

LIVERPOOL CITY COUNCIL

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-/585/2019/C
Applicant	BUILT Group SYDNEY NSW 2000
Description of development	Modification to Development Consent DA-585/2019 for changes to the building envelope to facilitate provision of a university and life science building
Property	40-52 Scott Street Liverpool NSW 2170 LOT 1 DP 1293937
Determination:	Approved Consent Authority - Sydney Western City Planning Panel
Date of determination	XX/XX/2025
Date from which the consent operates	XX/XX/2025
Date on which the consent lapses	XX/XX/2030

Under section 4.55(1A) of the EP&A Act, notice is given that the above application to modify DA-585/2019 has been approved, subject to the conditions specified in this notice and as described in the Modification Summary.

Reasons for approval / refusal

Your application was considered under the Environmental Planning and Assessment Act 1979. The application sought to modify the following previous consent(s):

- **DA-585/2019** - approved on **31 August 2020** as modified by:
- **DA-585/2019/A** - approved on **6 July 2021**
- **DA-585/2019/B** - approved on **14 March 2022**

This application is **approved** subject to the conditions of consent.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 28 days from the date that you received this notice provided that an appeal under section 8.9 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.9 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this consent.

<Signature Required>

Manager of Development Assessment

Person on behalf of the consent authority

For further information, please contact Nabil Alaeddine.

Modification Summary

Application Number (PAN#)	Determination Date	Modification Description
PPSSWC-137 DA-585/2019/A	06/07/2021	Amendment to Condition 1 referencing architectural plans. Amendment to Condition 3 to permit boarding house development. Amendment to Condition 23 relating to Traffic Impact Assessment report. Deletion of Condition 7 requiring a Local Area Traffic Management Plan. Deletion of Condition 10 requiring amendment to the plans. Deletion of Condition 27 requiring a Travel Plan.
DA-585/2019/B	14/03/2022	Deletion of Condition 24 requiring compliance with car parking rates in the Liverpool Local Environmental Plan 2008.
DA-585/2019/C	XX/XX/2025	Amendment to Condition 1 referencing approved architectural drawings Addition of Condition 35 requiring an Urban Design Study to accompany detailed Stage 2 DA for Phase B.

Terms and Reasons for Conditions

Under section 118(3)(a) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

Development Consent No. DA-585/2019/C has been amended as follows. Elements to be removed are denoted by strikethrough while elements to be added are denoted by underlined and bold writing. All other conditions of Development Consent No. DA-585/2019 as modified by DA-585/2019/A and DA-585/2019/B remain unchanged. No further modifications to the development application are approved as part of this consent.

General Conditions

1. **Approved plans and supporting documentation**

Change of use is approved in the areas identified in the plans below, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan Number	Revision number	Plan title	Drawn by	Date of plan
MP-002	1	Basement Envelope Plan	FJMT	2/02/2021 <u>21/3/2025</u>
MP-001	1	Envelope Plan	FJMT	16/09/2020 <u>21/3/2025</u>
MP-005	1	Envelope Section A	FJMT	2/02/2021 <u>21/3/2025</u>
MP-006	1	Envelope Section B & C	FJMT	2/02/2021 <u>21/3/2025</u>
MP-003	1	Envelope Perspective North	FJMT	16/09/2020 <u>21/3/2025</u>
MP-004	1	Envelope Perspective South	FJMT	2/05/2020 <u>21/3/2025</u>
MP-007	1	Envelope Perspective East	FJMT	2/05/2020 <u>21/3/2025</u>

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

Where there is inconsistency with the approved plan and documents, and the conditions of consent, the conditions prevail to the extent of discrepancy.

Condition reason: To implement the approved modification plans into the consent and ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

35.	<u>Urban Design Study</u>
	<u>A future detailed Stage 2 Development Application for Phase B is to be accompanied by an Urban Design Study that is to analyse and address, but not be limited to, the following:</u> • <u>Terminus Street streetscape;</u> • <u>Design relationship with built form and public domain in Phase A on the site, and with existing or potential future buildings on neighbouring sites;</u> • <u>Wind effects and comfort levels in the public domain on and around the site;</u> • <u>Pedestrian scale and amenity in the public domain on and around the site;</u> • <u>Sun and daylight access in the public domain on and around the site and in existing and future residential accommodation on adjacent properties.</u>

Condition reason: To address urban design and amenity considerations associated with the expanded tower building envelope in the detailed design of development.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

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Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means LIVERPOOL CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means LIVERPOOL LOCAL PLANNING PANEL.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater, the

reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means SYDNEY WESTERN CITY PLANNING PANEL.