



INNER WEST LOCAL PLANNING PANEL  
MEETING

**10 MAY 2022**

MINUTES

**MINUTES of INNER WEST LOCAL PLANNING PANEL MEETING** held by Microsoft Teams on 10 May 2022

Present: Dr Gary Shiels in the chair; Mr John McInerney; Ms Kim Crestani; Ms Lea Richards.

Staff Present: Acting Development Assessment Manager – Martin Amy and Administration Officer and Team Leader Development Support.

Meeting commenced: 2.04 pm

**\*\* ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the Gadigal and Wangal people of the Eora Nation the traditional owners of the land we are meeting on today, we acknowledge their elder's past, present and future.

**\*\* DECLARATION OF PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS**

There were no declarations of interest.

<b>IWLPP995/22</b> <b><i>Agenda Item 1</i></b>	Standing Item - Report in Accordance with Ministerial Direction: Pending Local Planning Panel Matters
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Matters pending were presented to the Panel Chairman and noted.

<b>IWLPP996/22 Agenda Item 2</b>	DA/2021/0899
<b>Address:</b>	469R Princes Highway Sydenham
<b>Description:</b>	To replace the existing static advertising sign with an electronic advertising sign, carry out associated landscaping and provide a new hardstand parking area
<b>Applicant:</b>	oOh!media Assets Pty Ltd

## DECISION OF THE PANEL

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the deferred commencement contained in the report and amendments

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to section 4.16(3) of the Environmental Planning and Assessment Act 1979, **grant deferred commencement consent** to Development Application No. DA/2021/0899 to replace the existing static advertising sign with an electronic advertising sign, carry out associated landscaping and provide a new hardstand parking area at 469R Princes Highway SYDENHAM NSW 2044 subject to the conditions contained in Attachment A, with the following amendments:

**Amend Condition 11 to read:**

11. Time Limited Consent

This consent is for a time limited period of 5 years from the date that the consent becomes operable (being the date of the consent appears on the NSW Planning portal). A new application shall be lodged and approved to continue its use after the time limit.

The decision of the panel was unanimous

<b>IWLPP997/22 Agenda Item 3</b>	DA/2021/0855
<b>Address:</b>	246-248 Wardell Road Marrickville
<b>Description:</b>	Demolition of existing structures and construction of shop top housing development with basement parking and associated works
<b>Applicant:</b>	Urban Link Pty Ltd

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

- Brett Daintry

The Panel notes the General Terms of Approval from Water NSW were received.

### **DECISION OF THE PANEL**

The Panel disagrees with the findings contained in the Assessment Report, in light of the letter from Sydney Water, and resolves that the application be approved.

- A. The applicant has made a written request pursuant to Clause 4.6 to vary Clause 4.3 – Height of Building 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 variation is not inconsistent with the objectives of the standards 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/2021/0855 for Demolition of existing structures and construction of shop top housing development with basement parking and associated works at 246 Wardell Road MARRICKVILLE NSW 2204 subject to the conditions contained in Attachment D and the inclusion of the General Terms of Approval received from Water NSW.

The decision of the panel was unanimous

<b>IWLPP998/22 Agenda Item 4</b>	MOD/2021/0507
<b>Address:</b>	247-249 Wardell Road Marrickville
<b>Description:</b>	Application under Section 4.56 of the <i>Environmental Planning and Assessment Act 1979</i> to modify Land and Environment Court Determination No. 160264, dated 08 August 2016, so as to carry out changes to the 7 storey mixed use building which is comprised of a retail premises on the ground floor with boarding house above. The changes include an extension of the building footprint to the western boundary, infilling recessed sections to the northern boundary to accommodate additional boarding rooms across the development, modify the architectural expression of the building and expand the retail tenancy
<b>Applicant:</b>	Geoff Shaw

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

- Geoff Shaw
- Mark Beauman

## 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, subject to amendments.

A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, **grant consent** to MOD/2021/0507 under Section 4.56 of the Environmental Planning and Assessment Act 1979 to modify Land and Environment Court Determination No. 160264, dated 08 August 2016, so as to carry out changes to the 7 storey mixed use building which is comprised of a retail premises on the ground floor with boarding house above at 247-249 Wardell Road, Marrickville subject to the modified conditions contained in Attachment A, with the following amendments:

Deletion of recommended condition 47a that read:

The floor-to-floor heights on levels 1 to 6 shall be reduced to a maximum of 3.1metres. Amended plans demonstrating compliance with this must be submitted to the satisfaction of the Principal Certifier before the issue of a construction Certificate.

The decision of the panel was unanimous

<b>IWLPP999/22 Agenda Item 5</b>	DA/2021/1067
<b>Address:</b>	143-149 Norton Street Leichhardt
<b>Description:</b>	Provide an additional storey to a three (3) storey mixed use development with parking approved under Development Application D/2018/427
<b>Applicant:</b>	Xinvest Pty Ltd

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

- *Kerry Nash*
- *James Phillip*
- *Tracee Lim*

## **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.

- A. 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, **refuse consent** to Development Application No. DA/2021/1067 for an additional storey to a three (3) storey mixed use development with parking approved under Development Application D/2018/427 at 143-149 Norton Street LEICHHARDT NSW 2040 for the reasons contained in Attachment A.

