



INNER WEST LOCAL PLANNING PANEL  
MEETING

**13 June 2023**

MINUTES

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held via teleconference on 13 June 2023

Present: Adjunct Professor David Lloyd KC as chair; Ms Jan Murrell; Ms Lisa Trueman; Mr Kenneth Hawke

Staff Present: Ruba Osman, Development Assessment Manager; Selena Topich and Nathan Beer, Development Support 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.

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| <b>IWLPP1119/23</b><br><b><i>Agenda Item 1</i></b> | <b>Standing Item - Report in Accordance with Ministerial Direction:</b><br><b>Pending Local Planning Panel Matters</b> |
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Matters pending were presented to the Panel Chairman and noted.

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| <b>IWLPP1120/23<br/>Agenda Item 2</b> | DA/2022/0855   |
| <b>Address:</b>                       | 14 Seaview Street DULWICH HIL  |
| <b>Description:</b>                   | Extended hours of operation and business identification signage associated with a “Recreation Facility – Indoor” (Gymnasium) |
| <b>Applicant:</b>                     | TAF1 - C PTY LTD   |

- *There were no registered speakers for this Item*

## **DECISION OF THE PANEL**

- 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/2022/0855 for extended hours of operation and business identification signage associated with a “Recreation Facility – Indoor” (Gymnasium). at 14 Seaview Street DULWICH HILL subject to the conditions as recommended.

### Reasons for the decision:

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the approval contained in that Report.

The proposal generally complies with the aims, objectives and design parameters contained in the Inner West Local Environmental Plan 2022 and Marrickville Development Control Plan 2011.

The development will not result in any significant impacts on the amenity of the adjoining premises/properties, the streetscape and is ultimately considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.

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| <b>IWLPP1121/23<br/>Agenda Item 3</b> | DA/2022/0785  |
| <b>Address:</b>                       | 157 Darling Street BALMAIN  |
| <b>Description:</b>                   | Alterations and additions to construct a rooftop terrace and associated works |
| <b>Applicant:</b>                     | Ms Natalie Scipioni   |

- *There were no speakers for this Item*

## **DECISION OF THE PANEL**

- A. The applicant has made a written request pursuant to Section 4.6 of the *Inner West Local Environmental Plan 2022*. 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 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. 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/2022/0785 for alterations and additions to construct a rooftop terrace and associated works at 157 Darling Street BALMAIN subject to the conditions listed in the officers report.

### Reasons for the decision:

The proposal generally complies with the aims, objectives and design parameters contained in Inner West Local Environmental Plan 2022 and Leichhardt Development Control Plan 2013.

The development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.

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| <b>IWLPP1122/23<br/>Agenda Item 4</b> | DA/20225/0565  |
| <b>Address:</b>                       | 18 Johnston Street Balmain East  |
| <b>Description:</b>                   | Demolition of existing dwelling and construction of a new dwelling and associated works, including remediation of the site |
| <b>Applicant:</b>                     | Gertrude K Buckley   |

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

- *Craig Moy*
- *Mitchell Robertson*
- *Susan Westlake*
- *Greg Boston*
- *Paul Connor*
- *Kim Tan*

## **DECISION OF THE PANEL**

- 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/2022/0565 for demolition of existing dwelling and construction of a new dwelling and associated works, including remediation of the site at 18 Johnston Street Balmain East, subject to the conditions listed in Attachment A together with the following additional conditions:

### 5A. Design Change

Amended plans to be submitted to the satisfaction of the Certifying Authority illustrating that the roof form be changed to gable ends with parapets.

Reason: It would have a marginal impact on views and would present a simpler roof form for the heritage conservation area.

### 5B. Design Change

Amended plans to be submitted to the satisfaction of the Certifying Authority illustrating the length of the dormer windows be reduced by 500mm and the roof pitch of the dormer to be reduced 2 degrees without the internal height of the dormer changing.

Reason: To mitigate view loss and improve roof form.

### 9A. Building fabric

Historic building fabric in reasonably good condition must be reused on site including sandstone foundations. Salvaged building materials surplus to the project may be transferred to an established secondhand building material dealer for recycling. This should include sandstone and remnant weatherboards (condition permitting).

Reason: To ensure the reuse of significant fabric.

### Reasons for the decision:

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the approval contained in that Report.

