

DATE OF DETERMINATION	28 June 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 28 June 2019, opened at 3.00pm and closed at 6.27pm.

MATTER DETERMINED

Panel Ref – 2018WCI002 - LGA – Liverpool – DA349/2018 AT 401 Hoxton Park Road, Hinchinbrook (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 determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

1. The proposed development will improve and modernise the available facilities of the existing school and provide capacity to accommodate additional students.
2. The proposed development adequately satisfies the relevant State Legislation and Environmental Planning Policies including the Water Management Act 2000, the Rural Fires Act 1997, SEPP 55 Remediation of Land, SEPP (Educational Establishments and Child Care Facilities) 2017, SEPP (Infrastructure) 2007 and Regional Environmental Plan No. 2 – Georges River Catchment. With the regard to SEPP (Educational Establishments and Child Care Facilities) 2017 the Panel accepts that the proposal is consistent with the objectives of the instrument, and in particular notes the assessment report's conclusions that the design meets the Design Quality Principles in Schedule 4.
3. The proposal is consistent with relevant provisions of Liverpool LEP 2008 and Liverpool DCP 2008. The Panel notes that while the subject site is flood affected the proposal has been assessed as satisfactory subject to the proposed conditions and that a flood evacuation plan has been prepared. The RFS has indicated its concurrence subject to conditions which have been incorporated into the conditions of consent to the DA.
4. 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, the operation of the local road system or the vegetation located on the subject site.

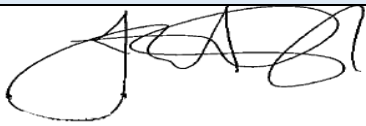



5. In consideration of these conclusions the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions presented at the meeting on 28 June 2019.

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	 Peter Harle

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2018WCI002 - LGA – Liverpool – DA349/2018
2	PROPOSED DEVELOPMENT	<p>Alterations and additions to Good Samaritan Catholic College and an increase in student numbers. The proposed works include:</p> <ul style="list-style-type: none">• Proposed alterations and additions to Block T and C• Demolition works• Tree removal and replacement• Site works <p>The proposal is identified as an Integrated Development pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, requiring approval from the NSW Rural Fire Services under the Rural Fire Act 1997.</p> <p>The application is also identified as Nominated Integrated Development, pursuant to Clause 5(1)(b) of the Environmental Planning and Assessment Regulations 2000 requiring approval from the NSW Office of Water under the Water Management Act 2000.</p>
3	STREET ADDRESS	Good Samaritan Catholic College

		401 Hoxton Park Road, Hinchinbrook (Part Lot 11 DP1209742)
4	APPLICANT/OWNER	Applicant – Robinson Urban Planning Pty Ltd Owner – The Trustees of the Roman Catholic Church
5	TYPE OF REGIONAL DEVELOPMENT	The proposal is for an educational establishment that has a capital investment value of over \$5million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Liverpool Local Environmental Plan 2008 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Liverpool Development Control Plan 2008: <ul style="list-style-type: none"> Part 1 – General Controls for all development Part 3.8 – Non-Residential Development in Residential Zones • 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 and National Construction Code (NCC) • 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: 15 April 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 – Boris Santana, Robert Micallef and George Nehme ○ On behalf of the applicant – Claudio Holzer, Florian Mehler, James Corcoran, Greg Carmichael, Emilija Dzinkic and Kyeema Doyle
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ● Site Inspection and briefing – 20 May 2019 ● Final briefing meeting to discuss council’s recommendation, 28 June 2019, 2.15pm. ● 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>: Boris Santana, Robert Micallef and George Nehme
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report