

JRPP Reference No.	2011SYW116
Application Number	DA-391/2012
Proposed Development	ALTERATIONS AND ADDITIONS TO THE LIVERPOOL COURTHOUSE INCLUDING INTERNAL REFURBISHMENT, ACCESS UPGRADE, PROVISION OF A NEW COURT ROOM AND ENTRY UPGRADE
Property Description	LOT 1 IN DP 198602 150 GEORGE STREET, LIVERPOOL
Applicant	CALDIS COOK GROUP
Land Owner	DEPARTMENT OF ATTORNEY GENERAL AND JUSTICE
Capital Investment Value	\$5,427,315
Recommendation	Approval with Conditions

1. EXECUTIVE SUMMARY

1.1 Reasons for the Report

Pursuant to the requirements of the State Environmental Planning Policy (Major Development) 2005, this application is referred to the Joint Regional Planning Panel for determination as the application is a Crown development with a capital investment value exceeding \$10,000,000. The application submitted to Council indicates a value of \$5,427,315.

1.2. The proposal

The application seeks consent for alterations and additions to the Liverpool Court House which includes an internal refurbishment, access upgrade, provision of a new court room, and entry upgrade. The proposal also incorporates an external refurbishment of the front elevation and forecourt area to George Street.

1.3 The site

The subject site is identified as Lot 1 in DP 198602, being No. 150 George Street Liverpool.

1.4 The issues

The main issue identified with respect of the development is a minor non-compliance with the car parking provisions under the Liverpool Local Environmental Plan 2008 (LLEP 2008). The non-compliance has been justified by the applicant and a variation sought under Clause 4.6 of the LLEP has been assessed on its merits and considered to be acceptable in this instance.

1.5 Exhibition of the proposal

The development application was advertised for a period of 14 days between 2 November 2011 to 17 November 2011 in accordance with Liverpool Development Control Plan 2008 (LDCP 2008). No submissions were received as a result of the public exhibition process.

1.6 Conclusion

Following detailed assessment of the proposal and consideration of the issues identified, including consideration of the minor non-compliance to the car parking provision, it is considered that the proposal is an appropriate development for the subject site which will result in a revitalisation of the Liverpool Court House and contribute to the streetscape of Liverpool City Centre. Therefore it is considered that the proposal is worthy of support subject to the imposition of conditions.



Figure 2: Subject site as viewed from George Street

2.2 The Locality

The subject site is located on the eastern side of George Street within the commercial core of Liverpool City Centre. Liverpool train station is to the south east of the site and Liverpool Westfield shopping centre is to the north west of the site. The site adjoins Liverpool Library to the south and a multi-storey car park is located to the rear of the site.

To the north of the site is an existing fruit market and to the western side of George Street are commercial and retail developments of varying heights as shown in the photograph below.



Figure 3: Opposite the subject site to the western side of George Street

3. DETAILS OF THE PROPOSAL

The application seeks consent for alterations and additions to the Liverpool Court House which includes an internal refurbishment, access upgrade, provision of a new court room, and entry upgrade. The proposal also incorporates an external refurbishment of the front elevation and forecourt area to George Street.

The main components of the proposed works include:

- Provision of additional floor space at the front of the building to improve and upgrade entry component and create additional operational spaces.
- Reconfiguration of the entry to include improved connection to the forecourt area.
- Construction of a new court room at the first floor level.
- Works to achieve compliance with disabled access codes and legislation.

Specific details of the proposal are outlined below:

Basement level

The proposal does not alter the footprint of the basement level. Minor works within the basement include:

- Provision of an accessible car parking space;
- Reconfiguration of prisoner holding cells to meet Disability Discrimination Act requirements;
- Provision of a loft enabling level access to ground and first floor levels;
- New fire egress.

Ground floor

The front building line of the development will be brought forward to George Street to provide the additional floor area for existing court facilities. A front setback to George Street of 16.5m is

proposed.

First floor

The existing court rooms within Level 1 are to be refurbished as part of this application and includes provision of a new court room.

George Street forecourt

The forecourt of the development will be refurbished as a consequence of the changes to the front building alignment and changes to the entrance of the development. Landscape works will also be undertaken within the forecourt area to more clearly define public space and enhance the public domain.



Figure 5: Proposed development perspective as viewed from George Street

4. STATUTORY CONSIDERATIONS

4.1 Zoning

The subject site is located within the B3 Commercial Core zone pursuant to Liverpool Local Environmental Plan 2008 (LLEP 2008). The proposed development is identified as a public administration building which is defined as follows:

***“public administration building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.”*

The proposed development is a permissible land use within the B3 Commercial Core zone.

