



INNER WEST LOCAL PLANNING PANEL
ELECTRONIC DETERMINATION

10 October 2022

MINUTES

MINUTES OF INNER WEST LOCAL PLANNING PANEL MEETING

Panel Members: Ms Heather Warton in the chair; Mr John McInerney; Ms Lisa Trueman and Ms Lea Richards

This was an electronic meeting to determine Item 10 of the Agenda of the Panel Meeting held on 5 August 2022, that had been deferred for additional information.

** DECLARATION OF PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

There were no conflicts declared by Panel members on this Item

IWLPP1044/22 Agenda Item 10	DA/2022/0030
Address:	35B Glassop Street, Balmain
Description:	The addition of a new pitched roof providing an upper level attic space and a new internal lift within the existing stair well
Applicant:	Mr Dimitri Janchek

BACKGROUND

Initial decision of the panel

The Application was deferred at the 5 August 2022 meeting for reasons:

The clause 4.6 submission to vary the maximum FSR development standard is not adequate and is not in a form that clearly identifies the environmental planning grounds on which the FSR development standard variation could be supported.

The impacts of the additional floor space above the existing rooftop on views from adjoining residences and the impact of the additions when viewed from the street needs to be demonstrated as part of this submission.

As the Majority Panel is supportive of the proposal and generally agrees with the conclusions in the assessment report, the application is deferred for the provision of a cl 4.6 submission that addresses these aspects.

Decision:

The Panel defers DA/2022/0030 in order for the applicant to submit a revised written clause 4.6 submission to vary the FSR development standard under Leichhardt LEP 2013. The submission must address all of the sub-clauses in clause 4.6 of Leichhardt LEP 2013.

The additional information is to be provided within 2 weeks. The Panel will consider the new information and determine the application electronically.

The decision of the Panel was 3/1

Lisa Trueman did not support deferral and was of the view that the application should be refused as the roof form and scale was unacceptable.

DETERMINATION

The Applicant submitted a revised cl4.6 written submission to Council, and this Submission and a Supplementary Assessment report was circulated to Panel members.

DECISION OF THE PANEL

Decision:

- 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 FSR development 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. That 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, grant consent to Development Application No. DA/2022/0030 for the addition of a new pitched roof on the existing flat roof adding an upper level attic space to the rear within the new roof and the provision of a internal lift within the existing stair well at 35B Glassop Street Balmain subject to the Conditions of Consent as recommended by Council in the Original Assessment Report.

Vote: 2//2

The vote being tied, the Chair used her casting vote to **approve** the application.

Ms Warton & Mr McInerney support the approval for reasons outlined in the officers Original and Supplementary Report. The proposal will have an acceptable impact on the streetscape, as the extension will not be highly visible and consider that there will no adverse significant view impact for neighbouring properties. The revised Clause 4.6 Submission and the additional FSR is acceptable.

Dissenting reasons:

Ms Trueman is of the view that the application should be not be approved as the proposal is unsympathetic to the conservation area, in terms of scale and roof form.

Ms Richards does not support the application because the proposed attic additions exacerbate the scale and incompatibility of the existing built form in its distinctive neighbourhood context. The height and bulk of the proposed additions are unsympathetic to the streetscape and have insufficient design merit to justify the view loss from neighbouring properties.

CONFIRMED:

A handwritten signature in blue ink, appearing to be 'Hm' followed by a long horizontal flourish.

**Ms Heather Warton
Chairperson
10 October 2022**