

INNER WEST LOCAL PLANNING PANEL
MEETING

21 APRIL 2020

MINUTES

MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING held via Skype for Business Teleconference.

Present: The Honourable Angus Talbot in the chair; Ms Jan Murrell; Ms Lindsey Dey, Ms Heather Warton.

Staff Present: Development Assessment Manager; Team Leader Development Assessment. and Administration Officer.

Meeting commenced: 2.05 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**

The following interests were declared;

Ms Jan Murrell excluded herself from Item 5. She was on the original Panel that previously determined this Application.

Ms Heather Warton notes that she knows Scott Barwick and sits on other Local Planning Panels with Mr Barwick. He is speaking on behalf of the Applicant for Item 6.

IWLPP845/20 Agenda Item 1	DA/2020/0056
Address:	31A Mallet Street Camperdown
Description:	To install photovoltaic panels on the existing building
Applicant:	Nathaniel Taylor

DECISION OF THE PANEL

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

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/2020/0056 to install photovoltaic panels on the roof of the existing building at 31A Mallett Street Camperdown subject to the conditions listed in Attachment A to the Officer's report.

The decision of the panel was unanimous

IWLPP846/20 Agenda Item 2	M/2019/223
Address:	50 Fitzroy Avenue, Balmain
Description:	Section 4.55 (1A) application to modify D/2018/450 which approved rectification and upgrade works to the Dawn Fraser Baths at Balmain.
Applicant:	Inner West Council

DECISION OF THE PANEL

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

B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 and s4.55(1A) of the Environmental Planning and Assessment Act 1979, approve Modification Application No: M/2019/223 for the modification of Development Consent D/2018/450 at Dawn Fraser Baths, 50 Fitzroy Avenue, Balmain NSW 2041 subject to the amendments listed in Attachment A and B to the Officer's report, amended as follows:

1. Delete Condition (3) from Attachment B and replace with Condition (1) in Attachment A; then
2. Add Condition (3) from Attachment A to Attachment B.

(The Panel notes that Attachment B as modified by the above will then form the final consolidated Conditions of consent).

The decision of the panel was unanimous

IWLPP847/20 Agenda Item 3	D/2019/379
Address:	17 O'Neil Street Leichhardt
Description:	New garage and studio at rear of site and associated works, including tree removal.
Applicant:	Sn Studio

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

- *David Waghorn*

DECISION OF THE PANEL

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

B. The applicant has made a written request pursuant to Clause 4.4 Floor Space Ratio & Clause 4.3A(3)(b) – Site Coverage 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. 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. D/2019/379 for a new garage and studio at rear of site and associated works, including tree removal at 17 O'Neill Street Lilyfield, subject to the conditions listed in Attachment A to the Officer's report.

The decision of the panel was unanimous

IWLPP848/20 Agenda Item 4	DA201900412
Address:	255 King Street Newtown
Description:	To fitout the rear of the ground floor tenancy to be used in association with the restaurant
Applicant:	Patrick Lebon

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

- *Patrick Lebon*

DECISION OF THE PANEL

A. 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.

B. The applicant has made a written request pursuant to Clause 4.6 to vary Clause 4.4 of the Marrickville Local Environmental Plan 2011. After considering the request, and assuming the concurrence of the Secretary, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental planning 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. 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. DA201900412 for fit out of the rear of the ground floor tenancy subject to the conditions listed in Attachment A to the Officer's report, amended by the deletion of Condition (5) as it presently reads and in lieu thereof inserting the words 'This Development consent does not authorise any works on property 253 King Street, Newton.'

The decision of the panel was unanimous

IWLPP849/20 Agenda Item 5	DA2019186.01
Address:	631 King Street, Newtown (Sydney Park Hotel)
Description:	Section 8.2 review application of DA201900186. The review seeks approval for a new raised and covered deck on the rooftop level of the hotel including new toilets to be used in conjunction with the existing hotel.
Applicant:	Elaine Richardson Architect

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

- Elaine Richardson

DECISION OF THE PANEL

Jan Murrell has excused herself from the discussion and the determination of this application

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

B. 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, 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. 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 Section 8.2 Application No. 201900186.01 to erect a new raised and covered deck on the rooftop level of the hotel including new toilets to be used in conjunction with the existing hotel at 631 King Street Newtown, subject to the conditions listed in Attachment A below, subject to the following additional conditions:

Insert, a new Condition (5A) as follows

Bicycle Parking

Prior to the issue of any Construction Certificate, the applicant must consult with the relevant unit in Council to seek the installation of bicycle parking infrastructure adjacent to the premises on either King Street or Lord Street.

The bicycle parking infrastructure must be installed at the cost of the applicant and in accordance with Council's relevant guidelines.

If supported by Council, the bicycle infrastructure must be installed prior to the issue of the Occupation Certificate.

Insert, a new Condition (4A) as follows:

No works or change are to be made to the current exterior materials and finishes to the building including the tiling and brick work on the south and east elevations.

The decision of the panel was unanimous.

IWLPP850/20 Agenda Item 6	D/2018/686
Address:	252 Johnston Street, Annandale
Description:	Alterations and additions to existing residential care facility (St Basil's), including additional storey, changes to internal layout to provide on-site support services; reduce the number of beds from 83 to 77, changes to Johnston Street driveway, signage, landscaping works including tree removal and remediation works
Applicant:	St Basil's Homes

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

- Scott Barwick
- Laura Baxter
- Demetrios Stavropoulos

DECISION OF THE PANEL

The Panel adjourned the meeting at 4.20pm to discuss item 6.

The meeting resumed at 4.40pm

A. The Panel resolves that the applicant has made a written request pursuant to Clause 4.6 of the Leichhardt Local Environmental Plan 2013 to vary Clause 26 (Access) and 45(2) (Bonus Floor Space) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (which references Clause 4.4 Floor Space Ratio 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. 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 deferred commencement consent to Development Application No. D/2018/686 for alterations and additions to existing residential care facility (St Basil's), including additional storey, changes to internal layout to provide on site support services; reduce the number of beds from 83 to 77, signage, landscaping works including tree removal and remediation works at 252 Johnston Street, Annandale subject to the conditions listed in Attachment A to the Officer's report, amended as follows:

Amend Deferred Commencement Condition (A) by deleting the words "including the following" in the first paragraph;

- Delete Deferred Commencement Condition A(a) and insert in lieu thereof an amended Condition A(a) as follows:
 - a) All new and/or internal areas must be protected from ingress of water by either one of or a combination of the following in descending order of preference;
 - i) Raising floor levels to the Flood Planning Level

OR

- ii) Provisions of up and down ramps/steps to prevent ingress of flows up to the Flood Planning Level
- OR
- iii) Flood gate type devices for areas that cannot be reasonably raised or protected by up and down ramps/steps to the Flood Planning Level
- OR
- iv) Reduced free board 300 above 1 in 100 flood level
- AND
- v) All walls/structures/pipes etc. must be fully sealed/waterproofed to prevent ingress of flows.

Insert the following additional requirements to Condition (4) "Design Change" in the Operational part of the consent:

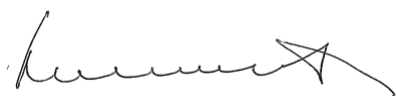
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- c) *Photovoltaic panels to be installed on the roofs to fullest extent practicable.*
- d) *Provision shall be made for parking of 8 bicycles.*

The decision of the panel was unanimous

The Inner West Planning Panel Meeting finished at 4.44pm.

CONFIRMED:



**The Honourable Angus Talbot
Chairperson
21 April 2020**