An extract from the LLEP 2008 – zoning map is provided below:



Figure 5: Extract of LLEP 2008 zoning map

4.2 Relevant matters for consideration

The following Environmental Planning Instruments (EPI's), Development Control Plan and Codes or Policies are relevant to this application:

- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment;
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- Liverpool Local Environmental Plan 2008;
- Liverpool Development Control Plan 2008, specifically:
 - Part 1.1 – General Controls for all development
 - Part 1.2 – Controls for all development;
 - Part 4 – Development in the Liverpool City Centre

5. ASSESSMENT

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 79C of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000 as follows:

5.1 Section 79C(1)(a)(1) – Any Environmental Planning Instrument

(a) Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (deemed SEPP)

The proposed development is not in conflict with the objectives of the Plan which seeks to promote the protection of the Georges River Catchment. It is considered that appropriate conditions of consent have been provided relating to erosion and sediment control and stormwater runoff mitigation.

(b) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Pursuant to Clause 7 of SEPP 55, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state, or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

The subject site has not been identified as being affected by previous or current land uses for purposes referred to in Table 1 of the Contaminated Land Planning Guidelines under Section 154C of the Environmental Planning and Assessment Act 1979.

The site is recorded as maintaining a long standing use for the purpose of a Courthouse and Police Station which is proposed to remain unchanged as part of this development proposal. The proposed works, being for alterations and additions to revitalise the existing building, is not in conflict with the aims and objectives of SEPP 55. The proposed development is thus considered satisfactory with respect of the requirements of SEPP 55.

(c) Liverpool Local Environmental Plan 2008

The subject site is zoned B3 – Commercial Core pursuant to Liverpool Local Environmental Plan 2008 (LLEP 2008).

The proposed development is classified as a **public administration building** under the LLEP 2008, which is defined as “a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.”

The objectives of the B3 – Commercial Core zone are as follows:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To strengthen the role of Liverpool city centre as the regional business, retail and cultural centre of south western Sydney.*
- *To ensure that, for key land in the Liverpool city centre, opportunities for retail, business and office uses exist in the longer term.*
- *To facilitate a high standard of urban design and exceptional public amenity.*

The development is consistent with the objectives of the B3 Commercial Core zone for the following reasons:

- The development maintains the existing civic (public administration) land use which serves the local and wider community.
- The development will continue to allow for employment opportunities.

- The development is situated close to public transport nodes and is suitably located to encourage walking / cycling.
- The proposal will revitalise the existing building which will further strengthen the role of Liverpool City Centre as a regional centre.
- The proposal does not reduce the availability of land for future development purposes.
- The proposed refurbishment of the external façade and improvement to the forecourt area will facilitate a high level of urban design and public amenity.

Therefore, it is considered that the proposal satisfies the relevant objectives of the B3 zone.

Clause 4.3 Height of buildings

The LLEP 2008 prescribes a maximum building height for the subject site of 100 metres. The development proposes a maximum building height of 12.83 metres measured from natural ground level. The proposal thus complies with Councils building height control.

Clause 4.4 Floor space ratio

The LLEP 2008 prescribes a maximum floor space ratio for the subject site being 8:1. The development proposes a floor space ratio of 0.94:1 calculated in accordance with the LLEP floor space ratio definition. The proposal thus complies with Councils floor space ratio control.

Clause 5.10 Heritage Conservation

The subject site at No. 150 George Street, Liverpool is located within the immediate vicinity of the Plan of Town of Liverpool which is a local heritage item listed in Schedule 5 of the Liverpool LEP 2008 (Item No. 89) as a place of local heritage significance.

The proposed alterations and additions to the Liverpool Courthouse are relatively minor from a heritage perspective and do not involve significant site works or excavation works that would impact upon the heritage fabric of the Liverpool City Centre. The proposal is not of a scale or type that would trigger a requirement for a detailed Statement of Heritage Impact. The applicant has adequately addressed the heritage context within the Statement of Environmental Effects.

The development application has been referred to Councils Heritage Officer and no objections were raised to the proposed development. On this basis, it is considered that the proposal will not adversely impact the heritage significance of the nearby heritage item. The proposal is therefore satisfactory with respect of Clause 5.10 of Liverpool LEP 2008.

Clause 5.12 Infrastructure development and use of existing buildings of the Crown

The provisions of Clause 5.12 are as follows:

“(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under [State Environmental Planning Policy \(Infrastructure\) 2007](#).

(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.”

The proposal relates to the carrying out of development by a public authority. The development will continue the use of the building by the public authority and is recommended for approval.

