



DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

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

Public meeting held at Inner West Council, 7-15 Wetherill Street Leichhardt on 24 May 2018, opened at 2.09pm and closed at 2.17pm

MATTER DETERMINED

2018SCL020 – Inner West – DA10.2013.114.7 at 244, 252, 254, 256 and 260A Liverpool Road 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 4.55(2) 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 considered the proposed modifications to be substantially the same as those previously approved.

The application complies with all applicable planning provisions and will have no adverse impacts as a consequence of the modifications.

CONDITIONS

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

Condition B(1) to be amended by inserting at the end of the first paragraph the following
This contribution is in addition to that already paid in respect of previous stages of this development application.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	 Ted Cassidy
 Monica Wangmann	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL020 – Inner West – DA10.2013.114.7
2	PROPOSED DEVELOPMENT	<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>“Alterations and additions to Ashfield Mall including 6783.9m2 of retail area, 67 serviced apartments, 101 place childcare centre and car parking”.</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>
3	STREET ADDRESS	244, 252, 254, 256 & 260A Liverpool Road, Ashfield.
4	APPLICANT/OWNER	Abacus Ashfield Mall Property Trust.
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
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.64 – Advertising and Signage State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development State Environmental Planning Policy (Infrastructure) 2007 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) Ashfield Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ashfield Development Control Plan 2013 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: 11 May 2018 Written submissions during public exhibition: nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – Philip Rodrigues
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	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, Atalay Bas, Jai Reid, Jo Bertacco
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report