

MATTERS FOR LIVERPOOL LOCAL PLANNING PANEL DETERMINATION

Monday 25th July 2022

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Note: Submissions by the applicant and concerned parties will be considered at the hearing. A concerned party is deemed to be a person who has made a written submission in respect to the application. The Panel shall, upon request, hear submissions from persons who identify prior to a hearing that they wish to make a submission to be considered by the Panel. Presentations to the Panel by the applicant and concerned parties shall be restricted to **3 minutes each**. The Panel Chairperson has the discretion to extend the period if considered appropriate.

Should you wish to address the Panel, please advise Rachel King, Acting Panel Support Officer on 8711 7476 or 1300 36 2170, by 4pm, Friday 22nd July 2022.

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The following development applications are referred to the Liverpool Local Planning Panel for its determination.

ITEM No.	SUBJECT	PAGE No.
1	Development Application DA-379/2021 DEMOLITION OF EXISTING SINGLE STOREY DWELLING. REGULARISATION AND CONTINUED USE OF THE FARM SHED FOR THE PURPOSE OF A DWELLING. CONSTRUCTION OF AND ONE STOREY DWELLING AS A DUAL OCCUPANCY AND USE OF THE SHIPPING CONTAINERS FOR STORAGE. LOT 14 DP 2650 9 GREENDALE ROAD, BRINGELLY NSW 2556	3 - 46

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Item no:	Item 1
Application Number:	DA-379/2021
Proposed Development:	Demolition of existing single storey dwelling. Regularisation and continued use of the farm shed for the purpose of a dwelling. Construction of a one storey dwelling to create a detached dual occupancy and use of the shipping containers for storage.
Property Address:	9 Greendale Road, Bringelly
Property Description:	Lot 14 DP 2650
Applicant:	Urban Planning & Building Consultants
Land Owner :	Mrs M J Perry and Mr B J Perry
Date Lodged:	21 April 2021
Cost of Work:	\$470,000.00
Zoning:	RU4 Primary Production Small Lots
Recommendation:	Refusal
Assessing Officer:	Pradip Adhikari

1. Executive Summary

Council has received a Development Application (DA-379/2021) seeking consent for the demolition of existing single storey dwelling, regularisation and continued use of the farm shed for the purpose of a dwelling, construction of a one storey dwelling to create a detached dual occupancy and use of the shipping containers for storage on a site legally known as Lot 14 in DP 2650, also known as 9 Greendale Road, Bringelly.

The site is zoned as RU4 Primary Production Small pursuant to the Liverpool Local Environmental Plan (LEP) 2008 with the proposed development being permissible with consent.

The proposal involves a variation pursuant to Clause 4.6 of the Liverpool LEP 2008 with regards to Clause 7.10 – Minimum allotment size for dual occupancies in rural zones, consisting of a variation of 31.5% (6,300sqm) for dual occupancies in rural zones of 2 ha (20,000sqm). The Applicant has submitted a Clause 4.6 variation statement with justification for the departure, and Council has sought legal advice as to whether Clause 7.10 can be varied pursuant to Clause 4.6. The legal advice concluded that the clause specifies a requirement and is a fixed standard for a proposed dual

occupancy development, and therefore is a development standard that is capable of being varied pursuant to Clause 4.6 of the Liverpool LEP 2008.

The Clause 4.6 request however fails to demonstrate how the development is compatible with the objectives of the RU4 Primary Production Small Lots zone and Clause 7.10 - Minimum allotment size for dual occupancies, and how compliance is unreasonable and unnecessary for the proposed development. Therefore, the Clause 4.6 variation is not supported as it is not in the public interest.

Other key matters associated with the subject Development Application relate to the proposal not being able to demonstrate the site is suitable for the proposal use in accordance State Environmental Planning Policy (Resilience and Hazards) 2021 and the proposal not meeting all relevant controls and objectives of the Liverpool Development Control Plan (DCP) 2008.

The proposal was notified for a period of 14 days between 21 June to 6 July 2021 in accordance with Liverpool Community Participation Plan 2019. Notwithstanding, no submissions have been received in response to the notification of the application.

The application is referred to the Liverpool Local Planning Panel (LLPP) in accordance with its referral criteria and procedural requirements in that the development falls into:

3. *Departure from development standards*

Development that contravenes a development standard imposed an environmental planning instrument by more than 10% or non-numerical development standards.

