



INNER WEST LOCAL PLANNING PANEL
MEETING

13 September 2022

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held via teleconference on 13 September 2022

Present: Dr Gary Shiels in the chair; Mrs Mary-Lynne Taylor; Ms Kim Crestani; and Mr Allan Barnes

Staff Present: Acting Development Assessment Manager – Ruba Osman; Team Leader Corporate Support and Administration Officer.

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.

IWLPP1046/22 <i>Agenda Item 1</i>	Standing Item – Report in Accordance with Ministerial Direction: Pending Local Planning Panel Matters
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Matters pending were presented to the Panel Chair and noted.

IWLPP1047/22 Agenda Item 2	DA/2021/1367
Address:	55 Smith Street, Summer Hill
Description:	Demolition of the existing structures on site, and construction of a Residential Flat Building containing 35 Residential Apartments including Affordable Housing, over basement carparking Parking level
Applicant:	Appwam Pty Ltd

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

- David Rollinson
- Andrew Martin

DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report and resolves that the application be **refused** as per the recommendations contained in that report.

- A. The applicant has made a written request pursuant to Clause 4.3 Height of Buildings of the Ashfield Local Environmental Plan 2013. 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 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/2021/1367 for demolition of the exiting structures on site, and construction of a residential flat building containing 35 residential apartments including affordable housing, over 1 basement parking level at 55 Smith Street, Summer Hill for the reasons listed in Attachment A of the officer's report.

The decision of the panel was unanimous

IWLPP1048/22 Agenda Item 3	DA/2021/1079
Address:	Glover Street, Lilyfield
Description:	Alterations and additions to the existing University of Tasmania Campus to facilitate further equitable access through the inclusion of ramps and the upgrade of existing paths and stairs
Applicant:	Mr Jan Hemesath

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

- Hall Greenland

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.

- 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/2021/1079 for alterations and additions to the existing University of Tasmania Campus to facilitate further equitable access through the inclusion of ramps and the upgrade of existing paths and stairs at Lot 1 in DP1043540, Glover Street LILYFIELD subject to the conditions listed in Attachment A of the officer's report.

Note: The panel was addressed by a member of the Friends of Callan Park who made suggestions in relation to the historical nature of the building and the panel agrees that the following advisory matters be provided to the applicant for their consideration in relation to the works to be carried out:

- Recognizing the architectural merit of the existing building;
- the possibility of re-using some of the original tiles in the cement paths; and
- a photographic record being undertaken and provided to the Council for reference illustrating the area subject to works, with such photographs to be taken prior to works commencing.

The decision of the panel was unanimous

IWLPP1049/22 Agenda Item 4	REV/2022/0014
Address:	28 Empire Street, Haberfield
Description:	S8.2 Review of Development Application (DA/2021/0716) to retain unapproved skylights
Applicant:	John Boers

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

- *Vincent Crow*
- *John Boers*
- *Sam & Simone Hodzic*
- *Tom McLoughlin*

DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report and resolves that the application be **refused** as per the recommendations contained in that report.

- A. The Inner West Local Planning Panel exercises the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, refuse Development Application No. REV/2022/0014 Review of Development Application (DA/2021/0716) to retain unapproved skylights at 28 Empire Street HABERFIELD for the reasons listed in Attachment A of the officer's report.

The decision of the panel was unanimous

IWLPP1050/22 Agenda Item 5	DA/2022/0193
Address:	322 Canterbury Road, Hurlstone Park
Description:	Demolition of the existing dwellings on the site and construction of a three storey childcare centre
Applicant:	ArtMade Architects

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

- *Zelifikar Hussein*
- *Alicia Buxton*
- *Tania Antonopoulos*

DECISION OF THE PANEL

The Panel 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 changes listed below.

- A. The Inner West Local Planning Panel exercises the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, refuse Development Application No. DA/2022/0193 for demolition of the existing dwellings on the site and construction of a three storey childcare centre at 322 Canterbury Road HURLSTONE PARK for the reasons listed in Attachment A of the officer's report subject to the following changes.
1. That the following change be made to the reason 2 for the refusal.
 2. The proposal has not demonstrated compliance with Section 2.118(2) of SEPP Transport and Infrastructure and the proposal will impact the safety and operation of a classified road.

The decision of the panel was unanimous

IWLPP1051/22 Agenda Item 6	DA/2021/1354
Address:	21 Barr Street, Balmain
Description:	Alterations and additions to an existing house including new first floor addition, new garage and landscaping works
Applicant:	Lombardo Design Studio

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

- Louise O'Brien
- Cara Varian
- Greg Boston

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 changes listed below.

- A. The applicant has made a written requests pursuant to Clause 4.6 of the *Leichhardt Local Environmental Plan 2013*. After considering the requests, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the Landscape Area and Site Coverage standards is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variations. The proposed development will be in the public interest because the exceedances are not inconsistent with the objectives of the standards 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/2021/1354 for alterations and additions to an existing house including new first floor addition, new garage and landscaping works at 21 Barr Street, Balmain subject to the conditions listed in Attachment A of the officer's report and subject to the following changes.

That condition 29 be deleted

The decision of the panel was unanimous

IWLPP1052/22 Agenda Item 7	DA/2022/0037
Address:	61-63 Lincoln Street, Stanmore
Description:	Alterations and additions to existing dwelling, construction of a swimming pool, landscaping and associated works
Applicant:	William Wachsmann

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

- John Pagan
- William Wachsmann

DECISION OF THE PANEL

The Panel was requested by a submitter to delete draft condition 19. The Panel obtained advise from the staff that Construction and Occupation Certificates could not be obtained without consolidating of the lots. Accordingly, condition 19 was retained.