Clause 7.1 Objectives for development in Liverpool city centre

Before granting consent for development on land in the Liverpool city centre, the consent authority must be satisfied that the proposed development is consistent with such of the following objectives for the redevelopment of the city centre as are relevant to that development:

- (a) to preserve the existing street layout and reinforce the street character through consistent building alignments,*
- (b) to allow sunlight to reach buildings and areas of high pedestrian activity,*
- (c) to reduce the potential for pedestrian and traffic conflicts on the Hume Highway,*
- (d) to improve the quality of public spaces in the city centre,*
- (e) to reinforce Liverpool railway station and interchange as a major passenger transport facility, including by the visual enhancement of the surrounding environment and the development of a public plaza at the station entry,*
- (f) to enhance the natural river foreshore and places of heritage significance,*
- (g) to provide direct, convenient and safe pedestrian links between the city centre (west of the rail line) and the Georges River foreshore.*

The proposal seeks to preserve the existing street layout and maintains a consistent building alignment in relation to the streetscape. The development seeks to reinforce the subject site as a public administration building which is conveniently accessible and will positively contribute to the public space in the city centre. The proposal is considered satisfactory with respect of the above objectives.

Clause 7.3 Car parking in Liverpool city centre

Clause 7.3 states that development consent must not be granted to development on land in the Liverpool city centre that is in Zone B3 Commercial Core or B4 Mixed Use that involves the erection of a new building or an alteration to an existing building that increases the gross floor area of the building unless:

- (a) at least one car parking space is provided for every 200 square metres of any new gross floor area that is on the ground floor level of the building, and*
- (b) in respect of any other part of the building:*
 - (i) at least one car parking space is provided for every 100 square metres of any new gross floor area that is to be used for the purposes of retail premises, and*
 - (ii) at least one car parking space is provided for every 150 square metres of any new gross floor area that is to be used for any other purpose.*

The above car parking rates require the proposal to provide 4.15 spaces for the new gross floor area (GFA) as set out in the table below.

Control	Proposed GFA	Car parking required	Proposed
Ground level: 1 space / 200sqm new GFA	340sqm	1.7 spaces	No additional car parking proposed
Other levels: 1 space / 200sqm new GFA	368sqm	2.45 spaces	No additional car parking proposed
		Total: 4.15 spaces	

The proposed development thus results in demand for 4.15 additional spaces. The development provides eleven (11) existing car parking spaces within the basement level. There are no proposed additional car parking spaces. Clause 7.3(3) allows for reduced car parking where it can be demonstrated that the provision of car parking is not feasible.

In this regard, the development application is accompanied by a written request to vary the development standard pursuant to Clause 4.6 of LLEP 2008. The applicant is seeking a variation to

Clause 7.3 given that the proposal is deficient in car parking of 4.15 spaces as would be required for the additional gross floor area.

Clause 4.6(3) prescribes:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

The applicant in their submission has requested Council to give consideration to the minor variation of car parking spaces required under Clause 7.3 and has provided the following rationale to demonstrate that strict compliance with Clause 7.3 is unreasonable and unnecessary, and that there are sufficient environmental planning grounds to justify the contravention of the development standard:

- “1. The Liverpool Court House is a significant public administration use within the Liverpool city centre, serving Liverpool and the surrounding region. The proposed development supports the ongoing activities of the Court House, which is strongly in the public interest.*
- 2. The application comprises a development by the crown. The proposal is consistent with the Department of Attorney General and Justice’s policy which is to provide parking for essential staff only. In the case of the Liverpool Court House this includes five (5) magistrates, one (1) disabled space and the remainder for senior court staff. Adherence to this policy is important for site security and is in the public interest.*
- 3. The majority of the additional space at ground floor level is associated with improved functionality and entrance areas, including improved secure waiting areas for the general public. These are not uses that generate additional staff or additional parking demand compared to the existing operations of the Court House.*
- 4. The additional floor space at first floor level is partly associated with the new court room. This may generate one additional magistrate at the site from time to time but will also allow for improved scheduling of hearings across the site. There is capacity within the basement for an additional magistrate to park.*
- 5. The site adjoins a major public car park and is close to the Liverpool Station and transport interchange. Providing additional parking spaces on the site is not feasible or desirable.*
- 6. The proposed development is consistent with zone objectives and does not unreasonably compromise the underlying objectives of clause 7.3.”*

Given the relatively minor nature of the non-compliance with Clause 7.3 and the overall rationale provided by the applicant, it is considered that the proposal satisfies the zone objectives and the general intent of the planning provisions relating to development in the Liverpool City Centre. In this regard, it is considered that there are sufficient environmental planning grounds to justify this non compliance. Therefore pursuant to Clause 4.6, it is considered that the minor departure from Clause 7.3 - Car Parking is worthy of support.

5.2 Section 79C(1)(a)(ii) - Any Draft Environmental Planning Instrument

No draft environmental planning instruments apply to the site.

