



INNER WEST LOCAL PLANNING PANEL
MEETING

28 June 2022

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held via teleconference on 28 June 22

Present: Adjunct Professor David Lloyd QC as the chair; Mr John McInerney; Mrs Mary-Lynne Taylor and Ms Kath Roach

Staff Present: Acting Development Assessment Manager – Ruba Osman; Administration Officers.

Meeting commenced: 2:01 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.

IWLPP1022//21 Agenda Item 1	DA/2021/1320
Address:	409 Balmain Road LILYFIELD
Description:	To carry out alterations and additions to a semi detached dwelling, such works include the following; 1. Rear: demolish the existing timber deck and reconstruct in concrete; 2. Garage: reconstruct the garage rooftop to be accessible from the backyard and enable a roof top terrace; 3. Backyard: remove the existing pavers, replace with turf to increase the landscaped area
Applicant:	Mr Han Xiao

DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report and resolves that the application be approved.

- A. The applicant has made a written request pursuant to Clause 4.3A(3)(ii) of the 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) of the 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 of the 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, grants consent to Development Application No. DA/2021/1320 to demolish the existing timber deck and reconstruct in concrete; reconstruct the garage rooftop to be accessible from the backyard to enable a roof top terrace; remove the existing pavers and replace with turf at 409 Balmain Road, Lilyfield subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous

IWLPP1023/22 Agenda Item 2	DA/2021/1054
Address:	16 Drynan Street SUMMER HILL
Description:	Alterations and additions to the existing dwelling including construction of a new upper level.
Applicant:	Ms Kate E Fraser

DECISION OF THE PANEL

The Panel disagrees with the findings contained in the Assessment Report and resolves that the application be approved subject to the recommended conditions as it is considered there is no significant impact on the streetscape and no significant loss of heritage fabric within the rear wing of the dwelling.

It is also recommended that the following conditions be included in the consent;

- 11A. Amended plans shall be submitted to the satisfaction of the Certifying Authority before the issue of a Construction Certificate demonstrating the following.
- i) the driveway and associated hardstand area must be removed, and footpath/kerb reinstated, and landscaping be provided within the front setback.
 - ii) The front fence on Drynan Street shall be extended to the eastern boundary such to extend across the entire frontage to match the existing stone base and palisade style.
- 27A. Prior to the issue of an Occupation Certificate, the Principal Certifier must verify that all redundant vehicular crossings to the site (having particular regard to the Drynan Street frontage) must be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2AUS-SPEC#2 - "Roadworks Specifications". Where the kerb in the vicinity of the redundant crossing is predominately stone, the replacement kerb must also be in stone.

The decision of the panel was unanimous.

IWLPP1023/22 Agenda Item 3	DA/2021/1174
Address:	End of Water Street BIRCHGROVE
Description:	Replacement of dinghy launching facilities at Balmain Sailing Club
Applicant:	Conrad Johnston

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

- *David Bedingfeld*
- Campbell Reid

DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report and resolves that the application be approved.

- 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/2021/1174 for the replacement of dinghy launching facilities at Balmain Sailing Club at End of Water Street, Birchgrove subject to the conditions listed in Attachment A of the officer's report.

Note: The panel would like Council to consider appropriate action to address the issue of any adverse behaviour on the foreshore (adjoining the site) and to consider occasional patrols in this area.

The decision of the panel was unanimous.

IWLPP1024/22 Agenda Item 4	DA/2021/1380
Address:	1 Flood Street LEICHHARDT
Description:	Torrens Title subdivision into two (2) lots.
Applicant:	Stag Property Pty Ltd

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. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the Minimum Subdivision Lot Size 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/2021/1380 for the subdivision of land into two (2) Torren Title lots at 1 Flood Street, Leichhardt, subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

IWLPP1025/22 Agenda Item 5	DA/2022/0131
Address:	78 Evans Street ROZELLE
Description:	Lower ground, ground and first floor alterations and additions to existing dwelling and associated works, including demolition of rear parking structure and replacement with open parking space
Applicant:	Mr Raymond Panetta

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 4.3A(3)(b) of the 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 4.4 of the 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 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/2022/0131 for lower ground, ground and first floor alterations and additions to existing dwelling and associated works, including demolition of rear parking structure and replacement with open parking space at 78 Evans Street, Rozelle subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

IWLPP1026/22 Agenda Item 6	MOD/2021/0556
Address:	17 Crescent Street HABERFIELD
Description:	Section 4.55 Modification to DA/2021/0358 - Including changes to approved floor plans/windows and extension of basement
Applicant:	Mr Stamati Perry

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, approves Modification Application No. MOD/2021/0556 to carry out changes to approved floor plans/windows at 17 Crescent Street, Haberfield subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous.

IWLPP1027/22 Agenda Item 7	DA/2021/1167
Address:	11 Hutchinson Street ST PETERS
Description:	Demolition of existing structures and construction of new commercial building and remediation of the site
Applicant:	Construction Assignments

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

- *Giovanni Cirillo*
- *Ashkan Mostaghim (Architect)*

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 made a written request pursuant to Clause 4.3 of the Marrickville Local Environmental Plan 2011. 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 insufficient environmental grounds to support the variation. The proposed development will not be in the public interest because the exceedance is not consistent 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/2021/1167 for the demolition of existing structures and construction of new commercial building and remediation of the site at 11 Hutchinson Street, St Peters for the reasons outlined in Attachment A of the officer's report.

The Panel notes that the applicant sought a deferral of the application, however the merits of the application apart from the fact that the panel does not have the power to approve the application at this point in time refusal will allow the applicant to seek a review under the Section 8.2 that addresses the outstanding issues. If the applicant wishes to seek a section 8.2 review, the panel recommends providing the remediation action plan and other supporting documentation and to consider the question of rear set back.

The decision of the panel was unanimous.

The Inner West Planning Panel Meeting finished at 2:45pm.

The Inner West Planning Panel Closed Meeting commenced at 2:47pm.

The Inner West Planning Panel Closed Meeting finished at 2:59pm

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
28 June 2022**