



INNER WEST COUNCIL

ELECTRONIC DETERMINATION – INNER WEST LOCAL PLANNING PANEL

Site Address:	143 Annandale Street, Annandale
Application No.	DA/2021/1268
Type of Determination	Electronic
Date of Determination	16 August 2022
Panel Members	Mr David Lloyd QC, Chair Mr Brian Kirk Ms Andrea Connell
Declarations of Interest	Nil

BACKGROUND

DA /2021/1268 seeks consent to carry out alterations and additions to an existing dwelling house including rear first floor level

At its meeting of 19 July 2022, the Inner West Local Planning Panel considered a report for the subject application, material listed at item No.3 and the material presented at the meeting and resolved to defer determination of the application, as follows:

“to defer this Item in order for the applicant to submit a revised Clause 4.6 objection. The revised objection is to be submitted to Council within 7 days from 20 July 2022. A supplementary report is then to be prepared by Council’s Assessment officer and submitted as soon possible to the Panel for an electronic determination. The assessment officer shall also include a modified condition 17- design changes, which related to changes to the roof pitch of the dwelling and height of the studio as identified in the assessment report but did not transfer to the conditions. The decision of the panel was unanimous.”

CURRENT POSITION

The applicant subsequently submitted a revised Clause 4.6 objection to the Site Coverage Development Standard. A supplementary report was also prepared by Council’s Assessment Officer and sent to the Panel for consideration.



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DECISION OF THE PANEL

For the purpose only of the determination of this development application the Panel is prepared to assume, without deciding, that the building at the rear of 141 Annandale Street is being lawfully used and occupied for residential purposes.

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 *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 Site Coverage 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. 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/2021/1268 for alterations and additions to an existing dwelling house including rear first floor level subject to the conditions

The decision of the Panel was unanimous.



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Item No: 3	
Application No.	DA/2021/1268
Site Address:	143 Annandale Street, Annandale
Proposal	Alterations and additions to an existing dwelling house including rear first floor level.
Applicant	Studio Prineas
Reason for Referral to IHAP	Number of submissions
Material considered by the Panel	The applicant's revised Clause 4.6 objection of the Site Coverage Development Standard and the Assessment Officer's Supplementary report.
Meeting & Site Inspection by the Panel	Conducted independently by the Panel
Recommendation	Approval