

<b>DATE OF DETERMINATION</b>	15 September 2016
<b>PANEL MEMBERS</b>	John Roseth (Chair), Sue Francis, Nicole Gurrán, Ted Cassidy, Monica Wangmann
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christies Conference Centre on Thursday, 15 September 2016, opened at 1.10 pm and closed at 1.30 pm.

#### **MATTER DETERMINED**

2015SYE160 – Inner West DA 10.2015.202.1

2-32 Smith Street Summery Hill

Summer Hill Flour Mill redevelopment, as described in Schedule 1.

#### **PANEL CONSIDERATION AND DECISION**

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.

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*. The decision was unanimous.

#### **REASONS FOR THE DECISION**

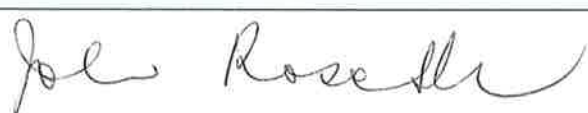

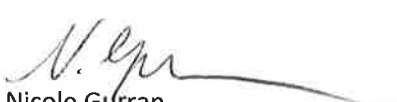


The reasons for the decision of the Panel were:

- The application is generally consistent with the Concept approval.
- The internal amenity of the apartments is satisfactory.
- The Panel has considered the concern of the objector, which was principally with the vibration impact of jackhammering during excavation. The Panel has therefore amended Condition E(4) to require that jackhammering and pile driving are restricted to between 8 am and 5 pm Mondays to Fridays and prohibited on Saturdays, Sundays and public holidays.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report with the following amendment.

- Amend Condition E(4) to require that jackhammering and pile driving are restricted to between 8 am and 5 pm Mondays to Fridays and prohibited on Saturdays, Sundays and public holidays.

<b>PANEL MEMBERS</b>	
 John Roseth (Chair)	 Sue Francis
 Nicole Gurrán	 Ted Cassidy
 Monica Wangmann	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYE160 – Inner West – DA 10.2015.202.1
2	PROPOSED DEVELOPMENT	Summer Hill Flour Mill Redevelopment Mixed use development consisting of 135 dwellings and 1 retail space over 14 storeys with two levels of basement car parking and associated landscaping and civil works
3	STREET ADDRESS	2-32 Smith Street Summer Hill
4	APPLICANT: OWNER:	SJB Planning (NSW) Pty Ltd Australian Executor Trustees Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value >\$20 Million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Major Development) 2005</li> <li>○ State Environmental Planning Policy No. 55 - Remediation of land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (BASIX) 2004</li> <li>○ State Environmental Planning Policy No. 65 - Design Quality Of Residential Flat Development</li> <li>○ Ashfield Local Environmental Plan 2013</li> </ul> </li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Ashfield Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: Nil</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 <i>Environmental Planning and Assessment Act 1979</i> and regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 29 August 2016</li> <li>• Clause 4.6 variation request: Nil</li> <li>• Written submissions during public exhibition:</li> <li>• Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>○ Object – Craig Sandwell</li> <li>○ On behalf of the applicant – Grant Flannigan</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing Meeting 21 January 2016</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report