The proposal generally complies with the aims, objectives and design parameters contained in the Leichhardt Local Environmental Plan 2013 and the Leichhardt Development Control Plan 2013.

The development is compliant with all principal development standards, is generally compliant with Council's DCP, will not result in any significant impacts on the amenity of the adjoining properties and the streetscape, facilitates a reasonable level of view sharing and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.

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| <b>IWLPP1123/23<br/>Agenda Item 5</b> | MOD/2022/0486  |
| <b>Address:</b>                       | 22 Cameron Street Balmain  |
| <b>Description:</b>                   | Section 4.55(2) Modification of Development Consent DA/2022/0317 which approved alterations and additions to the Dry Dock Hotel, seeking various changes, including: internal reconfiguration; alterations and additions and associated works to the ground floor rear wing; removal of internal walls at first floor at front of building nominated for administration use; and replacement of roof sheeting to main roof |
| <b>Applicant:</b>                     | James Lidis  |

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

- *Francis Breen*
- *James Lidis*

## **DECISION OF THE PANEL**

A. The Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55(2) of the Environmental Planning and Assessment Act 1979, grants consent to approve Application No. MOD/2022/0486 under Section 4.55(2) of the Environmental Planning and Assessment Act 1979 to modify Determination No DA/2022/0317 dated 11 November 2022 which approved alterations and additions to the Dry Dock Hotel, seeking various changes, including: internal reconfiguration; alterations and additions and associated works to the ground floor rear wing; removal of internal walls at first floor at front of building nominated for administration use; and replacement of roof sheeting to main roof at 22 Cameron Street Balmain, subject to the additional and modified conditions listed in the officers report.

### Reasons for the decision:

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the approval contained in that Report.

The development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The modification application is considered suitable for approval subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.



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| <b>IWLPP1124/23<br/>Agenda Item 6</b> | MOD/2022/0474  |
| <b>Address:</b>                       | 93 Louisa Road Birchgrove  |
| <b>Description:</b>                   | Modification to development consent D/2018/25 including (but not limited to) changes to building footprint, windows, internal layout, balcony/deck/roof terrace, screening, balustrades, fenestration, lift overrun; materials, colours and finishes also amended. |
| <b>Applicant:</b>                     | Mr Franco Bilotta  |

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

- Aaron Gadiel
- Joseph Macri
- Henry Cheung
- Justin Doyle
- Erica Marshall-Evans
- Jeff Bulfin

## DECISION OF THE PANEL

A. The Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55(2) of the Environmental Planning and Assessment Act 1979, grants consent to approve Application No. MOD/2022/0474 for changes to building footprint, internal layout, balcony/deck/roof terrace, screening, balustrades, fenestration, removal of lift over run; materials, colours and finishes under s4.55(2) of the Environmental Planning and Assessment Act 1979 at 93 Louisa Road Birchgrove, subject to the conditions listed in Attachment A with the following changes:

1. That the following condition 2b be inserted:  
2b. Delete window 18.  
Reason: To maintain the privacy of number 95 Louisa Road.
2. That the following condition be amended:  
Condition 2 to be amended to correct the reference of the plan number. Ref 1705 DA07F dated October 2022 is noted in the report, however the updated Roof plan reference is Ref 1705 DA07G dated March 2023.

### Reasons for the decision:

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the approval contained in that Report. The Panel endorses Councils recommendation that the increased height lift over run cannot be supported and condition 2(a) is imposed.

The proposal generally complies with the aims, objectives and design parameters contained in the *Inner West Local Environmental Plan 2022* and Leichhardt Development Control Plan 2013.

The development as modified (including the reduction in the height of the lift overrun) will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape.

The application is considered suitable for approval subject to the imposition of appropriate conditions that requires the reduction in the height of the lift overrun.

The decision of the panel was unanimous.

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| <b>IWLPP1125/23<br/>Agenda Item 7</b> | DA/2022/0751  |
| <b>Address:</b>                       | 41-47 Farr Street, Marrickville   |
| <b>Description:</b>                   | Demolition of existing structures on site. Construction of a residential flat building with basement parking, landscaping and associated works. |
| <b>Applicant:</b>                     | Rebel Property Group (Finance) Pty Ltd  |

- *There were no speakers for this Item*

## **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 *Inner West Local Environmental Plan 2022*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the height 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. 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/2022/0751 for the demolition of existing structures on site and construction of a residential flat building with basement parking, landscaping and associated works at 41-47 Farr Street, Marrickville subject to the conditions listed in the officers report.