The decision of the panel was unanimous

<b>IWLPP1000/22 Agenda Item 6</b>	DA/2021/1010
<b>Address:</b>	18 Llewellyn Street Balmain
<b>Description:</b>	Alterations and Additions to existing terrace including upgraded living and deck to lower rear, new upper level rear roof form and balcony, new attic level rear roof extension and rear roof terrace
<b>Applicant:</b>	Ms Brigid M Readford

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

- Temara Lane

## **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 to vary Clauses 4.3A(3)(b) – Site Coverage for residential development in Zone R1 and 4.4 – Floor Space Ratio 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 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 variation is not inconsistent with the objectives of the standards 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. D/2021/1010 for alterations and additions to dwelling at 18 Llewellyn Street, Balmain subject to the conditions contained in Attachment A.

The decision of the panel was unanimous



<b>IWLPP1001/22 Agenda Item 7</b>	DA/2021/1117
<b>Address:</b>	30 Eton Street Camperdown
<b>Description:</b>	Alterations and additions to existing shop top housing, including construction of a new garage and creation of 3-bedroom dwelling above. Change of use of the shop to business premises (gallery) and fitout
<b>Applicant:</b>	William E Blackwell

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

- 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 and amendments.

- A. The applicant has made a written request pursuant to Clause 4.6 of Marrickville Local Environmental Plan 2011 in relation to Clause 4.4 Floor Space Ratio. 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 section 4.16 of the Environmental Planning and Assessment Act 1979, **grant consent** to Development Application No. DA/2021/1117 for alterations and additions to existing shop top housing, including construction of a new garage and creation of 3-bedroom dwelling above. Change of use of the shop to business premises (gallery) and fitout at 30 Eton Street CAMPERDOWN NSW 2050, subject to the conditions contained in Attachment A and the following amendments:

Add the following condition to read:

The planter indicated on plan DA03 to the western side of the proposed terrace is to be increased to be a minimum 400mm in width when measured from the western wall.

The decision of the panel was unanimous

<b>IWLPP1002/22 Agenda Item 8</b>	MOD/2021/0260
<b>Address:</b>	14 Clifton Street Balmain East
<b>Description:</b>	Section 4.56 Modification of Development Consent D/2019/68 approved in the Land and Environment Court seeking approval to allow rectification and reconstruction works of failed walls and other deteriorated building components, including seawall works
<b>Applicant:</b>	Map Architects

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

- *Todd Buncombe*

The Panel notes that the conclusion on page 544 should read -

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.

## **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.

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to S4.56 of the Environmental Planning and Assessment Act 1979, **grant consent** to Application No. MOD/2021/0260 to modify approval to allow rectification and reconstruction works of failed walls and other deteriorated building components, including seawall works at 14 Clifton Street BALMAIN EAST NSW 2041 subject to the modified conditions contained in Attachment A.

The decision of the panel was unanimous

<b>IWLPP1003/22 Agenda Item 9</b>	MOD/2021/0008
<b>Address:</b>	95 Ramsay Street Haberfield
<b>Description:</b>	Section 4.55 Modification to DA10.2017.107 - Modifications include a request to regularize unapproved works on the site, modifications to the physical form of the Crystal Carwash and modifications to the operational arrangements of the carwash
<b>Applicant:</b>	Mr Victor Sahade

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

- *Hugh Loughrey*
- *Jessica Donnelly*
- *Vincent Crow*
- *John Coady*
- *Steven Cooper*

## **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 and amendments.

- A. 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, **refuse consent** to Development Application No. MOD/2022/0008 for Section 4.55 Modification to DA10.2017.107 - Modifications include a request to regularize unapproved works on the site, modifications to the physical form of the Crystal Carwash and modifications to the operational arrangements of the carwash. at 95 Ramsay Street HABERFIELD NSW 2045 for the reasons contained in Attachment A and the following additional reasons:

*The proposed development is inconsistent with the following Clauses of State Environmental Planning Policy (Industry and Employment) 2021, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:*

*Clause 3.1(1) – Aims, Objectives etc, in that the proposal is not compatible with the desired amenity and visual character of an area.*

*Clause 3.1(8) – Prohibited Advertisements, in that the proposal includes the display of signage on prohibited land being a Heritage Conservation Area.*

*Clause 3.11(1) Matters for Consideration – in that the proposal is not in accordance with the assessment criteria in Schedule 5 and is unacceptable in terms of its impacts.*

3. *The proposed development does not comply with the following Parts of the Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill, pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979:*
- b. Chapter A, Part 10 – Signs and Advertising Structures, in that the proposal is not compatible with the desired amenity and visual character of an area.*

The decision of the panel was unanimous

**The Inner West Planning Panel Public Meeting finished at 3:24pm.**

**The Inner West Planning Panel Closed Meeting commenced at 3:30pm.**

**The Inner West Planning Panel Closed Meeting finished at 4:08pm.**

**CONFIRMED:**



**Dr Gary Shiels  
Chairperson  
10 May 2022**