

Our ref: 7M2846Vol1
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16 July 2010

Ms Paula Poon
Director
Joint Regional Planning Panel
GPO Box 3415
SYDNEY NSW 2001

Dear Madam

Re: Referral of Ashfield Development Applications to Sydney East Joint Regional Planning Panel

I am writing in relation to Ashfield Council's proposed refusal of the following Crown Development Applications (DA) by the Roads & Traffic Authority's (RTA)-

- **DA 10.2009/234** for a single dwelling on Lot 13 in DP 858369 known as No. 15 Park Avenue, Ashfield ;
- **DA 10.2009/235** for a single dwelling: Lot 7 in DP 858369 known as 135 Park Avenue, Ashfield, and;
- **DA 10.2009.155.1** for Demolition of a Mixed Residential /Commercial Building at 89-93B Liverpool Road, Ashfield.

The RTA, as the applicant and landowner in the subject Development Applications is lodging an appeal against Ashfield Council's proposed refusal of the DAs.

In all instances, the planning reports by Council Planner recommended approval based on the assessment of the planning merits of the proposed developments and compliance with Ashfield (Local Environmental Plan (LEP) 1985 and the Environmental Planning & Assessment (EP&A) Act 1979.

The proposed conditions for approval as detailed in the Planner's report submitted to Council's meeting of

- 9 March 2010 for conditional approval of **DA 17.2009/235 (135 Park Avenue, Ashfield)** are considered reasonable and are acceptable to the RTA.
- 23 March 2010 for conditional approval of **DA 17.2009/234** the proposed conditions for approval are considered reasonable and acceptable by the RTA; and
- 8 December 2009 for conditional approval of **DA 10.2009.155.1** are considered reasonable and acceptable to the RTA.

It should be emphasised that throughout the planning process, the RTA as applicant in these instances, has fully co-operated with Council to achieve a good planning outcome in accordance with the Environmental Planning & Assessment Act, 1979.

The RTA also consulted with Council Heritage Advisor and Council officers to discuss the proposed developments prior to lodgement of the DAs for 15 and 135 Park Avenue, Ashfield and submitted the additional requirements and addressed the issues raised by Council. The letter from Caldis Cook Group, Architects lists the key correspondence and consultation with Ashfield Council in the preparation of the DA plans for 15 Park Avenue and 135 Park Avenue, Ashfield (Attachment A). The architectural plans have been amended accordingly to comply with the local planning controls. The garage for No 15 Park Avenue, Ashfield (Attachment B) has been relocated following consultation with Council officers. The RTA consultant, Caldis Cook Architects also attended the Council meeting on 9 March 2010 to address specific issues that Council wanted to clarify regarding DA 10.2009.235.1 for 135 Park Avenue, Ashfield.

In summary, details of the proposed developments are as follow:

- **DA 17.2009/294** for a single dwelling: Lot 7 in DP 858369 known as 135 Park Avenue, Ashfield: The proposed development is for a new dwelling, front fence, and rear garage. The front portion of the dwelling house is to be a single-storey in height, with the two-storey portion having a setback of approximately 12m. from the front boundary. It has minimal visual impact on the streetscape, and thus will not detract from the character and significance of the Park Avenue Conservation Area. As acknowledged in the Council Planner's report submitted to Council, the proposed development will have no significant adverse environmental, social or economic impacts upon the locality.
- **DA 17.2009/295** for a single dwelling on Lot 13 in DP 858369 known as No. 5 Park Avenue, Ashfield. The proposed development consists of a two-storey dwelling house, front fence and rear garage. The front portion of the dwelling is to be single-storey in height, with the two-storey portion setback 12 m. from the front boundary. The adjoining development at No.13 Park Avenue is a two-storey Victorian dwelling house, and there are a number of other two-storey buildings along Park Avenue. The bulk, height, setback, form and materials of the proposed development comply with the relevant planning controls. The proposed building design is sympathetic to the streetscape and the context of the locality, as indicated in the planner's report submitted to Council on 23 March 2010.
- **DA 10.2009.155.1** for Demolition of a Mixed Residential /Commercial Building at 89-93B Liverpool Road, Ashfield. The subject land is owned by the RTA and is affected by a road widening reservation. The RTA decided to demolish the two-storey derelict building based on a structural audit of the building following an order to demolish and remove the unsafe awnings of the subject premises issued by Council in October 2008. In support of the DA, the RTA submitted a Hazardous Material report, BCA Fire Safety Audit Report, Waste Management Plan, and Design Concept for future redevelopment of the site after road works are completed.

A set of Correspondence with Council relating to each of the DA is at Attachment C.

Further details of the proposed developments are included in the RTA's submission for the Panel's consideration.

In view of the difficulty in lodging the RTA's referral of these DAs on-line at the JRPP's website, and as discussed with officers of the Secretariat, it would be appreciated if you could proceed to refer the matter to the Panel.

Thank you for your kind assistance in this matter.

Yours faithfully,

Aurora Moroney
Portfolio Planner