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

- A. The applicant has made a written request pursuant to Clause 4.6 of the *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 Floor Space Ratio 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/2022/0037 for alterations and additions to existing dwelling, construction of a swimming pool, landscaping and associated works. at 61-63 Lincoln Street STANMORE subject to the conditions listed in Attachment A of the officer's report.

The decision of the panel was unanimous

IWLPP1053/22 Agenda Item 8	MOD/2022/0522
Address:	13 Dickson Street, Newtown
Description:	Section 4.55 Modification to DA/2020/0331, including addition of a basement and changes to floor plans
Applicant:	Mr Patrick K Power

DECISION OF THE PANEL

The Panel noted the findings contained in the Assessment Report and that main reason for refusal was a lack of information in relation to the proposed basement, accordingly it was resolved that the Section 4.55 be **refused** as there was insufficient information to properly assess the application.

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*, refuses Development Application No. MOD/2021/0522 for Section 4.55 Modification to DA/2020/0331, including addition of a basement and changes to floor plans at 13 Dickson Street, Newtown for the reason listed below:

1. In the absence of a geotechnical and structural report, insufficient information has been provided with the application demonstrating as to how the basement will be constructed and any resulting associated impacts on the environment.

The decision of the panel was unanimous

IWLPP1054/22 Agenda Item 9	DA/2022/0384
Address:	40 Westbourne Street, Stanmore
Description:	To demolish part of the premises, carry out alterations and additions to a dwelling house to provide a rear deck and construct a detached secondary dwelling at the rear of the site
Applicant:	GAT and Associates Pty Ltd

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

- Mira Djakovic
- Jonathan Morehen

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 changes listed below.

- A. The applicant has made a written request pursuant to Clause 4.6 of the *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 site area 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 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/2022/0384 for demolition of part of the premises, carry out alterations and additions to a dwelling house to provide a rear deck and construct a detached secondary dwelling at the rear of the site at 40 Westbourne Street Stanmore, subject to the conditions listed in Attachment A of the officer's report and subject to the following changes.

That Condition 1 is to be amended such that the ground floor and stormwater plan are included in the table as they were accidentally omitted by the assessment officer. Changes are highlighted in yellow below:

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
A000, Revision 2	Proposed Site Plan	25/4/22	Jonathan Morehen
A001, Revision 2	Demolition Plan	25/4/22	Jonathan Morehen

A101, Revision 2	Ground Floor Plan	25/4/22	Jonathan Morehen
A102, Revision 2	First Floor	25/4/22	Jonathan Morehen
A104, Revision 2	Stormwater Concept Plan	25/4/22	Jonathan Morehen
A105, Revision 2	Landscape Plan	25/4/22	Jonathan Morehen
A400, Revision 2	Elevations E-01	25/4/22	Jonathan Morehen
A401, Revision A	Elevation E-02	25/4/22	Jonathan Morehen
A402, Revision A	Elevation E-03	25/4/22	Jonathan Morehen
A403, Revision A	Elevation E-04	25/4/22	Jonathan Morehen
A404, Revision 2	Elevation E-05	25/4/22	Jonathan Morehen
A405, Revision 2	Elevation E-06	25/4/22	Jonathan Morehen
1302588S	BASIX Certificate Secondary Dwelling	03/05/22	GAT & Associates
A458092	BASIX Certificate Primary Dwelling	03/05/22	GAT & Associates

As amended by the conditions of consent.

The decision of the panel was unanimous

IWLPP1055/22 Agenda Item 10	REV/2022/0010
Address:	60 Percival Road, Stanmore
Description:	S8.2 Review Application of DA/2021/0457 to demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling house
Applicant:	Blu Print Designs Pty Ltd

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

- *Sonia Starr*
- *Menka Severino*
- *Maria Severino*
- *Susana Boullosa*
- *Michelle Severino*
- *Anthony Charbel*

DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report however resolves that the S8.2 Review Application be granted a **deferred commencement**, subject to the changes below.

- 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 a deferred commencement consent to Development Application No. REV/2022/0010 for S8.2 Review Application of DA/2021/0457 to demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling house at 60 Percival Road STANMORE subject to the conditions listed in Attachment A of the officer's report and subject to the following changes.

A Deferred Commencement Consent is to be imposed as per the following;

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matters:

1. Prior to the consent becoming operational amended plans are to be submitted to the satisfaction of the Council illustrating the following;
 - a. The western portion of the roof over first floor addition shall take the form of a hip roof
 - b. The first floor western elevation shall be setback 1 meter (from its current location of Bed 1)
 - c. The first floor ensuite on the southern boundary shall be deleted
 - d. The courtyard doors on the ground floor adjoining the dining room shall be deleted and replaced with a window

The decision of the panel was unanimous

The Inner West Planning Panel Meeting finished at 3.44 pm.

The Inner West Planning Panel Closed Meeting commenced at 3.50pm.

The Inner West Planning Panel Closed Meeting finished at 4.54pm.

CONFIRMED:

A handwritten signature in black ink, appearing to read "Gary Shiels". The signature is written in a cursive style with a large, looping initial 'G'.

**Dr Gary Shiels
Chairperson
13 September 2022**