

DATE OF DETERMINATION	2 April 2024
DATE OF PANEL DECISION	27 March 2024
DATE OF PANEL MEETING	25 March 2024
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, Karress Rhodes
APOLOGIES	Ned Mannoun, David Kitto
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 21 March 2024.

MATTER DETERMINED

PPSSWC-345 – Liverpool – DA-398/2023 – Part Lot 1 DP 1241116 - 195 Heathcote Road, Holsworthy, Lot 11 DP 1103006 - Heathcote Road, Holsworthy - Demolition of existing parish office and presbytery, construction of new centre-based childcare facility including parish centre and associated landscaping.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application (DA) pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

Urban Heat

A Panel member questioned whether the proposed materials and colour palette of the childcare facility are consistent with Council's aims to reduce urban heat in the area. Council staff indicated that they consider both to be acceptable in this instance given the proposed materials are consistent with the other buildings on the site and the proposed colour of the roof is a "mid-spec" grey, rather than dark brown or black.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel approved the DA for the reasons set out in Council's assessment report.

In particular, the Panel concluded that:

- The development is consistent with the provisions of the relevant environmental planning instruments, including the requirements in the *Liverpool Local Environmental Plan 2008*, and the relevant controls in the *Liverpool Development Control Plan 2008*;
- With the remediation required under the recommended conditions, the site can be made suitable for the development under the *Resilience and Hazards SEPP*;
- The impacts of the development are acceptable and can be suitably controlled with the recommended conditions;
- The proposal will provide a high-quality childcare facility to support the future growth of the area, consistent with the strategic planning objectives for the area; and
- The development is in the public interest.

CONDITIONS

The DA was approved subject to the conditions in Council's assessment report.

CONSIDERATION OF COMMUNITY VIEWS

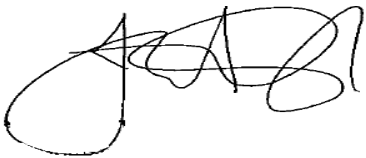


Council exhibited the DA from 29 August 2023 to 13 September 2023.

During the exhibition, Council received seven submissions on the DA all objecting to the proposal.

Key issues raised in these submissions included:

- The traffic and parking impacts of the proposal and associated pedestrian hazards
- The risks of the contamination on site
- The noise, air, biodiversity and social impacts of the proposal
- The need for the proposal.

In making its decision, the Panel considered these issues and determined that they were adequately addressed in Council's assessment report and recommended conditions of consent.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Louise Camenzuli
 Karress Rhodes	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-345 – Liverpool – DA-398/2023
2	PROPOSED DEVELOPMENT	Demolition of existing parish office and presbytery, construction of new centre-based childcare facility including parish centre and associated landscaping.
3	STREET ADDRESS	Part Lot 1 DP 1241116 - 195 Heathcote Road, Holsworthy, Lot 11 DP 1103006 - Heathcote Road, Holsworthy
4	APPLICANT/OWNER	Applicant: Barker Ryan Stewart/Sydney Catholic Early Childhood Services Ltd Owner: Trustees of the Roman Catholic Church for the Archdiocese of Sydney
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 (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 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 2021</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: 18 March 2024 Written submissions during public exhibition: 7 Total number of unique submissions received by way of objection: 7
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Kick Off Briefing: 31 July 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Karress Rhodes, Ned Mannoun <u>Council assessment staff</u>: Nabil Alaeddine, Eunice Pedrosa <u>Applicant representatives</u>: Rob Chan, Dave Tordoff, Nicholas French, Ashlee Ryan Final briefing to discuss council's recommendation: 25 March 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Karress Rhodes, Ned Mannoun <u>Council assessment staff</u>: Nabil Alaeddine, Eunice Pedrosa

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report