

DATE OF DETERMINATION	Thursday, 30 July 2020
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli, Peter Harle and Wendy Waller
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 28 July 2020.

MATTER DETERMINED

PPSSWC-84 – Liverpool City Council – DA-616/2016/A at LOT 10 DP 1227683 95-105 SEVENTEENTH AVENUE, AUSTRAL NSW 2179 – Modification to DA-616/2016 (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(2) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel is satisfied that the supplementary Council assessment report dated 24 July 2020 has adequately addressed the reasons for deferral set out in the panel's Record of Deferral of 29 June 2020, and has determined to approve the application for the reasons outlined in the council assessment report considered by the panel at its meeting of 29 June 2020 read subject to the supplementary Council assessment report dated 24 July 2020.

CONDITIONS

The development application was approved subject to the Revised Recommended Modifications Conditions of Consent at Attachment 2 to the supplementary Council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition period as summarised in the assessment report and heard from one objector- Ms Clare Cottier.

The panel notes that issues of concern included:






- Development Consent Conditions for DA-616/2016
- Recommended Modifications to Conditions of Consent
- Modified Staged Site Plans
- Architectural Plans and Details for Temporary Buildings (floor & roof plans / elevations / sections / perspective)
- Stormwater Drainage Plan
- Statement of Environmental Effects

- Plan of Management

Ms Cottier's submission as noted in the Record of Deferral of 29 June 2020 centred upon her concern about the unavailability of a State public school to service the developing multi-cultural residential population of Austral. It was explained to her that the subject school had already been approved in 2017, and the proposed modifications were not expected to directly impact on the opening of a public school for the area.

The panel considered subsequent written submissions received by the Council on 30 June 2020 and 1 July 2020.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and supplementary report.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Louise Camenzuli	 Peter Harle
 Wendy Waller	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-84 – Liverpool City Council – DA-616/2016/A
2	PROPOSED DEVELOPMENT	Modification to DA-616/2016 under Section 4.55(2) of the Environmental Planning and Assessment Act 1979. The modification seeks to amend Stage 1 of the approved School Development to include temporary demountable classrooms, and to increase overall Staff number from 35 to 45.
3	STREET ADDRESS	Lot 10 DP 1227683 95-105 Seventeenth Avenue, Austral NSW 2179
4	APPLICANT/OWNER	AL-MABARAT BENEVOLENT SOCIETY LTD
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007; ○ State Environmental Planning Policy (Sydney Region Growth Centre) 2006; ○ State Environmental Planning Policy No. 55 – Remediation of Land; ○ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No 2 – 1997) • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Liverpool Growth Centre Precincts Development Control Plan 2014 ○ Liverpool Development Control Plan 2008 (LCP 2008) • Planning agreements: Nil • Provisions of the Environmental Planning and Assessment Regulation 2000: Consideration of the provisions of the Building Code of Australia • 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 • Submissions made in accordance with the Environmental Planning and Assessment Act 1979 or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Supplementary report received: 27 July 2020 • Council assessment report: 15 June 2020 • Written submissions during public exhibition: 1 • Supplementary written submissions received by the Council on 30 June 2020 and 1 July 2020. • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Clare Cottier ○ Council assessment officer – Ivan Kokotovic ○ On behalf of the applicant – Hussein Oubani
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation, Monday, 29 June 2020, 1:30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran, Peter Harle and Wendy Waller ○ <u>Council assessment staff</u>: Ivan Kokotovic, Boris Santana and George Nehme

		Having regard to the Covid19 Pandemic precautions, the Panel considered the context of the site and surrounds utilising electronic means
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report