5.3 Section 79C(1)(a)(iii) - Provisions of any Development Control Plan

Liverpool Development Control Plan Parts 1.1, 1.2 and 4 apply to the development. Parts 1.1 and

1.2 prescribe general controls for all development (other than dwelling houses). Part 4 prescribes standards and criteria for development in the Liverpool City Centre. The main requirements are summarised in the following table:

Standard	Requirement	Proposed	Complies
Part 1.1 – General Controls for all Development			
Clause 2 Tree Preservation	Applies to the protection of trees that contribute to the Liverpool LGA and the protection of significant vegetation.	The development does not involve removal of significant vegetation. The development incorporates a comprehensive landscape plan for the forecourt area to George Street.	Yes
Clause 3 Landscaping and incorporation of existing trees	Landscaping planting shall be principally comprised of native species. Provide an integrated streetscape appearance with an appropriate mix of canopy trees, shrubs and ground cover in appropriate locations having regard to safe ingress and egress of pedestrians and vehicles.	The proposed development is accompanied by a detailed landscape plan prepared by Michael Siu Landscape Architects which provides for adequate landscaping to better define the public domain of the forecourt and contribute to the streetscape. Landscaping includes a mix of canopy trees, shrubs and ground covers.	Yes
Clause 4 Bushland and Fauna Habitat Preservation	Applies generally to specific zones.	Not applicable to this site.	N/A
Clause 5 Bush Fire Risk	Applies generally to bushfire prone land and land that requires bushfire hazard reduction.	The subject site is not identified as being bushfire prone land.	N/A
Clause 6 Water Cycle Management	Stormwater drainage concept plan required to be submitted.	A stormwater concept plan has been submitted and is considered to be satisfactory by Council's Development Engineer subject to conditions.	Yes
Clause 7 Development near Creeks and Rivers	Applies to land that may impact upon a watercourse or the removal of riparian vegetation.	The subject site is not located in proximity to any watercourse.	N/A
Clause 8 Erosion and Sediment Control	Soil and water management plan or erosion and sediment control plan required to be submitted.	An erosion and sediment plan has been submitted. Appropriate conditions have been imposed regarding the implementation of erosion and sediment control during construction works.	Yes
Clause 9 Flooding Risk	Applies to flood prone land.	The subject site is not identified as flood prone land.	N/A
Clause 10 Contamination Land Risk	Applies to potential or actual contamination or known past or current specific land uses.	The subject site has not been identified as being affected by previous or current land uses for purposes referred to in Table 1 of	N/A

Standard	Requirement	Proposed	Complies
		the Contaminated Land Planning Guidelines.	
Clause 11 Salinity Risk	Salinity management plan required for high risk activities in salinity affected areas.	The subject site is not identified as being a high risk activity affected by salinity risk.	N/A
Clause 12 Acid Sulphate Soils	Applies to land with potential acid sulphate soils.	The site is identified as being affected by Class 5 acid sulphate soils. There are no excavation or ground works proposed that would trigger a requirement for further assessment of acid sulphate soils.	Yes
Clause 13 Weeds	Weed management strategy required to be submitted if site contains native weeds.	The site does not contain weeds.	N/A
Clause 14 Demolition of Existing Developments	Demolition to comply with AS2601-1991.	The proposal involves minor demolition of internal / external fabric to enable alterations and additions of new works. Appropriate conditions have been imposed to address demolition process.	Yes
Clause 15 On-site sewerage disposal	Applies to land with no access to reticulated sewer system.	The subject site has access to sewer services.	N/A
Clause 16 Aboriginal Archeology	Applies to land identified as having known or potential Aboriginal archaeological significance.	The site is not identified as having any Aboriginal archaeological significance.	N/A
Clause 17 Heritage	Applies to heritage items of land in the vicinity of a heritage site, conservation area or archaeological site.	<p>The subject site is in the immediate vicinity of the Plan of Town of Liverpool which is a local heritage item listed in Schedule 5 of the Liverpool LEP 2008 (Item No. 89) as a place of local significance.</p> <p>The proposed alterations and additions to the Liverpool Courthouse are relatively minor from a heritage perspective and do not involve significant site works or excavation works.</p> <p>The development application has been referred to Councils Heritage Officer and no objections were raised to the proposed development.</p>	Yes

