

DATE OF DETERMINATION	31 July 2017
PANEL MEMBERS	Sheridan Dudley (Chair), Bruce McDonald, Nicole Gurran, Tony Hadchiti
APOLOGIES	Wendy Waller, Karress Rhodes
DECLARATIONS OF INTEREST	None

Public meeting held at Francis Greenway Centre, 170 George St, Liverpool on 31 July 2017, opened at 12:15 pm and closed 12:30 pm.

MATTER DETERMINED

2015SYW138 – Liverpool – DA631/2015 at 7 & 9 Castlereagh Street and 8-12 Copeland Street, Liverpool (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 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was Unanimous.

REASONS FOR THE DECISION

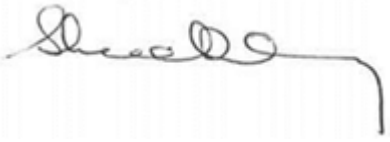



The reasons for the decision of the Panel were:

- The proposed development will add to and facilitate further supply and choice of housing within the Sydney South West District and Liverpool local government area in a location with ready access to the services and amenities available from Liverpool City Centre.
- The proposed development adequately satisfies the relevant State Environmental Planning Policies (SEPP) including SEPP 65: Design Quality of Residential Apartment Development and its associated Apartment Design Guide; SEPP 55: Remediation of Land; and SEPP (Infrastructure) 2007. In regard to SEPP 65 compliance the Panel notes that the proposal provides a nil setback to the southern site boundary. Having considered the advice of Council's Design Excellence Panel in respect of this site and the Council's assessment, the Panel considers this is acceptable as it will facilitate more effective development of that adjoining land.
- The Applicant has provided adequate documentation to demonstrate that a reasonable attempt has been made to amalgamate the subject site with 6 Copeland Street, Liverpool in accordance with the planning principles associated with isolated sites established by the NSW Land & Environment Court.
- The proposal adequately satisfies the applicable provisions and objective of Liverpool Local Environment Plan (LEP) 2008 including the provision of Clause 7.5, requiring the building to achieve design excellence and the Liverpool Development Control Plan (DCP) 2008.
- The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises or the operation of the local road system.
- In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Cladding: A fire safety report prepared by an accredited C10 fire engineer, must be submitted to the PCA prior to issue of construction certificate, demonstrating that the proposed external wall cladding material and system for the building complies with the NCC and relevant Australian Standards. The fire safety report is to include evidence of suitability of all proposed external wall cladding materials as per clause A2.2 of the NCC.

PANEL MEMBERS	
 Sheridan Dudley (Chair)	 Bruce McDonald
 Nicole Gurran	 Tony Hadchiti

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW138 – Liverpool – DA631/2015
2	PROPOSED DEVELOPMENT	Demolition of existing buildings, tree removal and the construction of two 9-storey residential flat buildings containing 116 residential apartments over two levels of basement parking with associated landscaping and ancillary site works.
3	STREET ADDRESS	7 & 9 Castlereagh Street and 8-12 Copeland Street, Liverpool
4	APPLICANT/OWNER	Mosca Pserras Architects Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development. State Environmental Planning Policy No.55 – Remediation of Land. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2007. Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment. Liverpool Local Environmental Plan 2008. Draft environmental planning instruments: Liverpool Local Environment Plan (LEP) 2008 Amendment No 52. Development control plans: <ul style="list-style-type: none"> Liverpool Development Control Plan 2008. - Part 1 – General Controls for all Development. - Part 4 – Development in the Liverpool City Centre. Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 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 Consideration of the provisions of the Building Code of Australia.
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 26 June 2017 Written submissions during public exhibition: One Verbal submissions at the public meeting: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting 10 April 2017. Final briefing meeting to discuss council's recommendation, 31 July 2017, 11:30 am to 11:45 am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Sheridan Dudley (Chair), Bruce McDonald, Nicpole Gurran, Tony Hadchiti <u>Council assessment staff</u>: George Nehme, Nelson Mueur
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report