

**ADVISORY MINUTES OF THE
LIVERPOOL LOCAL PLANNING PANEL MEETING**

Monday the 27th of June 2022

Held online via
MS Teams

Panel: Michael Mantei (Chair)
Julie Walsh
David Ryan
Aaron Colley

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

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ITEM No:	1
APPLICATION NUMBER:	RZ-6/2021
SUBJECT:	Planning proposal to amend HOB and FSR of the LLEP 2008 relating to land at 61-71 Goulburn Street, Liverpool.
LOCATION:	61-71 Goulburn Street, Liverpool SP 18729, Lot 8 Section 41 DP 758620, Lot 20 DP 1113807, Lot 1 DP 25642, Lot 2 DP 610334 and Lot 1 DP 610334
OWNER:	J & D SACCO PTY LTD
APPLICANT:	MR D SACCO
AUTHOR:	Cameron Jewell

ISSUES RELATED TO THE APPLICATION

The Panel received representations from the proponent's planning consultant, architect and urban designer. The Panel also received a briefing from Council officers.

The Panel considers that the planning proposal has strategic merit, being located adjacent to the Liverpool Public Hospital and within walking distance to the Liverpool City Centre and train station. The panel also notes that the establishment of a private hospital in the city centre is an objective of the Liverpool Local Strategic Planning Statement, the Liverpool Collaboration Area Place Strategy and the Land Use Analysis and Precinct Strategy for the Liverpool Innovation Precinct.

The majority of the Panel considers the planning proposal to have strategic merit and conditional site specific merit. The majority recommends that the proposal progress to gateway determination. The minority of the Panel considers that the planning proposal is an excessive increase in the current height of buildings and floor space ratio standards applying to the land and will result in a building that is incongruous with the surrounding built form and character.

Although supportive of the site specific merit of the proposal, the majority of the Panel is concerned there is presently an absence of contextual and economic justification for the proposed extent of the uplift in height and FSR standards. The majority of the Panel acknowledges that the maximum height and floor space will result in a building that is clearly out of character with the existing buildings in the B4 zone. The Panel cannot discern from the strategic planning documents applying to the land whether the existing built form character will change and if so to what extent. For example, if the existing subdivision pattern and fragmented ownership continue into the future, the height and scale of future development in this precinct is likely to be far less than the controls proposed in the planning proposal. If lot amalgamation is encouraged, the height and scale of buildings in this precinct might approach the controls proposed in the planning proposal.

The Panel was advised that the floor area proposed in the planning proposal is necessary to secure intended future tenants, however the economic justification supporting this was described as commercial in confidence.

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The majority considers that it would be preferable for Council to undertake an urban design study to determine the future character of this precinct of the City Centre. Such a study would consider an appropriate height and scale of development in the precinct having regard to the strategic opportunities and precinct specific constraints in the locality, including impacts on Bigge Park. Such a study would confirm whether the controls in the planning proposal are justified on the basis of its potential future character. In the absence of such a study, Council would need to satisfy itself that the potential public benefits of a private medical facility on this site outweigh the visual and other impacts of an incongruously scaled building within its current and potentially its future surrounding context. The majority also recommends that the applicant provide a more considered analysis of economic demand for the floor space proposed, to justify the proposed height.

The Panel otherwise supports the site specific limitations proposed by the Council officers to ensure that the building enabled by the proposal will be used for health and related care uses.

Julie Walsh voted not to send the planning proposal to gateway. Ms Walsh considers the built form (as indicated on the applicant's photomontage) resulting from an uplift in height from a maximum of 35 metres to a maximum of 79 metres and an uplift in maximum floor space ratio from 0.35:1 to 6.9:1 to be incongruous and out of scale with the scale of the existing built form in this street block and the immediately surrounding area.

In the absence of any strategic studies or planning for the future uplift of height and floor space ratio in this street block and immediately surrounding area, the proposal, if it proceeds as sought in the planning proposal, will also be out of character with the likely future built form.

VOTING NUMBERS:

3 - 1

Recommendation OF PANEL:

The Panel recommends that:

- (a) the planning proposal to amend HOB and FSR of the LLEP 2008 relating to land at 61-71 Goulburn Street, Liverpool, proceed to a gateway determination; and
- (b) Council undertake an urban design assessment of the precinct surrounding Liverpool Public Hospital to identify its desired future character and that the planning proposal be assessed against the findings of the assessment prior to finalisation of the planning proposal.

