

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Tuesday, 2 March 2021
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran and Sandra Hutton
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Louise Camenzuli: One of my Partners at Corrs Chambers Westgarth has advised the site owner or an affiliated entity of the site owner. As a Partner of the firm, I consider that this fact, while the relevant file is unrelated to the proposal being assessed, may result in a reasonably perceived conflict of interest.</p> <p>Peter Harle: As a Councillor on Liverpool City Council and as this is a Development Application by Liverpool City Council, I declare I have a significant interest and therefore will not be part of the assessment Panel.</p> <p>Wendy Waller: I have conflict of interest in regards to the development at 52 Scott Street. I am the Mayor of Liverpool City Council and this is a Development Application lodged by Liverpool City Council.</p>

Papers circulated electronically on 22 February 2021.

MATTER DETERMINED

PPSSWC-118 – Liverpool – DA-906/2019/A at 40-46, 48, 52 and 64 Scott Street, Liverpool NSW 2170 Known as 52 Scott Street, Liverpool ('Liverpool Civic Place') – Modification to Development Consent DA-906/2019 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979. (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.

Development application

The panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report.

CONDITIONS

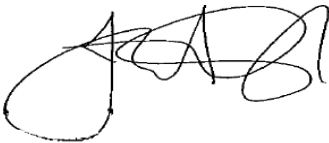


The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submission made during public exhibition, particularly from the owner of the adjoining site located at an adjacent property owner at 300 Macquarie Street, Liverpool which pointed to the temporary closing of the disabled ramp at the eastern end of the frontage for that property.

While undesirable to constrain disabled access, the panel notes that there remains a disabled ramp to that address at the western end of the same property.

While urging the Council to attend to such arrangements as soon as possible to address the loss of access at the eastern end of the property as a construction management issue, the panel did not see this as a reason for refusal or requiring an additional condition in the circumstances.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurrán
 Sandra Hutton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-118 – Liverpool – DA-906/2019/A
2	PROPOSED DEVELOPMENT	<p>Modification to Development Consent DA-906/2019 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979. The application seeks to modify the approved consent as follows:</p> <ul style="list-style-type: none"> • Increase the depth of bulk earthworks from RL 10.36m to RL 6.75m (increased depth of 3.61m), including an extension of the associated retention system comprising secant piling. • Demolition of the existing planters and pedestrian access ramp within Lot 201 in DP 1224084, also owned by Liverpool City Council. • Relocation of the temporary concrete driveway on Scott Street further to the east.
3	STREET ADDRESS	40-46, 48, 52 and 64 Scott Street, Liverpool NSW 2170 Known as 52 Scott Street, Liverpool ('Liverpool Civic Place')
4	APPLICANT/OWNER	Applicant: Built Development Group; Landowner: Liverpool City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development 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 No, 55 – Remediation of Land (SEPP55) ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment ○ Liverpool Local Environmental Plan 2008 (LLEP2008) • Draft environmental planning instruments: <ul style="list-style-type: none"> ○ Draft State Environmental Planning Policy (Remediation of Land) ○ Draft State Environmental Planning Policy (Environment) • Development control plans: <ul style="list-style-type: none"> ○ Liverpool Development Control Plan 2008 (LDCP2008) ○ Part 1 – Controls to all development ○ Part 4 – Development in Liverpool City Centre • 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	<ul style="list-style-type: none"> • Council assessment report: 22 February 2021 • Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection: April 2020 <ul style="list-style-type: none"> ○ Panel member: Justin Doyle (Chair) • Briefing: Tuesday, 15 December 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran and Sandra Hutton

		<ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: George Nehme, Boris Santana and Lina Kakish • Site inspection: Friday, 24 July 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sandra Hutton
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report