

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

**Monday, 24<sup>th</sup> June 2024**

Held online via  
**MS Teams**

Panel:

Donna Rygate- Chairperson

Jan Murrell- Expert

Annette Ruhotas- Expert

Suzana Apostolou- Community Representative

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

**Speakers:**

Item 1 – DA-629/2023

1. Peter Regattiei- Objector
2. Michael Stephen- Objector
3. Wendy McGirr- Objector
4. Jade Hawkins- Objector
5. Julie Horder- Planner
6. Oasika Faiz- Traffic Expert from TTPP
7. Alok Sabne- ArtMade Architects

Item 2 – DA-640/2023

1. George Mourad- on behalf of applicant

Item 3 – DA-562/2023

Nil

Item 4- RD-27/2024

1. Ali Zeineddine- Applicant

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**24 JUNE 2024**

<b>ITEM No:</b>	1
<b>APPLICATION NUMBER:</b>	629/2023
<b>SUBJECT:</b>	Demolition of existing structures and construction of a 120-place childcare center with basement parking.
<b>LOCATION:</b>	No. 123 Epsom Road, Chipping Norton
<b>OWNER:</b>	Mr M T Brooks and Mrs C M Brooks
<b>APPLICANT:</b>	Artmade Architectural Pty Ltd
<b>AUTHOR:</b>	Ben Paterson

#### **ISSUES RELATED TO THE APPLICATION**

The Panel decided to defer the matter for the applicant to address the issues raised in Council's report and in the Panel's discussion (see below).

The applicant is to provide the additional information and amended documentation to the Council within two months of 24<sup>th</sup> June 2024. Council is to then to submit a further assessment report for the Panel's determination in a timely manner.

The Panel notes that Council has excluded the planter boxes and trunks of the proposed trees from the calculation of the children's outdoor play area, while the applicant has included them. Council advised the Panel that any variation to the standard needs to be approved by the Department of Education. A Section 4.6 request to vary the landscape area may also be required.

While the applicant has submitted additional information on the traffic issues raised, the Panel notes that further information is required from Transport for NSW. Deferring the application will provide the applicant the opportunity to address all the matters raised by Council.

The Panel notes concerns related to safety, particularly the potential for accidental vehicular entry into the site. The applicant is to submit amended plans for the boundary fences adjacent to Governor Macquarie Drive and Epsom Road. The fences are to be engineered to resist the impact of vehicles in accordance with relevant Australian Standards. The design may also incorporate other safety barrier systems in addition to the boundary fences.

#### **VOTING NUMBERS:**

Unanimous

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

The matter is deferred for the applicant to address the issues raised in Council's report and in the Panel's discussion. The applicant is to provide the additional information and amended documentation to the Council within two months of 24<sup>th</sup> June 2024. Council is to then to submit a further assessment report for the Panel's determination in a timely manner.

<b>ITEM No:</b>	<b>2</b>
<b>APPLICATION NUMBER:</b>	DA-640/2023
<b>SUBJECT:</b>	Demolition of existing structures, tree removal, and construction of a multi-dwelling development consisting of four multi-dwelling units with strata subdivision
<b>LOCATION:</b>	No. 84 Lucas Avenue, Moorebank
<b>OWNER:</b>	Simon and Marian Fajlion
<b>APPLICANT:</b>	Mourad Demian Partnership Pty Limited
<b>AUTHOR:</b>	Lawrence Fowle / Patch Planning

#### **ISSUES RELATED TO THE APPLICATION**

The Panel noted that all relevant issues were addressed satisfactorily in the assessment report.

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, the Environmental Planning Instruments, including applicable State Environmental Planning Policies, LLEP 2008, LDGP 2008, and relevant codes and policies of Council. The proposed development is unlikely to result in significant adverse impacts upon neighbouring properties and the locality.

#### **VOTING NUMBERS:**

Unanimous

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#### DETERMINATION OF PANEL:

The Panel endorses the independent consultant's report and recommended conditions.