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ITEM No:	2
APPLICATION NUMBER:	DA-540/2021
SUBJECT:	Demolition of existing structures, construction of a 5-storey residential flat building containing 20 units with basement carparking and consolidation of two lots.
LOCATION:	35-37 Simone Crescent, Casula LOT 1 DP 251149 & CNR LOT 1 DP 263692
OWNER:	Horizontal Development Pty Ltd
APPLICANT:	Audaa
AUTHOR:	Robert Micallef

ISSUES RELATED TO THE APPLICATION

The Panel has considered the Council officers' report and the documents annexed to the report. The Panel received representations from the applicant's architect.

The Panel considers that the minor exceedance of building separation design criteria under the Apartment Design Guide is justified in the circumstances.

The Panel otherwise agrees with the Council officers' assessment. The Panel notes a number of draft conditions that are repeated throughout the suite of conditions. The Panel directs the Council assessment officers to review the draft conditions and remove any condition that is repeated or otherwise superfluous.

VOTING NUMBERS:

4 - 0

DETERMINATION OF PANEL:

THAT Development Application DA-540/2021 for "Demolition of existing structures, construction of a 5-storey residential flat building containing 20 units with basement carparking and consolidation of two lots" be approved subject to the draft conditions contained in the Council officers' report.

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ITEM No:	3
APPLICATION NUMBER:	DA-255/2021
SUBJECT:	Demolition of existing structures and the construction of 5-storey residential flat building consisting of 13 units and basement parking.
LOCATION:	14 Mckay Avenue, Moorebank LOT 69 DP 235785
OWNER:	Mr Nicholas Ancona and Michael & Lourdes Farag
APPLICANT:	Ziad Boumelhem
AUTHOR:	Akshay Bishnoi

ISSUES RELATED TO THE APPLICATION

The Panel has considered the Council officers' report and the documents annexed to the report. No representations were received at the Panel meeting from the applicant or objectors.

The Panel considers that the minor encroachment on the front boundary setback and exceedance of building separation design criteria for the roof top common open space and maximum building depth under the Apartment Design Guide is justified in the circumstances.

The Panel otherwise agrees with the Council officers' assessment. The Panel considers that conditions 2 and 21 which require the applicant to upgrade the public walkway adjacent to the site named Harvey Pathway be redrafted in order to provide greater certainty. The reworded conditions are set out in the panel's resolution below:

VOTING NUMBERS:

4 - 0

DETERMINATION OF PANEL:

THAT Development Application DA-255/2021 for "Demolition of existing structures and the construction of 5-storey residential flat building consisting of 13 units and basement parking" be approved subject to the draft conditions contained in the Council officers' report amended as follows:

1. draft condition 2 is deleted and replaced with the following new condition:

The applicant must prepare a detailed landscape plan showing upgrading of Harvey Pathway and Mackay Avenue, including replacement of footpath paving, pedestrian lighting, trees and vegetation. The landscape plan shall comply with the following specifications:

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- a. *The reconstructed footpath in Harvey Pathway consisting of a 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path.*
- b. *All trees must have a minimum 45L pot size and Tree species to form an urban forest canopy coverage with preference given to Cumberland plain woodland species.*
- c. *Street lighting is to comply with AS/NZS 1158: Lighting for Roads and Public Spaces, must be designed by an accredited service provider and must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.*
- d. *The proposed pedestrian lighting and landscape design shall be designed having regard to CPTED principles.*

The amended landscape plan shall be submitted to and approved by Council's Manager Development assessment prior to issue of the construction certificate.

2. Draft condition 21 is deleted and replaced with the following new condition:

Prior to the issue of a Construction Certificate for building works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of the following within the site frontage:

- a. *demolish all existing driveways and laybacks, including reinstate kerb and gutter.*
- b. *minimum 1.5m wide concrete footpath paving.*
- c. *landscaping and street lighting as per Condition 2*

Note: All works shall be undertaken at no cost to Liverpool City Council.

3. The words "and Mackay Street" are to be inserted as required in condition 137.