### Reasons for the decision:

The proposal generally complies with the aims, objectives and design parameters contained in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment*, *Inner West Local Environmental Plan 2022* and Marrickville Development Control Plan 2011.

The development as revised, is considered to meet the desired future character of the Victoria Road Precinct in which it is located. The residential flat building would allow for increased residential dwellings, within a building that is considered to have a high level of design in the public domain. The development will contribute to the connectivity of the precinct for the community through the provision of a publicly accessible pedestrian link to Mitchell Street. Overall, the development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.

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| <b>IWLPP1126/23<br/>Agenda Item 8</b> | DA/2023/0110   |
| <b>Address:</b>                       | 10 Cambridge Street Enmore   |
| <b>Description:</b>                   | Demolition of the existing garage and construction of a new garage with associated fencing |
| <b>Applicant:</b>                     | Mr Nigel White   |

- *There were no speakers for this Item*

## **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 Section 4.6 of the *Inner West Local Environmental Plan 2022* to vary the Floor Space Ratio development standard. 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/2023/0110 for demolition of the existing garage and construction of a new garage with associated fencing at 10 Cambridge Street, Enmore subject to the conditions listed in the officers report.

### Reasons for the decision:

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and Marrickville Development Control Plan 2011.

Subject to compliance with the recommended conditions, the development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval, subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.

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| <b>IWLPP1127/23<br/>Agenda Item 9</b> | DA/2023/0166  |
| <b>Address:</b>                       | 44 Park Avenue, Ashfield  |
| <b>Description:</b>                   | Alterations and additions to the existing dwelling house including extension of first floor and reconfiguration of first floor rooftop terrace. |
| <b>Applicant:</b>                     | Ms Stacy Warren   |

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

- Zoe de Saram

## DECISION OF THE PANEL

- A. The applicant has made a written request pursuant to Section 4.6 of the *Inner West Local Environmental Plan 2022* to vary the Floor Space Ratio development standard. 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/2023/0166 for alterations and additions to the existing dwelling house including extension to the first floor and reconfiguration of first floor rooftop terrace at 44 Park Avenue, Ashfield, subject to the conditions below with the following changes:
1. Delete condition 4d  
Reason: Not required.
  2. Add a new condition  
(5A) No Parking  
That car parking is prohibited in the rear yard.  
Reason: To prevent car parking in the rear yard.

### Reasons for the decision:

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

The decision of the panel was unanimous.

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| <b>IWLPP1128/23<br/>Agenda Item 10</b> | DA/2022/1125  |
| <b>Address:</b>                        | 37 Liverpool Road, Ashfield   |
| <b>Description:</b>                    | Alterations and additions to existing building to create a 7 room co-living housing development |
| <b>Applicant:</b>                      | Mr Dean T Applegate   |

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

- Ruth Daniel

## DECISION OF THE PANEL

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 Application No. DA/2022/1125 for alterations and additions to existing building to create a 7 room co-living housing development at 37 Liverpool Road, Ashfield for the following reason:

1. The State Environmental Planning Policy (Housing) 2021 prescribes a minimum of 800sqm for co-living housing. This has the effect of making this development prohibited because the prescribed size cannot be varied (This is not amenable to variation under Clause 4.6 of the LEP).

### Reasons for the decision:

If it were not for this prohibition the panel would have been inclined to approve the application with the benefit of Cl5.10(10) *Conservation incentives clause* subject to conditions as it is an appropriate adaptive reuse of a heritage site, and it facilitates necessary conservation works.

Notwithstanding the above it is noted that the current plans do not include the recommendations of the Conservation Schedule of Works

By way of comment the panel considers that this form of housing contributes to the achievement of additional dwellings including more affordable housing.

By way of comment the Panel recommends Council consider making representations to the NSW Department Planning for this provision to only apply to new development. This is important for inner city areas where an 800sqm lot is scarce and the concept of co-living is an appropriate adaptive reuse for existing buildings.

The decision of the panel was unanimous.

**The Inner West Planning Panel Public Meeting finished at 3.35pm**

**The Inner West Planning Panel Closed Meeting started at 3:45pm**

**The Inner West Planning Panel Closed Meeting finished at 5:32pm**

**CONFIRMED:**

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

**Adjunct Professor David Lloyd KC  
Chairperson  
13 June 2023**