

27 May 2014

Ms Carolyn McNally  
Acting Secretary  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms McNally

**Modifications to Concept Plan (MP10\_0110 MOD3)  
Residential Development at the Crowle Home / Achieve Australia Site**

I refer to the Acting Executive Director's letter dated 7 May 2014 referring the above modification application to the Planning Assessment Commission for determination under Ministerial delegation.

Ms Gabrielle Kibble AO, Chair of the Planning Assessment Commission nominated herself and me to constitute the Commission to consider and determine the application. I chaired the Commission for the task.

The Commission met with the Council and the proponent separately on 20 May 2014 to understand their concerns regarding the Department's recommendation. The three key issues discussed at the meetings were the proposed new service vehicle access point from Porter Street, the changes to the approved layout and building envelopes, and timing for the restoration of Tellaraga House.

Service Vehicle Entry/Exit Point

The Commission finds:

1. The proposed entry/exit point is acceptable and will not result in unreasonable amenity impacts or compromise pedestrian flow.
2. It does not agree with the Department's recommendation that the new entry/exit should be accessible to all vehicles. Restricting the entry/exit point to service vehicles only will minimise amenity impacts on the surrounding properties.
3. It shares Council's view that it is important to ensure efficient site servicing in accordance with Council requirements. The proposed service vehicle entry/exit point will ensure waste collection can occur within the site, which is a requirement of Condition C13.
4. It shares the concern of Council and the Department that requirement C13 should not be amended to include the word "satisfactorily", as it creates ambiguity.

Changes to Layout and Building Envelopes

The Commission finds:

1. The amended layout is capable of providing apartments with acceptable levels of amenity. Compliance with State Environmental Planning Policy 65 and the Residential Flat Design Code will need to be demonstrated as part of future development applications.
2. The proposed changes to the approved building envelopes, as modified by the Department, are acceptable.

### Conservation of Tellaraga House

The Commission finds:

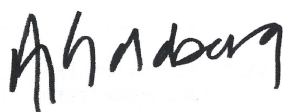
1. The restoration of Tellaraga House should occur prior to the issue of the first Occupation Certificate (OC). Details regarding the restoration and future use of Tellaraga House must be included in a Conservation Management Plan (CMP), which is to be submitted with the first development application for the site, as recommended by Council.
2. There should be no demolition or excavation works near the heritage item prior to Council's approval of the CMP.
3. The revised wording of Condition C15, as recommended by Council, is acceptable and is to be included in the amendments to Schedule 3.

### Commission's determination

Following careful consideration of the Department's assessment report and associated documents and views expressed at the meetings with Council and the proponent, the Commission determines to approve the application with the conditions recommended by the Department, subject to the Commission's amendments to Condition C13 regarding the vehicle entry/exit point at the southern corner of Block E, and Condition C15 regarding Tellaraga House.

The file and signed instrument of approval are returned.

Yours sincerely



Abigail Goldberg  
Planning Assessment Commission

cc.                    The Hon Pru Goward MP  
                         Minister for Planning and Minister for Women  
                         Level 34 Governor Macquarie Tower  
                         1 Farrer Place  
                         SYDNEY NSW 2000