Standard	Requirement	Proposed	Complies
Clause 18 Advertising	Development to be notified / advertised.	The development application was advertised in accordance with the DCP. No submissions were received as a result of the public exhibition process.	Yes
Part 1.2 – Additional Controls for Development			
Clause 2 Car Parking and Access	<p>Car parking to be provided in accordance with the following; and also to comply with Australian Standards for design and access.</p> <p>All other development - 1 space per 100sqm of floor area. This control does not apply to this site.</p> <p>- Sufficient service and delivery vehicle parking adequate to provide for the needs of the development.</p> <p>Motorcycle parking for all development - Provision is to be made for motorcycle parking at the rate of 1 motorcycle space per 20 car spaces</p> <p>Minimum Car parking requirements for people with disabilities - Provide 2% of the total demand generated by a development, for parking spaces accessible, designed and appropriately signposted for use by persons with disabilities.</p> <p>Bicycle parking for all development - 1 bicycle space per 200sqm of leasable floor area. 15% of this requirement is to be accessible to visitors.</p> <p>Driveway access and car parking design</p>	<p>The development retains the existing car parking arrangement which comprises a total of 11 car parking spaces.</p> <p>Adequate space is available for servicing and delivery vehicles for the needs of the development.</p> <p>No specific motorcycle parking provided. Nor demand generated by this development.</p> <p>The development proposes minor modification to the basement carpark to provide for one (1) disabled car parking space within the development.</p> <p>Development generates need for 3 bicycle parking spaces. No specific bicycle parking provided. However this is considered reasonable given the use of the building for legal purposes.</p>	<p>Yes</p> <p>Refer to detailed assessment under Clause 7.3 earlier within this report.</p> <p>Yes</p> <p>Yes</p>

Standard	Requirement	Proposed	Complies
	Transport Impact	<p>Driveway and car parking design remains existing and unchanged apart from the provision of a single disabled car space.</p> <p>The nature of the development, being for refurbishment of an existing courthouse, is not considered to generate a traffic demand which would result in any significant transport impact.</p>	<p>Yes</p> <p>Yes</p>
Clause 4 Water Conservation	All fixtures and appliances to be 3 stars under the WELS system or better rated.	The development has incorporated water conservation principles into the design of the proposal.	Yes
Clause 5 Energy Conservation	Comply with the Energy Efficiency provisions within the BCA. Maximise natural light in buildings.	The development has incorporated energy conservation principles into the design of the proposal.	Yes
Clause 6 Landfill	Requirements for any cutting or filling of land.	No cut / fill required.	N/A
Clause 7 Waste Disposal and re-use facilities	Waste Management Plan required for all developments.	Waste Management Plan provided. Appropriate conditions of consent will be imposed to ensure compliance with the Waste Management Plan.	Yes
Clause 8 Outdoor Advertising and Signage	Controls for any signage for all development.	No signage has been proposed as part of the development application.	N/A
Part 4 – Development in the Liverpool City Centre			
2.1 Building Form			
Building to street alignment and setbacks	Street building alignment and street setbacks are to comply with Figure 3 which requires a nil setback.	The proposed ground floor setback to George Street is 16.5m.	Yes
Street frontage height	The street frontage height of buildings must comply with the minimum and maximum heights above ground level as shown in Figure 5. Figure 5 requires a street frontage setback between 16-26m or 4-6 storeys.	The proposed building height will be 11.88 metres overall.	Yes
Building depth and bulk	The maximum floor plate sizes and depth of buildings are to comply with figure 6 – maximum GFA per floor is 500sqm and maximum building	N/A as building is below the street frontage height.	N/A

Standard	Requirement	Proposed	Complies
Boundary setbacks and building depth and bulk	depth is 18m. (Floor plate sizes and depths apply above street frontage height).	N/A as building is below the street frontage height.	N/A
	The component of the building above the street frontage height is not to have a building length in excess of 45m.		
	The minimum building setbacks are to comply with the following: Commercial core zone up to street frontage height - 0m side setback - 0m rear setback	Proposed building form complies with required setbacks.	Yes
2.3 Site cover and deep soil zones			
Site coverage	Maximum site coverage for development in the B3 Commercial Core zone is 100%.	Site coverage for the development is 61.8%.	Yes
Deep soil zones	Deep soil zone planting required 15%.	Adequate soft landscaping is provided to the site.	Yes
2.4 Landscape design			
Landscape areas	To be incorporated into accessible outdoor areas Landscape concept plan to be provided for long term maintenance.	The proposed development is accompanied by a detailed landscape plan prepared by Michael Siu Landscape Architects which provides for adequate landscaping to better define the public domain of the forecourt and contribute to the streetscape. Landscaping includes a mix of canopy trees, shrubs and ground covers.	Yes
3.0 Amenity			
Pedestrian permeability	Through links to be provided.	The proposal ensures pedestrian links are maintained.	Yes
Active street frontages and address	Active frontages to incorporate glazed entries and active uses.	Glazed entries are provided and an active front forecourt area is proposed.	
Front Fences	Front fences to be designed to not present as a solid edge to the public domain.	No front fence is proposed as part of this development application.	
Safety and	Ensure building design	Building design allows for	

