

INNER WEST LOCAL PLANNING PANEL  
MEETING

**13 APRIL 2021**

MINUTES

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held via teleconference on 13 April 2021.

Present: Mr Kevin Hoffman in the chair; Ms Jan Murrell; Ms Kath Roach, Ms Lindsey Dey.

Staff Present: Development Assessment Manager; 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.

<b>IWLPP980/20 Agenda Item 1</b>	<b>Standing Item - Report in Accordance with Ministerial Direction: Pending Local Planning Panel Matters</b>
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The Panel received the List of pending development applications and directs Council to forward it to the Co-Chair David Lloyd QC for consideration.

<b>IWLPP981/20 Agenda Item 2</b>	DA/2020/0942
<b>Address:</b>	8-14 Nelson Street, Annandale
<b>Description:</b>	Use of the premises as a Women's only Recreation Facility (indoor) to operate as women's health and fitness club, operating 7 days per week from 5.00am to 10.00pm.
<b>Applicant:</b>	SJB Planning

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

- *Jonathan Newton*
- *Scott Barwick*
- *Ann Holzer*
- *Ben Midgley*

## **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 following changes:

1. That the following conditions be added:

2A. The submitted Plan of Management is to be amended and provided to Inner West Council for the approval of the Manager Development Assessment, including, but not limited to, revised –

- Safety and security measures
- Accessibility, including the provision of an accessible car space
- Noise abatement measures
- Details of complaints handling processes including a complaint register
- Contact details of the business operator
- Car park management including loading, unloading and servicing/ waste disposal procedures
- A lighting plan, both in terms of customer safety and in relation to reducing nuisance to residential neighbours.

2B. No signage is approved as part of this application. A further application with plans and elevations is required to be submitted to show details of all proposed signage locations, dimensions, and hours and levels of illumination, noting that no signage is to be installed on the Albion Street frontage.

2. That conditions 8(a) and 8(c) be deleted.

3. That condition 21 be amended as follows:

Delete the final sentence “Monday to Friday No Programmed classes between 5.30pm and 6.30pm.”

4. That condition 13 be amended as follows:
  - Amend 13(a) to reflect the inclusion of one accessible parking space off Albion Street of appropriate dimensions.
  - Condition 13(b) to remain with b1 removed.
5. That condition 19 be amended to reflect the one accessible parking space off Albion St.

The decision of the panel was unanimous.

<b>IWLPP982/20 Agenda Item 3</b>	DA/2020/0461
<b>Address:</b>	17 Wharf Road, Birchgrove
<b>Description:</b>	Demolition of an existing single dwelling house, subdivision of the land into two lots and construction of a new dwelling house and pool on each new lot, with remediation of both lots.
<b>Applicant:</b>	ESNH Design Pty Ltd

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

- *Stuart King*
- *Alex Pantazis*
- *Lyn Fowler*
- *Janette Sullivan*
- *Joanne McGuinness*
- *John Gobbo*
- *Lisa Bella Esposito*
- *Eugenia Harley*

## **DECISION OF THE PANEL**

The Panel is concerned about procedural fairness due to the Notice of this meeting being given at the start of the Easter holiday and the school holidays when objectors might be away, and due to the shortness of business days before lodgement of submissions, the objectors would have little time to absorb this long council report and obtain expert advice.

That the item be deferred to the next available Inner West Local Planning Panel meeting. The Panel is of the view that the matters raised by the objectors require further detailed consideration, particularly those regarding exceedance in Floor Space Ratio, heritage issues, view analysis, harbour foreshore scenic protection considerations, building envelope and building location zone (BLZ).

Further information is to be submitted by the Applicant, including:

- The proposed ramp below mean high water mark
- Any works to the natural rock seawall
- Structural advice to the potential impact to the natural rock seawall, particularly associated with the works involved with the construction of the pools and the proposed walkway deck connecting across both waterfronts as the drawing submitted show no visible supports.
- View Loss analysis

Additional submissions from the Applicant and the Objectors are to be submitted within 2 weeks of this decision being published.

The decision of the panel was unanimous.

<b>IWLPP983/20 Agenda Item 4</b>	REV/2020/0031
<b>Address:</b>	9 Jubilee Street, Lewisham
<b>Description:</b>	S8.2 Review Application of previous refusal of DA/2020/0584 for alterations and additions to a garage including the construction of a rooftop deck.
<b>Applicant:</b>	Outlook Planning and Development

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

- *Jenny McGuirk*
- *John Do POCO*

## **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, subject to the following changes:

That the following additional reason for refusal be included:

- 3(c) - The application fails to adequately contribute to the desired future character of the Lewisham South precinct as set out in Part 9.5.2 of the Marrickville DCP 2011.

The decision of the panel was unanimous.

<b>IWLPP984/20 Agenda Item 5</b>	DA/2020/0959
<b>Address:</b>	322 Norton Street, Leichhardt
<b>Description:</b>	Retention of the facade of a two storey building located on the northern portion of the site and demolition of the remaining existing structures, excavation and construction of a mixed-use building comprising commercial use on the ground floor, and nine residential apartments over, plus basement car parking and associated works, including strata subdivision.
<b>Applicant:</b>	Desane Properties Pty Ltd

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

- Ian Cady

## **DECISION OF THE PANEL**

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 Deferred Commencement Approval to Development Application No. DA/2020/0959 for retention of the facade of a two storey building located on the northern portion of the site and demolition of the remaining existing structures, excavation and construction of a mixed-use building comprising commercial use on the ground floor, and nine residential apartments over, plus basement car parking and associated works, including strata subdivision at 322 Norton Street Leichhardt subject to the conditions listed in Attachment A to the officer's report.

