

DATE OF DETERMINATION	20 December 2017
PANEL MEMBERS	Bruce McDonald (Chair), Stuart McDonald, Nicole Gurran, Mazhar Hadid, Tony Hadchiti
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 6 December 2017 and 20 December 2017.

MATTER DETERMINED

2016SYW221 – Liverpool – DA972/2016 at 9-13 Goulburn Street Warwick Farm (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:

1. The proposed development will add to the supply and choice of housing within the Sydney Western City District in a location with ready access to the services and amenities available within Liverpool City Centre and the metropolitan rail services available at Warwick Farm and Liverpool rail stations.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 -Remediation of Land and SEPP 65 Design Quality of Residential Apartment Development and its associated Apartment Design Guide. Having reviewed the assessment of the departures from the ADG relating to building set backs the Panel consider these departures are acceptable in this case.
3. The Panel considers the Applicants address of the issues relating to acquisition of the adjacent isolated site satisfy the established legal principles relating to isolated sites.
4. The proposed development adequately satisfies the objectives and provisions of Liverpool Local Environmental Plan 2008 and Liverpool Development Control Plan 2008. Having regard to the assessment of the proposal the Panel considers the provisions of Cl. 7.5 relating to design excellence are satisfied.

5. The proposed development subject to the conditions imposed will have no unacceptable impacts on the natural or built environments including the local riparian system the, amenity of nearby residential premises, the heritage significance of the Hoddle Street road pattern or the operation of the local road system.
6. Having regard to the above conclusions, the Panel considers that while the development does result in an isolated site, that site retains a measure of development potential 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.

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Nicole Gurrán
 Stuart McDonald	 Mazhar Hadid
 Tony Haditchi	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW221 – Liverpool – DA972/2016
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of an eight storey residential flat building comprising of 101 apartments over two levels of basement parking with associated landscaping and ancillary site works.
3	STREET ADDRESS	9 – 13 Goulburn Street, Warwick Farm (Lot 202 DP 1025972 and Lots 11 and 12 DP 35110)
4	APPLICANT OWNER	Ventus Group Pty. Ltd. SMY Investments Pty. Ltd.
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ 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: Nil • Development control plans: ○ Liverpool Development Control Plan 2008 • 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	• Council assessment report: 5 December 2017 • Written submissions during public exhibition: 0
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site Inspection and Briefing Meeting - 13 April 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report