Standard	Requirement	Proposed	Complies
security	allows for passive surveillance. Provide clear lines of sight and well lit routes. Avoid creating blind corners and dark alcoves. Provide entrances which are visually prominent positions.	passive surveillance with clearly defined spaces and incorporate 'safer by design' principles. The public areas, particularly the forecourt, have clear sight lines. Care has been taken in the design and selection of plantings to eliminate unsighted nooks and corners. The main entrance is the only public entrance to the building. Screening devices are used to examine bags and prevent people bringing weapons or other harmful items into the building. Access by car is through the secure driveway on the north side of the Police Station.	
Awnings	Weather protected entrances are required.	The extensive setback of the building and forecourt limit the ability to provide awnings to George Street. However, an overhang at the entrance is designed to provide weather protection and define the building entrance.	Yes
Vehicle Footpath Crossings	No additional vehicle entry points permitted	Vehicular access arrangement remains existing and unchanged.	Yes
Building Exteriors	Articulate façades A materials sample and schedule is to be submitted	The proposal presents a modern updated elevation to the forecourt area towards George Street with high quality materials to create a new public presentation. The Courthouse entry is recessed and provides an extensive area of glass behind a wide flight of steps. A materials and colour schedule has been submitted with the application.	Yes
4.0 Traffic and Access			
Pedestrian access and mobility	Safe and equitable access to be provided for all persons.	The development ensures that disabled access is available as required by the Disability Discrimination Act.	Yes
Car Parking rates required.	Car parking for development within the Liverpool City Centre is prescribed by clause 7.3 of LLEP 2008.	Refer to assessment under Clause 7.3 of LLEP 2008 canvassed earlier in his report. The proposal is considered satisfactory in this regard.	No

Standard	Requirement	Proposed	Complies
5.0 Environmental Management			
Energy and Water Efficiency	Provide for thermal comfort and performance. Provide water conservation measures.	The proposal ensures Compliance with BCA energy efficiency provisions, and has taken into consideration water conservation measures	Yes
Reflectivity	Buildings and façade should not result in glare or light reflectivity	Design elements are incorporated to ensure the building does not generate excessive glare or the like.	Yes
Waste	Development application must be accompanied by waste management plan.	A waste management plan has been submitted for both the construction stage and ongoing.	Yes

As outlined in the table above, the proposal is generally consistent with the controls prescribed by the relevant components of Liverpool Development Control Plan 2008.

5.4 Section 79C(1)(a)(iv) – The Regulations

The EP&A Regulations 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). The proposal has demonstrated compliance with the BCA and is satisfactory in this regard.

5.5 Section 79C(1)(b) – The Likely Impacts of the Development

(a) Natural and Built Environment

The scale, presentation, and built form is considered appropriate with respect of the context of the site and the continued land use for the purposes of a public administration building. The development presents as a high quality architectural built form and does not result in any adverse impacts to the built environment as demonstrated in this report.

The development is not considered to result in unreasonable amenity impacts to surrounding lands, taking into account both existing and possible future development. The development will provide a positive contribution to the streetscape of George Street and overall to the Liverpool City Centre. The proposal is thus considered satisfactory with respect of the natural and built environment.

(b) Social and Economic Impacts

The proposed development will have a positive social and economic impact through the continued service to the community for civic purposes.

5.6 Section 79C(1)(c) – The Suitability of the Site for the Development

These matters have been considered in the assessment of the development application. The site is not known to be affected by any site constraints or other natural hazards likely to have a significant adverse impact on the proposed development.

The law enforcement and judicial uses associated with the Court House and adjoining Police Station are pertinent to the regional role of the Liverpool city centre. The revitalised forecourt to George Street will be reinforced as a civic space within the city centre. Accordingly, the site is considered suitable to accommodate the proposed development, being for alterations and additions

to the existing courthouse, in the context of the site and locality.

5.7 Section 79C(1)(d) – Any submissions made in relation to the Development

(a) Internal Referrals

The following comments have been received from Council's Internal Departments:

DEPARTMENT	COMMENTS
Landscape	Satisfactory, with recommended conditions.
Traffic Engineers	Satisfactory, with recommended conditions.
Heritage Officer	No objections raised and no conditions required.
Development Engineers	Satisfactory, with recommended conditions.
Access Committee	No objections raised and no conditions required.
Building Surveyor	Satisfactory, with recommended conditions.

(b) Community Consultation

The development application has been advertised in accordance with Liverpool DCP 2008, Part 1.1. This included a notice placed on site and an advertisement in the local paper. The development application was advertised for a period of 14 days from 2 November 2011 to 17 November 2011. No submissions were received as a result of the public exhibition process.