The application has been assessed pursuant to the provisions of the *Environmental Planning and Assessment (EP&A) Act 1979*. Based on the assessment of the application, it is recommended that the application be refused as the proposal is inconsistent with the provisions of Section 4.15 of the EP& A Act.

2. SITE DESCRIPTION AND LOCALITY

2.1 Site and Surrounds

The subject site is identified as Lot 14 DP 2650 and is located at 9 Greendale Road, Bringelly. The location of the site is shown below in Figures 1. The subject allotment has a size of 1.37ha and a primary frontage to Greendale Road and a secondary frontage to Hutchison Road.



Figure 1: Aerial view of site

3. History

- **DA-1260/2006** was approved on 27 April 2006 for a colorbond farm shed.
Note: Part of this farm shed has been converted into a dwelling without consent.
- **DA-232/2021** was rejected on 11 March 2021 because of incomplete information.

4. Proposed Development

The proposed development consists of the demolition of the existing single storey dwelling, regularisation and continued use of the farm shed for the purposes of a dwelling. Construction of a new single storey dwelling to create a detached dual occupancy and use of shipping containers for storage.

4.1 Demolition of the existing single storey dwelling



Figure 2: Street view showing existing dwelling that to be demolish (Source: Google Maps, April 2022)

4.2 Regularisation and continued use of the farm shed for the purposes of a dwelling.



Figure 3: Street view showing existing dwelling that to be demolish (Source: Google Maps, April 2022)

4.3 Construction of a new single storey dwelling

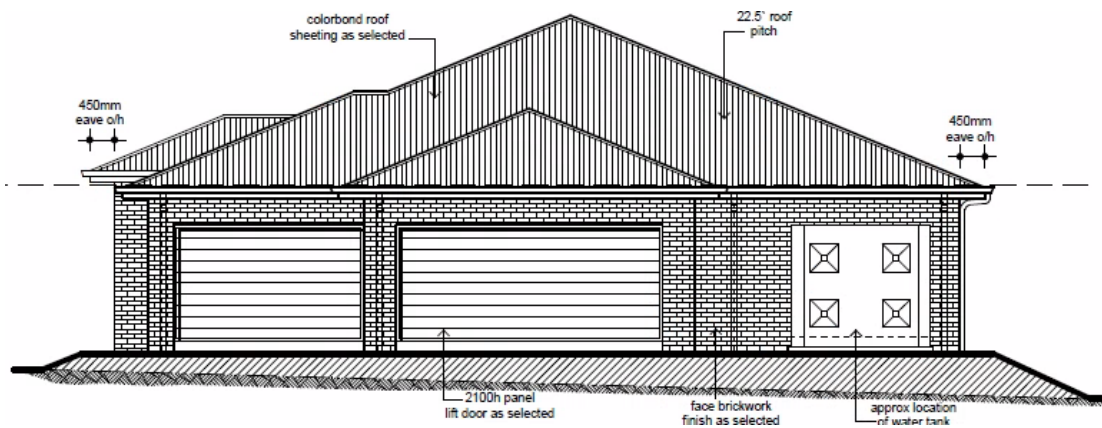


Figure 4: Submitted elevation plan

5. STATUTORY CONSIDERATIONS

5.1 Relevant matters for consideration

The relevant planning instruments/policies applicable to the proposed development are as follows:

- Environment and Planning Assessment Act 1979
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Liverpool Local Environmental Plan 2008
 - Part 1: General Controls for All Development; and
 - Part 5: Development in Rural and E3 Zones.

6. ASSESSMENT

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.14 and 4.15 Evaluation of the EP&A Act 1979 and the Environmental Planning and Assessment (EP&A) Regulation 2000, as follows:

6.1 Section 4.14 Consultation and development consent-certain bush fire prone land.

- (1) *Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—*
 - (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this*

paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or

(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.

(1A) If the consent authority is satisfied that the development does not conform to the relevant specifications and requirements, the consent authority may, despite subsection (1), grant consent to the carrying out of the development but only if it has consulted with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bush fire.

(1B) This section does not apply to State significant development.

(1C) The regulations may exclude development from the application of this section subject to compliance with any requirements of the regulations. The regulations may (without limiting the requirements that may be made)—

(a) require the issue of a certificate by the Commissioner of the NSW Rural Fire Service or other qualified person in relation to the bush fire risk of the land concerned, and

(b) authorise the payment of a fee for the issue of any such certificate.

(2) In this section—

special fire protection purpose has the same meaning as it has in section 100B of the Rural Fires Act 1997.

