant has made a written request pursuant to Clause 4.3A (3)(a) - Landscaped areas for residential accommodation in Zone R1 – Leichhardt Local Environmental Plan 2013. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. The applicant has made a written request pursuant to Clause 4.3A (3)(b)- Site Coverage for residential accommodation in Zone R1 – Leichhardt Local Environmental Plan 2013. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- C. The applicant has made a written request pursuant to Clause 4.4 Floor Space Ratio – Leichhardt Local Environmental Plan 2013. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.

D. 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, issues a Deferred Commencement consent for Development Application No. DA/2021/0915 at 88 Evans Street, Rozelle for Ground and first floor alterations and additions to dwelling-house and associated works, including a parking space and associated access off Hanover Street consent subject to the conditions listed in Attachment A of the officer's report and subject to the change below:

1. That the following condition be added

**DESIGN CHANGE:**

**1A. Design change**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

- a. The glass blocks to the south elevation are to be more diffuse in their nature.
- b. No light fitting is to be placed onto or adjacent to the southern wall of the hallway.

The decision of the panel was unanimous.

<b>IWLPP991/22 Agenda Item 9</b>	DA/2021/0902
<b>Address:</b>	4 Haberfield Road, Haberfield
<b>Description:</b>	Secondary Dwelling
<b>Applicant:</b>	Paul AP Caruana

## **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.

- A. The applicant has not made a written request pursuant to Clause 4.6 of the *Ashfield Local Environmental Plan 2013*. Therefore, The Panel cannot be satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will not be in the public interest because the exceedance is inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
  
- B. 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*, refuses Development Application No. DA/2021/0902 for Secondary dwelling at 4 Haberfield Road, Haberfield for the reasons for refusal listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

<b>IWLPP992/22 Agenda Item 10</b>	DA/2021/0688
<b>Address:</b>	35-41 Addison Road & 53-55 Philpott Street, Marrickville
<b>Description:</b>	To demolish the existing structures on site and erect a 4 part 5 storey mixed use building, containing basement car parking, 2 commercial tenancies on the ground floor fronting Addison Road and 61 affordable dwellings.
<b>Applicant:</b>	TBM Projects Group Pty Ltd

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

- *Luke Anderson*
- *Rino Criola*
- *Kate Bartlett*
- *Gyula Toth*

## **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.

- A. The applicant has made a written request pursuant to Clause 4.3 Height of Buildings Marrickville Local Environmental Plan 2011. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. 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/2021/0688 to demolish the existing structures on site and erect a 4 part 5 storey mixed use building, containing basement car parking, 2 commercial tenancies on the ground floor fronting Addison Road and 61 affordable dwellings at 35-41 Addison Road & 53-55 Philpott Street, Marrickville subject to the conditions listed in Attachment A of the officer's report.

### **NOTE:**

The Panel notes that the Deferred Commencement condition may require an application for a modification to alter the overall height of the building.

The decision of the panel was unanimous.

<b>IWLPP993/22 Agenda Item 11</b>	DA/2021/0651
<b>Address:</b>	1 The Esplanade, Ashfield
<b>Description:</b>	Construction of a mixed use development comprising of ground level commercial premises and a 77 room boarding house with managers residence over basement parking.
<b>Applicant:</b>	Appwam Pty Ltd

## **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.

- A. The applicant has not made a written request pursuant to Clause 4.3 and/or Clause 4.3A of the Ashfield Local Environmental Plan. Given the lack of a Clause 4.6 request in relation to the proposed breach to the Height of Buildings development standard, the Panel cannot consider or approve any variation.
- B. The applicant has made a written request pursuant to Clause 4.4 of the Ashfield Local Environmental Plan. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is not satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development would not be in the public interest because the exceedance is inconsistent with the objectives of the standard.
- C. 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, refuses Development Application No. DA/2021/0651 for Construction of a mixed use development comprising of ground level commercial premises with a 77 room boarding rooms with managers residence over basement parking at 1 The Esplanade, Ashfield for the reasons for refusal listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

<b>IWLPP994/22 Agenda Item 12</b>	DA/2021/0776
<b>Address:</b>	301-305 Liverpool Road, Ashfield
<b>Description:</b>	Construction of a mixed use development comprising of ground level commercial premises with a 67 room boarding house with managers residence over a single level of basement parking.
<b>Applicant:</b>	Appwam Pty Ltd

## **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.

- A. The applicant has not made a written request pursuant to Clause 4.3 and/or Clause 4.3A of the Ashfield Local Environmental Plan. Given the lack of a Clause 4.6 request in relation to the proposed breach to the Height of Buildings development standard, the Panel cannot consider or approve any variation.
- B. The applicant has made a written request pursuant to Clause 4.4 of the Ashfield Local Environmental Plan. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is not satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development would not be in the public interest because the exceedance is inconsistent with the objectives of the standard.
- C. 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, refuses Development Application No. DA/2021/0776 for Construction of a mixed use development comprising of ground level commercial premises with a 67 room boarding house with managers residence over a single level of basement parking. at 301-305 Liverpool Road, Ashfield for the reasons for refusal listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

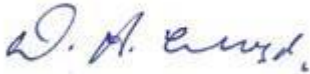


**The Inner West Planning Panel Public Meeting finished at 4:10pm.**

**The Inner West Planning Panel Closed Meeting commenced at 4:20pm.**

**The Inner West Planning Panel Closed Meeting finished at 5:01pm.**

**CONFIRMED:**

A handwritten signature in blue ink, appearing to read 'D. A. Lloyd', is positioned above the typed name.

**Adjunct Professor David Lloyd QC,  
Chairperson  
12 April 2022**