5.8 Section 79C(1)(e) – The Public Interest

The proposal is a high quality design that provides improved areas within the Courthouse and a revitalised public space in the forecourt to George Street. The development will contribute to an improved streetscape in the locality and ensures the ongoing use of the site for civic purposes.

The development satisfactorily addresses the relevant planning objectives under all the applicable legislations, State Environmental Planning Policies, and Local Environmental Planning Controls. It is therefore considered that the proposal serves the broader public interest.

6. CONCLUSION

The application has been assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, and the relevant Environmental Planning Instruments including the applicable State Environmental Planning Policies, Liverpool Local Environment Plan 2008, Liverpool Development Control Plan 2008, and the relevant codes and policies of Council.

The proposed development is generally consistent with the standards contained within Liverpool LEP 2008 as well as the controls contained within Liverpool DCP 2008, except for a minor departure from Clause 7.3 relating to car parking provision within the Liverpool City Centre. This has been assessed on its merits and found to be acceptable in this circumstance.

The proposed development for alterations and additions to the Liverpool courthouse will contribute to an improved streetscape in the locality and ensures the ongoing use of the site for civic purposes.

Following detailed assessment of the proposal and consideration of the minor non-compliance to car parking provision, the development application has been assessed on its merits and is considered satisfactory. Accordingly it is recommended that the development application be approved subject to conditions of consent.

6.1 Recommendation

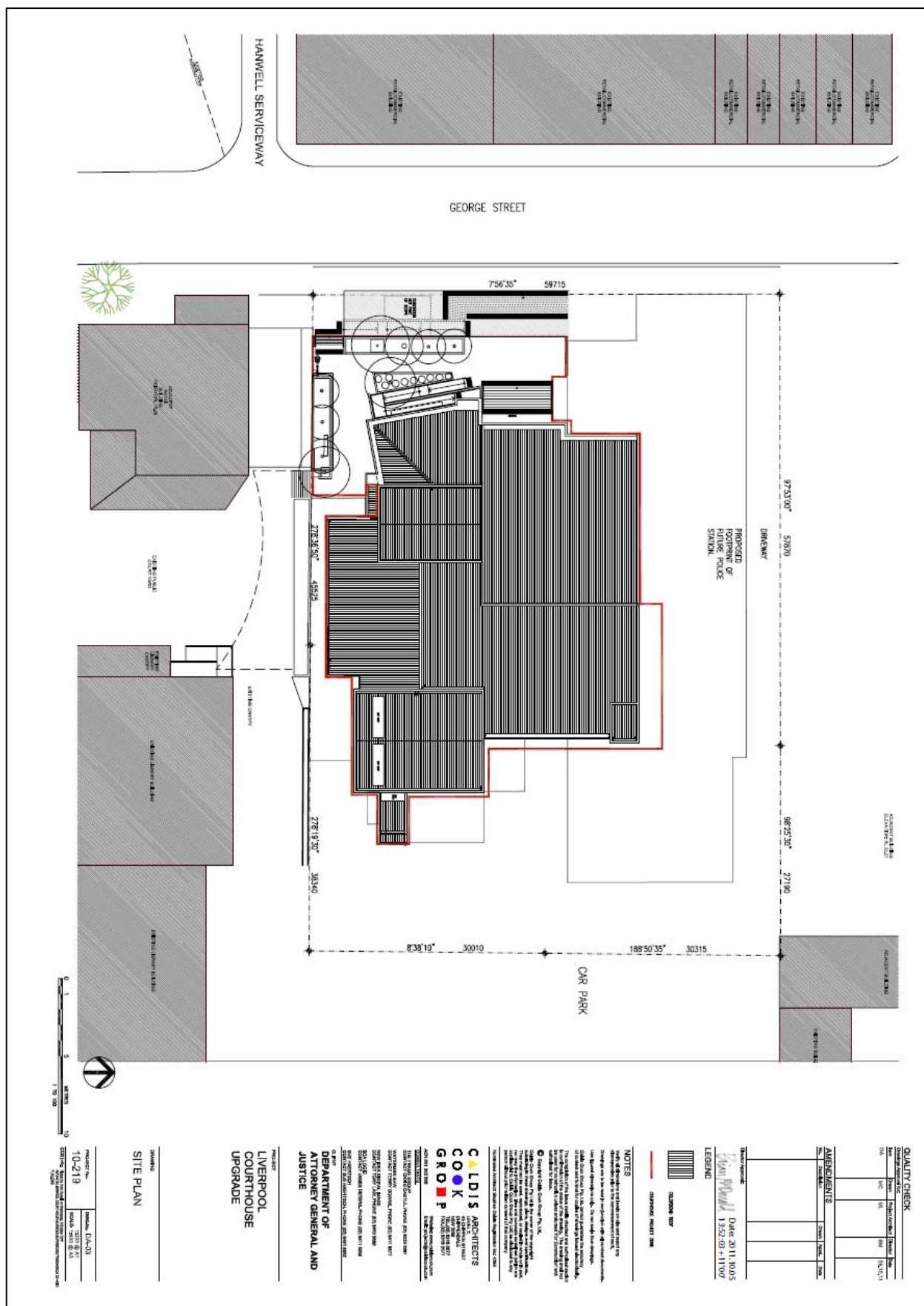
That Joint Regional Planning Panel Sydney West Region (JRPP) approve Development Application 391/2012 for alterations and additions to the Liverpool Court House which includes an internal refurbishment, access upgrade, provision of a new court room, and entry upgrade at No. 150 George Street Liverpool, subject to the attached conditions.

