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BURWOOD LOCAL PLANNING PANEL MEETING

MINUTES OF THE MEETING OF THE BURWOOD LOCAL PLANNING PANEL held at the CONFERENCE ROOM, 2 CONDER STREET, BURWOOD on Tuesday 17 September 2024 commencing at 6:00 PM.

Attendance Donna Rygate, Chair
John Brockhoff
Awais Piracha
Jai Reid, Manager City Development
Michelle Butler, Manager Governance & Risk

Opening of meeting

The meeting opened at 6:00 pm

The Chair opened the meeting with Acknowledgement of Country.

Apologies

That the apology from Tom Morgan, Community Representative, be noted and accepted. It was noted that Mr Morgan had responded to a request from the Chair for any comments he had on the reports.

Declarations of Interest

There were no interests declared by Panel Members.

Address by members of the public on agenda items

Name	Item
Lashta Haidari	(Item DA9/24) Planning Assessment Report - 24 Burleigh Street Burwood - DA.2024.33
Steven Nix	(Item DA9/24) Planning Assessment Report - 24 Burleigh Street Burwood - DA.2024.33

The Panel moved into closed session at 6.08 pm.

Development Applications

(Item DA9/24) Planning Assessment Report - 24 Burleigh Street Burwood - DA.2024.33

File No: 24/36659

Owner: Jong Boronia Pty Ltd
Applicant: Lashta Haidari
Location: 24 Burleigh Street, Burwood
Zoning: **MU1 Mixed Use**

Proposal

Internal fit-out and use of heritage-listed former police station building as a dental practice, provision of a new accessible entry, minor external works to the building and associated landscape works.

BLPP Referral Criteria

The building is a local heritage item and the development involves partial demolition of sections of select internal walls and openings.

LPP10/ RESOLVED 24

That Development Application No. DA.2024.33, which proposes the internal fit-out and use of a heritage-listed former police station building as a dental practice, provision of a new accessible entry, minor external works to the building and associated landscape works, at 24 Burleigh Street, Burwood NSW 2134, be approved subject to the conditions of approval contained in **Attachment 3** to the Council report.

For: Donna Rygate, Awais Piracha, John Brockhoff
Against: Nil

Reasons for the decision

The Panel inspected the development site and familiarised itself with the environment. The Panel heard from the Applicant.

The Panel's reasons for reaching its decision included:

- The proposed development is an appropriate use of a local heritage item
- The modifications will not affect the local heritage values of the building
- The conditions, as proposed, will manage other impacts
- The proposed development is in the public interest

(Item DA10/24) Planning Assessment Report - 77-79 Cheltenham Road, Croydon - DA.2024.34

File No: 24/37309

Owner: Sister Jeana Abejwela
Applicant: Jessica Leslie
Location: 77-79 Cheltenham Road, Croydon
Zoning: **R2 Low Density Residential**

Proposal

Construction of a new pergola structure to the rear yard, attached to the existing nursing home on land at No.77-79 Cheltenham Road, Croydon.

The specifics of the proposal are as follows:

- Pergola to the rear yard, attached to the existing dwelling and sitting over the existing paving.
- Pergola Size: 16.350m x 7.450m.
- Materials: Metal roof sheeting, steel posts and structure.

BLPP Referral Criteria

Pursuant to the Ministerial direction dated 30 June 2020, under Section 9.1 of the *Environmental Planning and Assessment Act 1979*, the DA is to be determined by the Burwood Local Planning Panel for the following reasons:

1. The proposal seeks to undertake works to heritage item No.141 (Ascot Nursing Home) listed within Schedule 5 of the Burwood Local Environmental Plan 2012 (BLEP 2012).

**LPP11/
24 RESOLVED**

That Development Application (DA.2024.34) for the construction of a new pergola structure to the rear yard, attached to the existing dwelling on land at No.77-79 Cheltenham Road, Croydon, be approved, subject to the conditions provided within **Attachment 1** of the Council report.

For: Donna Rygate, Awais Piracha, John Brockhoff
Against: Nil

Reasons for the decision

The Panel inspected the development site and familiarised itself with the environment.

The Panel's reasons for reaching its decision included:

▪ The modifications will not affect the local heritage values of the building
▪ The conditions, as proposed, will manage other impacts
▪ The proposed development is in the public interest

General Business**(Item GB3/24) Disclosure of pecuniary interests by Burwood Local Planning Panel Members**

File No: 24/36830

Summary

In accordance with Clause 4.21 of the *Code of Conduct for Local Planning Panel Members*, the Pecuniary Interests and Other Matters Returns required to be lodged with

the panel chair under clause 4.17 must be tabled at the next panel meeting after the return is lodged.

**LPP12/
24 RESOLVED**

That the receipt of Disclosures of Pecuniary Interest and Other Matters Returns by the Burwood Local Planning Panel Members as listed in this report be noted and accepted as tabled in readiness for proactive release via the Burwood Council website.

For: Donna Rygate, Awais Piracha, John Brockhoff

Against: Nil

(Item GB4/24) Delegation of Functions from Burwood Local Planning Panel to Council Officers, Minor Heritage Works

File No: 24/35759

Report

In order to improve the efficiency of the LPP and reduce delays for applicants, it is recommended that determination of some of the less complex and uncontroversial applications be delegated back to Council staff.

Under the EPA Act the LPP is currently required to consider all applications for locally listed heritage items. It is appropriate for the LPP to delegate its functions under section 2.20(8) of the EPA Act, to the General Manager, Director City Strategy and Manager City Development, to avoid unnecessary delays and to ensure the LPP deals with genuinely complex and controversial matters.

**LPP13/
24 RESOLVED**

The Panel supports delegation, in principle. The Panel resolved to defer the item on the basis that the Principal Chair and Alternate Chairs attached to the Burwood Local Planning Panel have sought amendments to the wording of the draft delegations. The delegations should be revised in consultation with the Principal Chair and Alternate Chairs, justification for delegation needs to be provided, clarification is required about the appropriate forum to determine the delegations, and an agreed form of the delegations with the necessary supporting information should be submitted to the next possible Local Planning Panel meeting or other appropriate decision making forum.

For: Donna Rygate, Awais Piracha, John Brockhoff

Against: Nil

The meeting closed at 6.09 pm.