



DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	22 July 2019
PANEL MEMBERS	Justin Doyle (Chair), Bruce McDonald, Peter Brennan and Cr Peter Harle
APOLOGIES	Cr Wendy Waller and Nicole Gurran
DECLARATIONS OF INTEREST	Nil

Public meeting held at Liverpool City Council Library on 22 July 2019, opened at 3.00pm and closed at 4.10pm.

MATTER DETERMINED

Panel Ref – 2018SSW006 - Liverpool – DA43/2018 AT 185 Fifth Avenue, Austral (Lot 1115 DP 2475)
(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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned to allow the council assessment staff and the applicant to discuss amendment or withdrawal of the application.

The meeting reconvened and the Applicant advised the Panel it would withdraw the application.

The Panel accepted the advice that the application was to be withdrawn and decided not determine the matter.

The position of the Panel was unanimous

CONSIDERATION OF COMMUNITY VIEWS

There were no community submissions and no person other than representatives of the Applicant presented at the meeting.

PANEL MEMBERS	
	Justin Doyle (Chair)
	Bruce McDonald
	Peter Brennan
	Cr Peter Harle

Peter Brennan	Peter Harle
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SCHEDULE 1

1	PANEL REF – LGA – DA NO.	Panel Ref – 2018SSW006 - Liverpool – DA43/2018
2	PROPOSED DEVELOPMENT	Demolition of existing structures and removal of all vegetation, the construction of four x part 3 and 4-storey residential flat buildings containing 162 residential apartments, basement carparking, landscaping and road construction and civil works.
3	STREET ADDRESS	185 Fifth Avenue, Austral (Lot 1115 DP 2475)
4	APPLICANT/OWNER	Applicant – GM Architects Pty Ltd Owner – GM Architects Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	The proposal has a CIV over \$30million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Sydney Region Growth Centres) 2006 ○ 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 ○ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No2 – 1997) • 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 • 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 Buildings Code of Australia

		<ul style="list-style-type: none"> • 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: 3 July 2019 • Written submissions during public exhibition: 0 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of Council – Ivan Kokotovic and George Nehme ○ On behalf of the applicant – George Khouri and David Bobinac
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection and briefing – 7 May 2018 • Final briefing meeting to discuss council's recommendation, 22 July 2019, 2.00pm. • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald, Peter Brennan and Cr Peter Harle ○ <u>Council assessment staff</u>: Ivan Kokotovic and George Nehme
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A