7. ATTACHMENTS

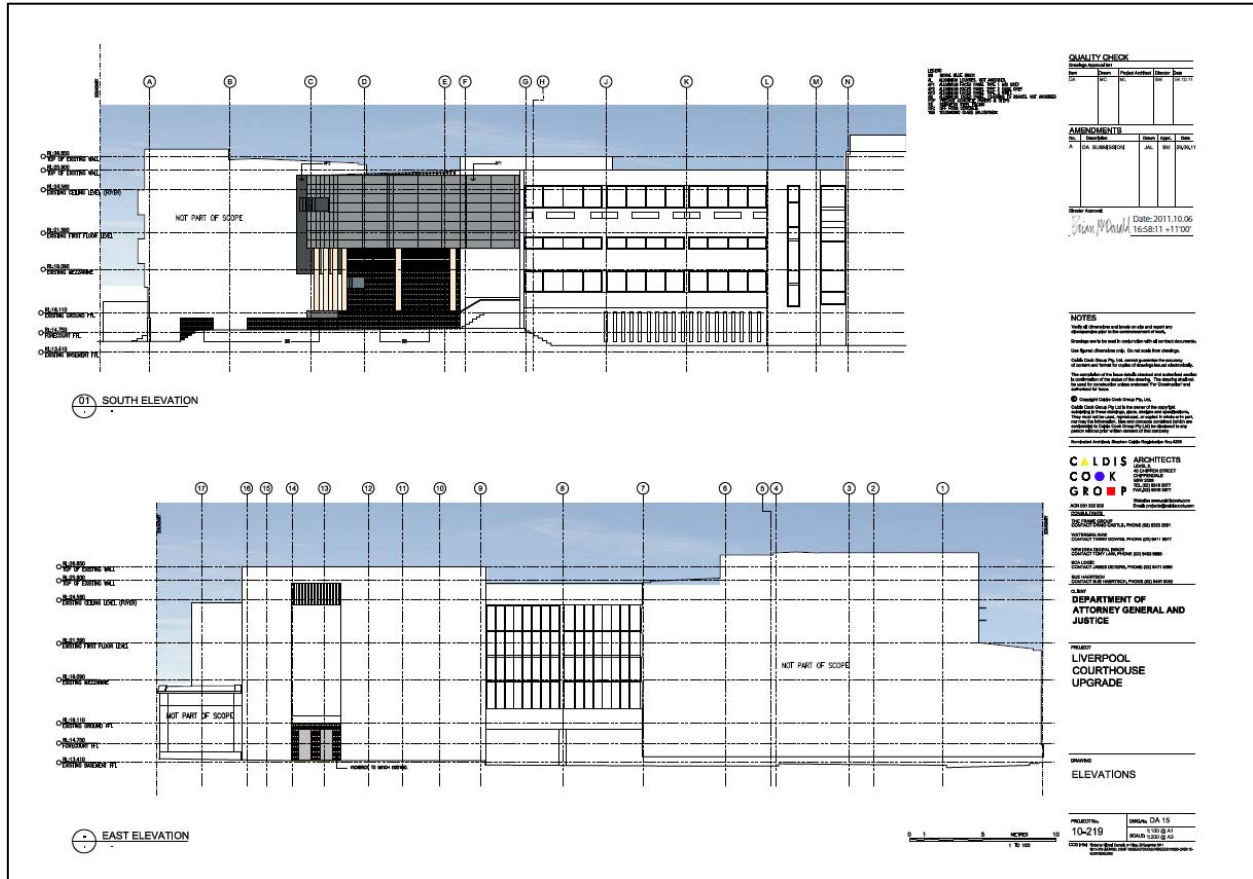
7.1 Plans of the proposal

7.2 Recommended conditions of consent

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Elevations



Perspective

