

**MINUTES AND DETERMINATION OF THE  
LIVERPOOL LOCAL PLANNING PANEL MEETING  
ELECTONIC DETERMINATION**

**20<sup>TH</sup> FEBRUARY 2024**

Panel: Michael Mantei (Chair)  
Brendon Beirne (Expert)  
Jan Murrell (Expert)  
Stephen Dobell-Brown (Community Representative)

There were no conflicts of interest declared by any panel members in relation to any items on the agenda.

# LIVERPOOL CITY COUNCIL

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**20 February 2024**

<b>ITEM No:</b>	1
<b>APPLICATION NUMBER:</b>	DA-639/2021
<b>SUBJECT:</b>	The construction of two x 4-storey residential flat buildings comprising 39 residential apartments, with one level of basement car parking, and associated landscaping and site works.
<b>LOCATION:</b>	Lot 231 Changsha Road, Edmondson Park
<b>OWNER:</b>	Inzitari Holdings Pty Ltd
<b>APPLICANT:</b>	Inzitari Holdings Pty Ltd
<b>AUTHOR:</b>	Robert Micallef

### ISSUES RELATED TO THE APPLICATION

On 27 November 2023 the Panel resolved to defer determination of this development application pending submission by the applicant of amended plans that address the breach of the floor space ration standard in Liverpool LEP 2008. The applicant has submitted amended plans which have been assessed by Council officers.

The Panel notes that the amended architectural plans provide for a development which does not exceed the maximum Floor Space Ratio development standard in Liverpool LEP 2008 and the amended supporting operational waste management plan and BASIX Certificate are also assessed by Council officers to be satisfactory.

Subject to minor adjustment to address administrative issues in the draft conditions of consent the Panel considers that all relevant development controls are either satisfied or in the case of the maximum height of building standard, contravention is justified under clause 4.6 of the Liverpool LEP 2008. The Panel is satisfied that the impacts of the proposed development are satisfactory and acceptable for the reasons outlined in the Council officers' reports to the Panel on 27 November 2023 and 8 February 2024.

In relation to the breach of maximum height of buildings development standard the Panel notes that the applicant has provided a written request that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard. is satisfied for the reasons contained in the Council officers report that:

The Panel is satisfied that:

- (a) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause 4.6(3), and

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(b) the proposed development will be in the public interest because it is consistent with the objectives of the height of building standard and the objectives for development within the R1 zone

(c) the concurrence of the Planning Secretary is deemed to have been obtained.

The Panel adopts the draft conditions recommended by Council officers, subject to the following minor adjustments to add clarity and certainty:

1. The following note is to be inserted below the approved architectural plans table in condition 1:

*\*Note: No approval is expressed or implied for the proposed landscaping design demonstrated within the approved 'Perspectives' plans, Sheet Numbers A600, A601, A602, A603, A604 & A605.\**

2. A new condition is to be inserted immediately after condition 24 in the following terms:

*Prior to the issue of a Construction Certificate, the proposed landscaping design shown on the approved 'Perspectives' plans, Sheet Numbers A600, A601, A602, A603, A604 & A605, is to be replaced with the approved landscape design as required under condition 23 of development consent DA-639/2021, to the satisfaction of the PCA.*

3. The words "from Council" in draft condition 142 are to be replaced with "from the principal certifier".
4. The word "been" in draft condition 152 is replaced with the word "be".

#### **VOTING NUMBERS:**

4-0

#### **DETERMINATION OF PANEL:**

That Development Application DA-639/2021 seeking approval for the construction of two x 4-storey residential flat buildings comprising 39 residential apartments, with one level of basement car parking, and associated landscaping and site works, is approved subject to the draft conditions of consent as recommended by the Council officer and as amended by the Panel as outlined in the above minutes.