Development application DA-640/2023 seeking consent for the demolition of existing structures, tree removal and construction of a multi-dwelling development consisting of four multi-dwelling units with Strata subdivision, on a site legally known as Lot 9 DP 236405 and formally known as No. 84 Lucas Avenue, Moorebank is approved subject to conditions of consent.

<b>ITEM No:</b>	3
<b>APPLICATION NUMBER:</b>	DA-562/2023
<b>SUBJECT:</b>	Demolition of the existing structures and construction of a four-storey residential flat building with 31 dwellings (one x studio, 10 x 1-bedroom, 18 x 2-bedroom and two x 3-bedroom dwellings) and two basement levels. The development includes nine dwellings that would be used affordable housing for a period of at least 15 years, and managed by a registered community housing provider, in accordance with Part 2, Division 1 'In-fill affordable housing' of State Environmental Planning Policy (SEPP) (Housing) 2021.
<b>LOCATION:</b>	11, 13 & 15 Woolnough Place Cartwright
<b>OWNER:</b>	Obaid Investments Pty Ltd
<b>APPLICANT:</b>	Tone Wheeler
<b>AUTHOR:</b>	Edwar Eshow

#### ISSUES RELATED TO THE APPLICATION

The Panel noted that all relevant issues were addressed satisfactorily in the assessment report.

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, the EPIs, including applicable SEPPs, LLEP 2008, LDCP 2008 and relevant codes and policies of Council. The assessment has taken into consideration the submitted plans, SEE and all other documentation supporting the application and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to conditions. The proposal is:

- Consistent with the objectives of the R4 - High Density Residential zone of the LLEP 2008.
- Consistent with the objectives of LDCP.
- Consistent with the objectives of the applicable EPIs.

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- Consistent with the objectives of the EP& A Act 1979.

By way of comment, the Panel notes that the applicant's Waste Management Plan dated 13<sup>th</sup> May 2024 requires the bins be manually handled up and down the driveway and through the foyer of the building for approximately 70m. The applicant may wish to develop an alternative solution which reduces the transfer distance, reduces the manual handling of the bins and reduces the potential safety issue of pedestrian/vehicle collision during use of the driveway for bin transfer.

#### VOTING NUMBERS:

Unanimous

#### DETERMINATION OF PANEL:

The Panel endorses Council's report and recommended conditions.

Development Application DA-562/2023 for the demolition of existing structures and construction of a four-story residential flat building with 31 dwellings (one x studio, 10 x 1 bedroom, eight x 2-bedroom and two x 3-bedroom dwellings) and two basement levels is approved subject to conditions. The development includes nine dwellings that would be used affordable housing for a period of at least 15 years, and managed by a registered community housing provider, in accordance with Part 2, Division 1 'In-fill affordable housing' of SEPP (Housing) 2021.

<b>ITEM No:</b>	4
<b>APPLICATION NUMBER:</b>	RD-27/2024
<b>SUBJECT:</b>	Review of Determination Application pursuant to Section 8.2 of the EP&A Act 1979 for the review of Refusal Notice DA-99/2023 for the demolition of existing structures, construction of a multi-dwelling development consisting of four (4) attached townhouses, garages, front brick fence and associated landscaping.
<b>LOCATION:</b>	10 Holland Crescent, Casula
<b>OWNER:</b>	Mr A Tsoutsas, Mrs A Tsoutsas, Mr J Tsoutsas
<b>APPLICANT:</b>	PLANZONE Pty Ltd
<b>AUTHOR:</b>	Anna Stephenson

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**ISSUES RELATED TO THE APPLICATION**

The Panel notes Council's recommendation to refuse the application and that it is not in a position to do otherwise in any event, in the absence of Clause 4.6 request in relation to minimum floor areas (also that Council did not raise this with the applicant other than with the assessment report submitted to the Panel meeting).

If the applicant wishes to pursue development of the subject site a Pre DA meeting with Council Officers is encouraged.

**VOTING NUMBERS:**

Unanimous

**DETERMINATION OF PANEL:**

The application is refused.