

DATE OF DETERMINATION	26 July 2018
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Bruce McDonald, Wendy Waller and Peter Harle
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 17 July 2018 to 26 July 2018.

MATTER DETERMINED

2017SSW043 – Liverpool – DA491/2017, Address – 207, 209 & 211 Hoxton Park Road, Cartwright (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 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 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

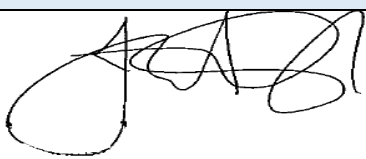



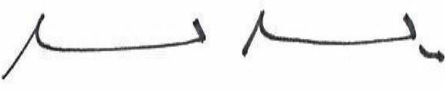
REASONS FOR THE DECISION

1. The proposed development will add to the supply and choice of housing including affordable housing, within the Sydney Western City District and the City of Liverpool
2. The applicant's request to vary the development standard contained in Liverpool LEP relating to building height should be supported as strict compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variation will not generate unacceptable impacts on adjoining premises, remains consistent with the objectives of the standard and will not result in development inconsistent in form and character with that planned for this locality. It is particularly noted the variation to the Liverpool LEP height limit is generated by the need to raise the ground floor level to secure free flow connection to the existing drainage system.
3. The proposal adequately satisfies the relevant State Environmental Planning Policies including SEPP (Affordable Rental Housing) 2009, SEPP 65 Design Quality of Residential Flat Development and its associated Apartment Design Guide, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the provisions of Liverpool LEP 2008 and Liverpool DCP 2008.

5. The proposed development is consistent in form and character with planned for locality in which it is sited.
6. The proposed development, subject to the conditions imposed, will have no unacceptable impact on the natural or built environment including the amenity of nearby residential premises or the operation of the local road network.
7. The proposed development is a suitable use of the site and its approval is in the public interest

CONDITIONS

The development application was approved subject to the conditions recommended in the council assessment report.

PANEL MEMBERS	
	
Justin Doyle	Nicole Gurran
	
Bruce McDonald	Peter Harle
	
Wendy Waller	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSW043 – Liverpool – DA491/2017
2	PROPOSED DEVELOPMENT	Demolition of existing buildings, consolidation of lots and construction of a 5-storey residential flat building comprising 4 x 3 bedroom units, 18 x 2 bedroom units and 4 x 1 bedroom units, above basement carpark. The development is lodged pursuant to the State Environmental Planning Policy (Affordable Rental Housing) 2009.
3	STREET ADDRESS	207, 209 & 211 Hoxton Park Road, Cartwright
4	APPLICANT/OWNER	Applicant – Mr G Adouni Owner – Mr Raad Holdings Pty Ltd & Adouni Holdings Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	The proposal is for an affordable housing development that has a capital investment value of over \$5 million.

6	RELEVANT MANDATORY CONSIDERATIONS	<ol style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy (Infrastructure) 2007 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 Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment Liverpool Local Environmental Plan 2008 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Liverpool Development Control Plan 2008 Part 1 – General Controls for all Development Part 3.7 – Residential Flat Buildings in the R4 Zone 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: Consideration of the provisions of the Building Code of Australia. The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report with documents submitted with the report – 15 June 2018 Written submissions during public exhibition: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<p>Site inspection & briefing meeting – 2 July 2018</p> <p>Electronic meeting – 17 July 2018 to 26 July 2018</p>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached with the report