A Bushfire Assessment report prepared by Sydney Bushfire Consultants, ref: 79BA-1972 and dated 7 April 2021 was submitted in support of the application. The bush fire risk assessment has been prepared by an accredited person and states the development conforms to the relevant specifications and requirements. Should the application be approved, this can be included as a condition of consent.

6.2 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument

(a) State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land is located within the Hawkesbury Catchment and as such the Chapter 9 (Hawkesbury-Nepean River) of State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the application.

The Chapter 9 aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

When a consent authority determines a development application, planning considerations and specific policies and recommended strategies are to be applied (Clause 9.4 and Clause 9.5).

It is considered that the proposal satisfies the provisions of the SEPP (Biodiversity and Conservation) 2021 subject to appropriate sedimentation and erosion controls during construction. This application was also reviewed by Council's Land Development Engineering section who raised no objection to the proposal and recommended conditions of consent. It is concluded that the development will have minimal impact on the Hawkesbury River Catchment.

(b) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)

BASIX applies to single dwellings, multi-dwellings, alterations and additions over \$50,000; and swimming pools of 40,000 litres.

The applicant has provided a BASIX Certificate, Certificate No: 1178778S, prepared by Frys Energywise, dated 19 Friday 2021.

(c) State Environmental Planning Policy (Resilience and Hazards) 2021

The proposal has been assessed under the relevant provisions of SEPP (Resilience and Hazards) 2021, specifically Chapter 4 – Remediation of Land, as the proposal involves the development of land to accommodate a change of use with the potential under the former SEPP (Resilience and Hazards) guidelines to be a site that could be potentially contaminated given the previous uses of the site.

The objectives of SEPP (Resilience and Hazards) are:

- *to provide for a state wide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

Pursuant to the above SEPP, Council must consider:

- whether the land is contaminated.
- if the land is contaminated, whether it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the proposed use.

Pursuant to Clause 4.6 of SEPP (Resilience and Hazards) 2021, Council is required to undertake a merit assessment of the proposed development. The following table summarises the matters for consideration in determining development application.

Clause 4.6 - Contamination and remediation to be considered in determining development application	Comment
(1) A consent authority must not consent to the carrying out of any development on land unless:	

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(a) it has considered whether the land is contaminated, and	A preliminary site contamination assessment has not been submitted as part of this application.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	Insufficient information has been provided to determine if the land is contaminated.
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	Insufficient information has been provided to determine if remediation is required.

Aerial images from 2010 and 2013 (figure below) found on Council's Geocortex GIS system show the existing dwelling and number of trucks and vehicles park on site. However, images from 2015 (figure below) illustrate the presence of the existing dwelling, bulk and earthworks on land, which suggests the site has been subject to depot uses over the past several years.



Figure 5: Aerial view of site (May 2010)



Figure 6: Aerial view of site (May 2013)



Figure 7: Aerial view of site (Jan 2015)



Figure 8: Aerial view of site (Oct 2020)

The proposal fails to demonstrate that the site is suitable for the proposed development in accordance with Clause 4.6 of SEPP (Resilience and Hazards) 2021, as a preliminary site investigation report was not provided in support of the application. Therefore, the application cannot be supported as insufficient information has been provided to determine if the land is contaminated and requires remediation.

(d) Liverpool Local Environmental Plan 2008 (LLEP 2008)

(i) Zoning

The subject site is zoned RU4 Primary Production Small Lots in accordance with the Liverpool Local Environmental Plan 2008. An extract of the zoning map is provided below.

