

DATE OF DETERMINATION	4 June 2018
PANEL MEMBERS	Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Peter Harle and Karress Rhodes
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at Casula Powerhouse Arts Centre on 4 June 2018, opened at 11.51am and closed at 12.00pm.

MATTER DETERMINED

PANEL REF – 2017SSW053 - LGA – Liverpool – DA771/2017 AT 12-22 Willan Drive, Cartwright (Lots 344-349 in DP 227167) (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

Having 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 4.55 of the *Environmental Planning and Assessment Act 1979*, *subject to the conditions recommended by the staff report with the amendment discussed below*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. The proposed development will provide important additional affordable housing within the Liverpool local government area and the Sydney Western City District in a location well placed to service the essential service employment demands of the southern elements of that District.
2. The Panel has considered the Applicant's request to vary the development standard contained in Cl. 4.3 of Liverpool 2008 relating to maximum building height and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case. That variation will facilitate resident access to rooftop communal open space, will not generate unacceptable impacts on nearby premises, and remains consistent with the objectives of the standard.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Affordable Rental Housing) 2009, SEPP 55 -Remediation of Land, SEPP 65 Design Quality of Residential Apartment Development and its associated Apartment Design Guide, SEPP (Infrastructure)2007 and Greater Metropolitan Regional Environmental Plan No2- Georges River Catchment

4. The proposal adequately satisfies the applicable objectives and provisions of Liverpool LEP 2008 and Liverpool DCP 2008.
5. 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 buildings or local flora.
6. The proposed development is considered to be of acceptable form and scale consistent with the planned residential apartment context within which the site is placed.
7. The issue of the potential contribution of the development to the isolation of adjoining No. 24 Willan Drive is important and has been considered carefully in the context of the Council's assessment advice that:
 - This application was submitted prior to another application adjacent to (but on the other side of) 24 Willan Drive also contributing to its isolation.
 - It has been demonstrated that 24 Willan Drive is capable of reasonable independent development.

In addition to those matters, the panel takes into account the following to determine that the issue of potential site isolation is not sufficient to justify refusal of the application:

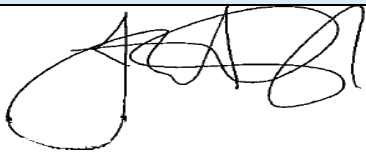
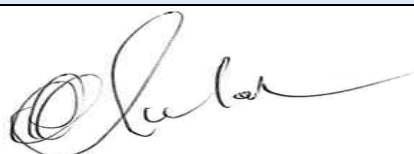
- (a) the DA already proposes the amalgamation of 6 allotments, and
 - (b) unless and until development is approved involving the consolidation of no 26 Willan Drive with other land, the site will not be isolated, and the issue can be considered further together with assessment of such a development.
8. In consideration of conclusions 1-6 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 an amendment to Condition 32 to read as follows –

Condition 32 - Waste Management

Collection of waste and recycling must be provided and integrated with the design of the development. The development must comply with the approved waste management plan report, as stipulated within condition 1.

PANEL MEMBERS	
	
Justin Doyle (Chair	Bruce McDonald

 Nicole Gurran	 Peter Harle
 Karress Rhodes	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PANEL REF – 2017SSW053 - LGA – Liverpool – DA771/2017
2	PROPOSED DEVELOPMENT	The application proposes the construction of 2 x four-storey residential flat buildings containing a total of 64 units, including the demolition of existing buildings and lot consolidation.
3	STREET ADDRESS	12-22 Willan Drive, Cartwright (Lots 344-349 in DP 227167)
4	APPLICANT/OWNER	GAT and Associates
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul 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 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: <ul style="list-style-type: none"> ○ Liverpool Development Control Plan 2008 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil

		<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Council assessment report: 14 May 2018 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – Nick Byrne, George Bakopoulos and Gerard Turrisi
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection – 5 March 2018 • Briefing Meeting – 5 March 2018 • Final briefing meeting to discuss council’s recommendation, 4 June 2018, 11.45am to 11.50am. • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Peter Harle and Karress Rhodes ○ <u>Council assessment staff</u>: George Nehme and Rodger Roppolo
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report