

DATE OF DETERMINATION	Thursday 24 May 2018
PANEL MEMBERS	Carl Scully (Chair), Sue Francis, Monica Wangmann, Debra Laidlaw
APOLOGIES	John Roseth
DECLARATIONS OF INTEREST	None

Public meeting held at Inner West Council, 7-15 Wetherill Street Leichhardt on 24 May 2018, opened at 2.18pm and closed at 2.35pm.

MATTER DETERMINED

2018SCL001 – Inner West – DA10.2017.249.1 at 160 - 178 Elizabeth Street, 2-12 Bastable Street & 10-18 Frederick Street Ashfield (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 4.16 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 Panel was satisfied that the concerns for deferral on 5 April 2018 were adequately addressed (subject to condition changes).

The application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.

The new Aquatic Centre will provide a desirable public asset of great benefit to the community.

CONDITIONS

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


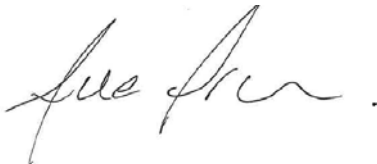


- Condition 2b to be amended to read as follows
The nine carparking spaces adjoining the eastern boundary of the existing private residential flat building at 182 Elizabeth Street Ashfield are to be closed to the public between 10.00pm and 7.00am daily. A physical barrier in the form of a chain, bollard or the like is to be installed.
- Condition 9 to be amended by adding an additional paragraph at the end of the condition to read as follows:
The recommendations of the Access Management Plan are to be complied with.
- Condition 19d to be amended to read as follows:

Pavement levels at the at the south east corner of the Bastable carpark in the vicinity of carparking spaces 34, 35 and 36 shall be raised to 13.0m AHD (with a crest in the aisle of 13.05m AHD) so as to reduce the high hazard area affecting the carpark.

- A new condition Condition 60A to be inserted, to read as follows:
Separate Management Plans be prepared, submitted and approved by Council, prior to the issue of any Occupation Certificate in the respect of flood management, evacuation procedures, and traffic and parking management (including buses).

The Plans of Management shall identify the specific managerial positions and personnel responsible for implementing the measures required under each plan.

- Condition 90 to be amended to read as follows:
The access way affecting 2A Frederick Street Ashfield (Lot 3/DP1201579) is to be modified so that it does not use any portion of Ausgrid property except in the event that written evidence is provided confirming suitable arrangements have been made with Ausgrid's property group to allow the use of the property as an access way between Frederick St and the Aquatic Centre.

PANEL MEMBERS	
 Carl Scully (Chair)	 Sue Francis
 Debra Laidlaw	 Monica Wangmann

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL001 – Inner West – DA10.2017.249.1
2	PROPOSED DEVELOPMENT	Alterations and additions to existing Ashfield Aquatic Centre
3	STREET ADDRESS	160 - 178 Elizabeth Street, 2-12 Bastable Street & 10-18 Frederick Street Ashfield
4	APPLICANT OWNER	Inner West Council Inner West Council, Roads and Maritime Services and Ausgrid
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017 ◦ State Environmental Planning Policy No.55 Remediation of Land ◦ Ashfield Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Inner West Comprehensive Development Control Plan 2016 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 26 March 2018 • Council supplementary report: 11 May 2018 • Updated Plans dated 22 March 2018 • Amended Conditions as supplied at meeting of 5 April 2018 • Amended Conditions as supplied at meeting of 24 May 2018 • Written submissions during public exhibition: one • Verbal submissions at the public meeting 5 April 2018: <ul style="list-style-type: none"> ◦ On behalf of the applicant – Sean Brasier
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing Meeting and Site Visit: 8 February 2018 • Final briefing meeting to discuss council's recommendation, 5 April 2018. Attendees: <ul style="list-style-type: none"> ◦ <u>Panel members</u>: Carl Scully (Chair), Sue Francis, Peter Brennan, Debra Laidlaw • <u>Council assessment staff</u>: Jamie Erkin, Jai Reed and Alison Davidson and Linley Love on behalf of Planning Ingenuity • Final briefing meeting to discuss council's recommendation, 24 May 2018. Attendees: <ul style="list-style-type: none"> ◦ <u>Panel members</u>: Carl Scully (Chair), John Roseth, Sue Francis, ◦ <u>Council assessment staff</u>: Jamie Erkin and Linley Love and Julie Horder from Planning Ingenuity
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