The decision of the panel was unanimous.



<b>IWLPP985/20 Agenda Item 6</b>	DA/2020/0839
<b>Address:</b>	323 King Street, Newtown
<b>Description:</b>	Alterations and additions to a pub and change in hours of operation and increase in patron numbers.
<b>Applicant:</b>	Kathryn Young (c/o Black Line Studio)

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

- *Momo Romic*
- *Rob Burwell*

## **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, subject to the following changes:

That the following additional reason for refusal be included:

8. The documentation that was lodged with the application in relation to the Plan of Management was inadequate.

The decision of the panel was unanimous.

<b>IWLPP986/20 Agenda Item 7</b>	DA/2020/0676
<b>Address:</b>	4 King Lane, Balmain
<b>Description:</b>	Rear two storey addition and internal changes
<b>Applicant:</b>	Oikos Architects

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

- Ray Stevens

## **DECISION OF THE PANEL**

- A. The applicant has made written requests pursuant to Clause 4.6 of the Leichhardt Local Environmental Plan 2013 to vary Clauses 4.3A(3) Landscaped areas for residential accommodation in Zone R1 and 4.4 Floor space ratio. After considering the requests, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standards is unnecessary in the circumstance of the case and that there are sufficient environmental planning grounds to support the variations. 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/2020/0676 for a rear two storey addition and internal changes at 4 King Lane BALMAIN NSW 2041 subject to the conditions listed in Attachment A below, subject to the following changes:
1. Delete condition 2a. and condition 2c.

The decision of the panel was unanimous.

<b>IWLPP987/20 Agenda Item 8</b>	DA/2020/1124
<b>Address:</b>	109-111 Cambridge Street, Stanmore
<b>Description:</b>	Subdivision of the land into 2 Torrens title lots and to undertake fire safety upgrade works.
<b>Applicant:</b>	Ian Phillips

## DECISION OF THE PANEL

- A. The applicant has made a written request pursuant to Clause 4.6 of the Marrickville Local Environmental Plan 2011 to vary Clause 4.4 of the LEP. 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.
- 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/2020/1124 for subdivision of the land into 2 Torrens title lots and to undertake fire safety upgrade works at 109-111 Cambridge Street STANMORE NSW 2048 subject to the conditions listed in Attachment A.

**Note:**        **The Panel recommends that the applicant be encouraged to provide bicycle parking on the sites of the apartment building and the boarding house that is adequate for the clientele.**

The decision of the panel was unanimous.

<b>IWLPP988/20 Agenda Item 9</b>	DA/2020/1157
<b>Address:</b>	279 Annandale Street, Annandale
<b>Description:</b>	Torrens title subdivision into two lots.
<b>Applicant:</b>	Pamela Freeman

## **DECISION OF THE PANEL**

- A. The applicant has made a written request pursuant to Clause 4.6 of Leichhardt Local Environmental Plan 2013 to vary the minimum subdivision lot size development standard pursuant to Clause 4.1 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 non-compliance 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/2020/1157 for Torrens title subdivision into two lots at 279 Annandale Street Annandale subject to the conditions listed in Attachment A.

The decision of the panel was unanimous.

<b>IWLPP989/20 Agenda Item 10</b>	DA/2020/0735
<b>Address:</b>	44 Mullens Street, Balmain
<b>Description:</b>	Lower ground, ground and first floor alterations and additions to existing dwelling house, and associated works, including new double garage and open space above to Tobruk Avenue and raising of rear garden level.
<b>Applicant:</b>	Christopher Jordan Architecture & Design

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

- Christopher Jordan

## DECISION OF THE PANEL

- A. The applicant has made a written request pursuant to Clause 4.6 to vary the Landscaped Area and Site Coverage development standards in Clause 4.3A of the Leichhardt Local Environmental Plan 2013. After considering the request, and assuming the concurrence of the Secretary, the Panel is satisfied that compliance with the standards is unnecessary in the circumstance of the case and that there are sufficient environmental planning grounds to support the variations. 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/2020/0735 for Alterations and Additions to existing dwelling house at 44 Mullens Street BALMAIN NSW 2041 subject to the conditions listed in Attachment A subject to the following changes:-
1. That condition 2a. be amended to read:  
  
“The window to the bathroom (W11) in the west elevation of the first-floor addition must be vertically proportioned, employing traditional design (timer sash) and materials (timber frame).
  2. That condition 2b. be amended to the following to read:  
  
“The first floors window and doors in the east elevation of the rear addition must be vertically proportioned.”
  3. That condition 2d. be deleted.

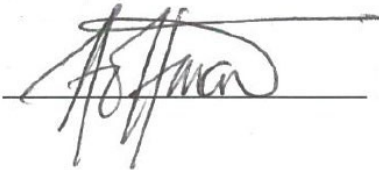
The decision of the panel was unanimous.

**The Inner West Planning Panel Public Meeting finished at 4:38pm.**

**The Inner West Planning Panel Closed Meeting commenced at 4:45pm**

**The Inner West Planning Panel Closed Session finished at 6:00pm.**

**CONFIRMED:**

A handwritten signature in black ink, appearing to read 'K Hoffman', is written over a horizontal line.

**Mr Kevin Hoffman  
Chairperson  
13 April 2021**