

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 15 April 2015 at 12:30 pm

Panel Members: John Roseth (chair), David Furlong, Julie Savet Ward, Ted Casidy and Monica Wangmann

Apologies: none - Declarations of Interest: none

### Determination and Statement of Reasons

**2014SYE123 Ashfield 10.2014.242 [at 168 Liverpool Road, Ashfield] as described in Schedule 1.**

**Date of determination:** 15 April 2015

**Decision:**

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

**Panel consideration:**

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

**Reasons for the panel decision:**

1. The proposal complies with most planning controls for the site. Where there has been variation of one control (the front setback), it has been justified under cl 4.6 of the Ashfield LEP 2013.
2. The proposal involves the reuse of an existing building and it would be difficult to increase the separation distance between the development and adjoining sites.
3. The proposal performs acceptably in relation to the guidelines of the Residential Flat Development Code.

**Conditions:**


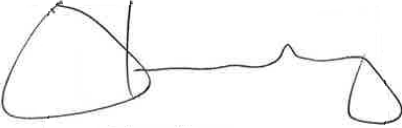



The application was approved subject to the conditions recommended in the planning assessment report, except as follows:

- Condition A3 is deleted.
- Condition A5 is amended according the council's memorandum of 15 April 2015.
- Condition A6 becomes an Advisory Note.
- Condition A7 is amended by inserting Items 1, 2, 3, 5 and 9 from the letter of the Transport Roads and Maritime Services of 1 December 2014 as conditions.
- Condition B1(a) is deleted.
- Condition B1(b) is amended to say: "All apartment entry doors shall achieve 850mm minimum clear opening."
- Condition B1(c) is amended according to the council's memorandum of 15 April 2015.
- Condition B1(d) is amended by deleting the last sentence.
- Condition B1(e) is deleted.
- Condition B1(f) is deleted and a new condition A8 is added: "The amended DA design response report dated 13 March 2015 shall be detailed in the Construction Certificate drawings.
- Condition B2(a) is amended according to the council's memorandum of 15 April 2015.
- Condition B2(c) is amended by deleting "ten" and substituting it by "eight". The remaining text is deleted and the following is substituted: "Car parking spaces for adaptable apartments shall comply with the provisions of AS4299-1995 or AS2890.6-2009 (where applicable). If accessible parking spaces cannot achieve compliance, a performance-based alternative solution report is to be provided by a professionally qualified accessibility consultant and a traffic consultant providing a designated travel path which is safe for pedestrian/wheelchair movement."
- Condition B4 is deleted.
- Condition B6 requiring public art remains, as the applicant has agreed to it up to a limit of \$50,000. However, David Furlong voted against the condition being imposed. Cost limit of \$50,000 is to be included in the condition.
- Condition B8 is deleted according to the council's memorandum of 15 April 2015.
- Condition E14 is amended according to the council's memorandum of 15 April 2015.
- Condition C13 is deleted.
- Condition C14 is deleted.
- Condition C15 is deleted.
- A new condition is inserted under Section G: "All soft landscaping in common areas be planted before

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the Occupation Certificate is issued. The landscaping is to be maintained.”

### Panel members:

 <b>John Roseth (chair)</b>	 <b>David Furlong</b>	 <b>Julie Savet Ward</b>
 <b>Ted Casidy</b>	 <b>Monica Wangmann</b>	

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### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2014SYE123 Ashfield 10.2014.242
2	<b>Proposed development:</b> Mixed Use Development - Alterations and additions including increasing the building height to 9 storeys, conversion of the building into mixed use with 3 retail tenancies and 100 dwellings, associated car parking and other site works
3	<b>Street address:</b> 168 Liverpool Road, Ashfield
4	<b>Applicant:</b> Stateland Group Pty LTD
5	<b>Type of Regional development:</b> Development with CIV exceeding \$20 million.
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Regulations 2000 (clause 7 and clause 92)</li> <li>• Ashfield LEP 2013</li> <li>• Ashfield LEP 1985 (as amended)</li> <li>• Ashfield Interim Development Assessment Policy (AIDAP) 2013</li> <li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>• SEPP No. 55 – Remediation of Land</li> <li>• SEPP 65 – Design Quality of Residential Flat Development</li> <li>• Draft SEPP 65</li> <li>• Development potential of adjoining sites</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report dated 2 April 2015 Written submissions during public exhibition: three (3)
8	<b>Meetings and site inspections by the panel:</b> Briefing Meeting on 4 February 2015
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> Attached to the assessment report