

# **SYDNEY EASTERN CITY PLANNING PANEL** **COUNCIL ASSESSMENT REPORT**

<b>Panel Reference</b>	2018SCL020
<b>DA Number</b>	10.2013.114.7
<b>LGA</b>	Inner West Council
<b>Proposed Development</b>	<p>Section 4.55(2) Application to modify Development Consent No. 10.2013.114.1, which was approved by the Joint Regional Planning Panel on 25 September 2014 for:-</p> <p><i>“Alterations and additions to Ashfield Mall including 6783.9m<sup>2</sup> of retail area, 67 serviced apartments, 101 place childcare centre and car parking”.</i></p> <p>The proposed modifications seek to amend the retail, child care and serviced apartment components and stage their construction to allow the retail and childcare centre to be constructed and occupied prior to the construction of the serviced apartments. No modifications are proposed to the residential component which is near completion or the existing retail within the forecourt area fronting Liverpool Road.</p>
<b>Street Address</b>	244, 252, 254, 256 & 260A Liverpool Road, Ashfield.
<b>Applicant/Owner</b>	Abacus Ashfield Mall Property Trust.
<b>Date of DA lodgement</b>	21 December 2017.
<b>Number of Submissions</b>	Nil
<b>Recommendation</b>	It is recommended that the Sydney Eastern City Planning Panel resolve, pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 to modify Development Consent No. 10.2013.114.1 at 244, 252, 254, 256 & 260A Liverpool Road, Ashfield to modify the retail, child care and serviced apartment components of the development and stage their construction to allow the retail and childcare centre to be constructed and occupied prior to the construction of the serviced apartments.
<b>Regional Development Criteria (Schedule 4A of the EP&amp;A Act)</b>	Section 4.55(2) Application to modify Development Consent No. 10.2013.114.1 determined by former Sydney East Joint Regional Planning Panel.
<b>List of all relevant s4.15 matters</b>	<p>i.e. any:</p> <ul style="list-style-type: none"> <li>• relevant environmental planning instruments s4.15(1)(a)(i) <ul style="list-style-type: none"> <li>Ashfield Local Environmental Plan 2013</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017</li> <li>State Environmental Planning Policy No. 64 – Advertising and Signage</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> </ul> </li> <li>• proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the</li> </ul>

	<p>consent authority s4.15(1)(a)(ii) Nil</p> <ul style="list-style-type: none"> <li>relevant development control plan s4.15(1)(a)(iii) Section 1 Chapter B – Notification and Advertising Section 2 Chapter A Part 1 - Site and Context Analysis. Section 2 Chapter A Part 2 - Good Design. Section 2 Chapter A Part 5 - Landscaping. Section 2 Chapter A Part 6 - Safety by Design. Section 2 Chapter A Part 7 – Access and Mobility. Section 2 Chapter A Part 8 - Parking. Section 2 Chapter A Part 10 – Signs and Advertising Structure. Section 2 Chapter B – Public Domain. Section 2 Chapter C Part 1 - Building Sustainability. Section 2 Chapter C Part 2 - Water Sensitive Urban Design. Section 2 Chapter C Part 3 - Waste and Recycling Design &amp; Management Standards. Section 2 Chapter C Part 4 - Tree Preservation and Management. Section 2 Chapter D Part 1 – Ashfield Town Centre. Section 2 Chapter F Part 8 – Child Care Centre.</li> <li>relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 s4.15(1)(a)(iv) Nil</li> <li>coastal zone management plan Nil</li> <li>relevant regulations e.g. Regs 92, 93, 94, 94A, 288 s4.15(1)(a)(iv) Nil</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	No additional documents other than plans
<b>Report prepared by</b>	Atalay Bas – Manager Development Services
<b>Report date</b>	19 April 2018

### Summary of s4.15 matters

Have all recommendations in relation to relevant s 4.15 matters been summarised in the Executive Summary of the assessment report? Yes

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? Yes  
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? Not Applicable

**Special Infrastructure Contributions**

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

Not Applicable

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

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**Conditions**

Have draft conditions been provided to the applicant for comment?

No

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*