

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

Monday the 27th of February 2023

Held online via
MS Teams

Panel: Michael Mantei (Chair)
Julie Walsh
Matthew Taylor
Stephen Raymond Dobell-Brown

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

LIVERPOOL CITY COUNCIL

LIVERPOOL LOCAL PLANNING PANEL MINUTES AND DETERMINATION PAGE 1

27 February 2023

ITEM No:	1
APPLICATION NUMBER:	DA-545/2022
SUBJECT:	Torrens title subdivision of an existing dual occupancy (attached) to create two semi-detached dwellings & associated stormwater infrastructure
LOCATION:	6 Cordelia Crescent, Green Valley
OWNER:	Mr N Hagarty Mr M Nguy Ms C Nguy Ms M Lee
APPLICANT:	Mr A Hammoud
AUTHOR:	Rebecca Englund – Consultant Town Planner

ISSUES RELATED TO THE APPLICATION

The Panel has reviewed the consultant planner's assessment report, the development consent and approved plan for the existing dual occupancy on the site ("DA1066/95"). The owners' planning consultant and one of the owners addressed the meeting.

The Panel accepts the consultant planner's recommendation that development consent be granted to the proposed development, subject to the draft conditions annexed to the assessment report modified by the Panel as explained below.

The Panel observes that the site is not presently landscaped in accordance with the requirements of conditions 6, 7 and 8 of DA1066/95. Those conditions read as follows:

6. To enhance the visual appearance of the development and the street, a minimum of tree (3) trees are to be planted in the front garden bed of each dwelling comprising of the following:
 - 1 Medium sized native Eucalypt species (mature height 9.0-15.0m)
 - 2 Small sized trees native or exotic (mature height less than 9.0m)
7. Additional two (2) Eucalypts to be planted in the rear yard of each dwelling.
8. To optimise growing conditions and to ensure landscape establishment:
 - All trees are to be planted in 35 litre pot sizes
 - All trees are to be planted in garden beds with a 75 mm layer of mulch
 - All trees are to be planted clear of any underground or aboveground services
 - Medium sized trees to be planted a minimum of 3.0 m clear of the building.
 - Small sized trees to be planted a minimum of 1.5 m clear of the building.

The Panel notes the assessment planner's observation in the assessment report that the

LIVERPOOL CITY COUNCIL

LIVERPOOL LOCAL PLANNING PANEL MINUTES AND DETERMINATION PAGE 2

27 February 2023

private open space in the rear yard of both dwellings as shown on the approved plans accompanying DA1066/95 is being used for the parking of vehicles. The Panel further notes that the parking of vehicles in the private open space area is facilitated by the construction of a concrete driveway and a vehicular gate in the boundary fence facing Cordelia Crescent.

It also appears that:

- a. there is potentially inadequate fire separation between the two dwellings above the garages; and
- b. the original street trees adjacent to the existing dual occupancy in Cordelia Crescent have been removed.

In order to address the above concerns and to ensure the existing dual occupancy complies with DA1066/95, the Panel proposes to impose the following deferred commencement and operational conditions:

Deferred Commencement

- A. A landscape plan is to be prepared by a suitably qualified person that implements conditions 6, 7 and 8 of DA1066/95 and includes the planting of two street trees on each frontage of the development site. The specifications in conditions 6 and 8 are modified so that the species of trees within the site must include canopy trees that will achieve a minimum 8 m height at maturity and the trees in the rear courtyards are to be planted in a planter bed of at least 1m x 1m.

The species of street trees shall be selected from the following list:

Tristaniopsis laurina (water gum)
Elaeocarpus reticulatus (blueberry ash)
Fraxinus griffithii (evergreen ash)
Lagerstroemia species (crepe myrtle)

- B. A suitably qualified professional (A1, A2 or C10 Accredited Certifier) is to provide written certification that the two dwellings are either:
 - i. appropriately fire separated with respect to the relevant provisions of Part 3.7.2 and 3.7.3 of the National Construction Code; or
 - ii. capable of being appropriately fire separated with respect to the relevant provisions of Part 3.7.2 and 3.7.3 of the National Construction Code after specified work is undertaken.

The deferred commencement period is 2 years.

Additional Operative Condition (to be inserted at an appropriate location)

The following work must be completed prior to issue of the subdivision certificate:

- a. landscaping in accordance with the landscape plan required by deferred commencement condition A;
- b. work (if any) recommended by the certification required by deferred commencement B(ii); and

LIVERPOOL CITY COUNCIL

LIVERPOOL LOCAL PLANNING PANEL MINUTES AND DETERMINATION PAGE 3

27 February 2023

-
- c. the concrete vehicle crossing and vehicular gate on the eastern boundary of the site are to be removed and replaced with a grassed verge and a side fence with (if desired by the applicant) a pedestrian gate, to the satisfaction of Council.

Draft condition 5 is to be amended by deleting the second sentence and inserting the following sentence in its place:

“The private open space must not be used for the parking of vehicles.”

The Panel otherwise agrees with the consultant planner’s assessment.

VOTING NUMBERS:

4 - 0

DETERMINATION OF PANEL:

That development application 545/2022 for Torrens title subdivision of an existing dual occupancy (attached) to create two semi-detached dwellings & associated stormwater infrastructure at 6 Cordelia Crescent, Green Valley be approved subject to the conditions contained in the consultant planner’s report and the conditions stated in the Panel minutes above.