

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Francis Greenway Centre** on **Friday 5 December 2015 at 10.30 am**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Lindsay Fletcher Cr Gus Balloot and Tony Hadchiti

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW125 – Liverpool Council, DA578/2014, Mixed use development, Lot 100 DP 1074417, 420 Macquarie Street, Liverpool

Date of determination: 23 January 2015

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

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.

Standard Variation

Having considered the applicant's request to vary the development standards Clause 4.3 Height of Buildings and Clause 4.4 Floor Space Ratio contained in the Liverpool LEP 2008, the Panel considers that compliance with the standards is unnecessary in the circumstances of this proposal as there are sufficient environmental planning grounds as described in the Panel's stated reasons for approval to justify the requested variations and as the proposed development is consistent with the objectives of the standards and the objectives of the B4 Mixed Use Zone applying to part of the subject site.

The Panel notes that the actual variation sought to the FSR of the B4 zone is 1.163 from the standard of 6:1 (total FSR is 7.163:1) for the B4 zone part of the site. The applicant acknowledged during the meeting that these figures are correct.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing within the Metropolitan Southwest Subregion in a location taking advantage of the local and regional facilities and transport services offered by Liverpool CBD.
2. The proposal will contribute to the assigned Metropolitan Regional Centre role of Liverpool CBD and provides a significant statement at a major entry point to the centre.
3. The proposed building is consistent in scale and form with the urban design principles currently being developed by Council for Liverpool CBD.
4. The location of the building on the site and proposed site treatment more generally will provide a superior interface with, and less environmental impact upon, existing residential development in Charles Street than that which would result from development observing the maximum FSR of Height controls that currently apply.
5. In consideration of conclusions 1-4 above the Panel considers the proposal is in the public interest.

Conditions: The development application was approved subject to the conditions recommended in the Council Supplementary Report.

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Lindsay Fletcher
 Gus Balloot	 Tony Hadchiti	

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SCHEDULE 1

1	JRPP Reference – 2014SYW125, LGA – Liverpool Council, DA/578/2014
2	Proposed development: Mixed use development.
3	Street address: Lot 100 DP 1074417, 420 Macquarie Street, Liverpool
4	Applicant/Owner: Autus Properties Pty Ltd, Lucror Development Pty Ltd
5	Type of Regional development: Capital investment value over \$20 million
6	Relevant mandatory considerations Environmental planning instruments: • Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (deemed SEPP) • State Environmental Planning Policy – State and Regional Development 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (BASIX) 2004 • State Environmental Planning Policy No. 55 - Remediation of Land • State Environmental Planning Policy 65 – Design Quality of Residential Flat Development • Liverpool Local Environmental Plan 2008 Draft environmental planning instruments: Nil • Development control plans: ◦ Liverpool Development Control Plan 2008 • Planning agreements: Nil • Regulations: ◦ Environmental Planning and Assessment Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: The development application was considered by the Panel on 5 December 2014 when the Panel resolved to defer determining of the application and required to receive a revised Clause 4.6 variation submission addressing all elements of Clause 4.6 of the Liverpool Local Environmental Plan 2008 (LEP). Supplementary Report, Revised Clause 4.6 Statement: Floor Ratio and Legal Advice prepared by Gadens Lawyers. Original Council Assessment Report with recommended conditions, Architectural plans, Landscape plans, Shadow diagrams, Subdivision plans, Traffic and parking study, BASIX report, SEPP 65 design documentation, Acoustic report, Geotechnical report, Environmental site assessment, Reflectivity report, Security management plan/CPTED report, Wind assessment, BCA report, Accessibility report, Waste management plan, Civil engineering plans, Photomontages and Written submissions. Verbal submissions at the panel meeting: • Scott Barwick • Benji Levy
8	Meetings and site inspections by the panel: 11 September 2014 – Briefing meeting, 5 December 2014 – Site inspection and Final briefing meeting and 23 January 2015 – Final Briefing Meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report