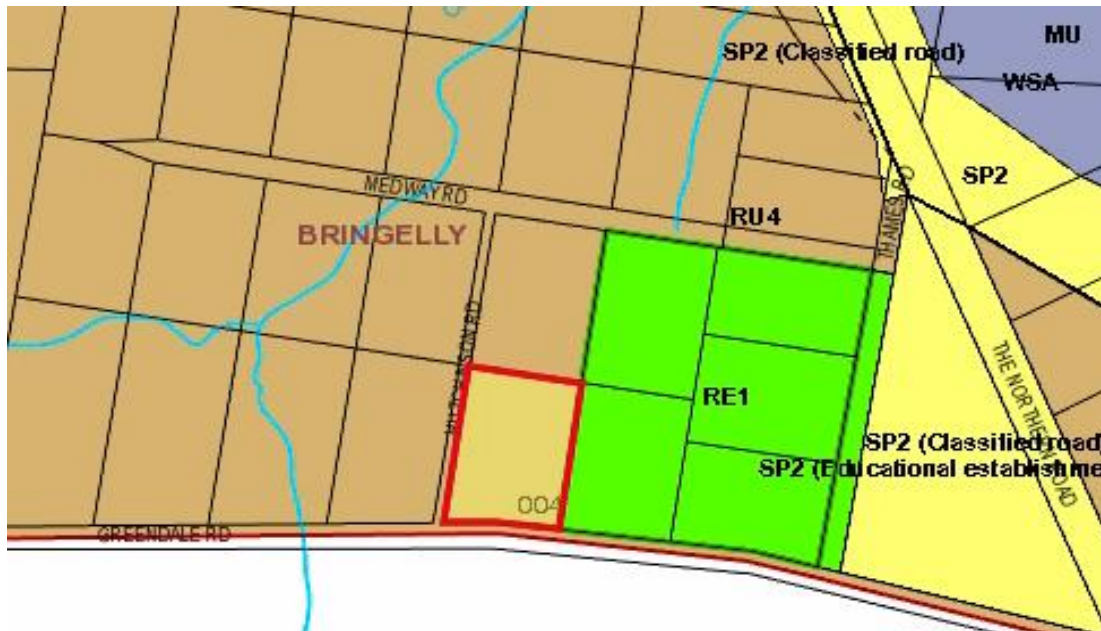


Figure 9: Zoning extract from Geocortex

(ii) Permissibility

The proposed development is most appropriately defined as a “*dual occupancy*” which is permitted with consent in the RU4 Primary Production Small Lots Zone.

“dual occupancy (detached)” is define as follow in Liverpool LEP 2008;

“dual occupancy (detached)” means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

(iii) Objectives of the zone

The objectives of the RU4 Primary Production Small Lots zone are as follows:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposed development does not meet the setback requirements to the street or rear setback prescribed by the LDCP 2008, and the shed building to be retained as a dwelling onsite is located close to what appears to be an existing primary production use north of the site. The proposal is not consistent with the zone objectives as it does not minimise land use conflicts within the zone and to the immediately adjoining properties. It is unclear from the information provided, how a primary production use on the adjoining site to the north, existing or proposed, will not cause a disturbance to residential amenity of the proposed shed to be retained as a dwelling; resulting in potential land use conflicts.

(iv) Principal Development Standards

The LLEP 2008 contains a number of principal development standards which are discussed with respect to the proposal as follows: -

Clause 7.10 Minimum lot size for dual occupancies in rural zones.

- (1) *The objective of this clause is to maintain opportunities for productive rural and urban fringe uses by providing certainty about the land area required for two dwellings to be on a single lot in rural zones.*
- (2) *Development consent for the purposes of a dual occupancy on land in Zone RU1 Primary Production or Zone RU4 Primary Production Small Lots, or a dual occupancy (attached) on land in Zone RU2 Rural Landscape, may be granted only if the lot—*
 - (a) *is a lot on which a dwelling house can lawfully be erected, and*
 - (b) *has an area of not less than—*
 - (i) *10 hectares, if in Zone RU1 Primary Production, or*
 - (ii) *2 hectares, if in Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots.*

The site has an area of 1.37 hectares and proposes a dual occupancy which is not permitted for the site according to clause 7.10.

The proposal does not comply with the minimum requirement of 2 hectares for dual occupancy on RU4 zoned land and submitted clause 4.6 variation statement that has been considered below in this report under the assessment of Clause 4.6.

Clause 7.24 Dual Occupancies in Zones RU1, RU2 and RU4.

- (1) *Development consent must not be granted to development for the purposes of a dual occupancy on land in Zone RU4 Primary Production Small Lots unless the gross floor area of at least one of the dwellings is not more than 350 square metres.*

The proposed dwelling is approximately 139sqm. The existing dwelling is approximately 120.215sqm, and therefore complies.

Clause 4.6 Exceptions to development standards (Variation to Clause 7.10 Minimum lot size for dual occupancies in rural zones)

Clause 7.10 of the LLEP 2008 states;

- (2) *Development consent for the purposes of a dual occupancy on land in Zone RU1 Primary Production or Zone RU4 Primary Production Small Lots, or a dual occupancy (attached) on land in Zone RU2 Rural Landscape, may be granted only if the lot—*

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- (a) is a lot on which a dwelling house can lawfully be erected, and*
- (b) has an area of not less than—*
 - (i) 10 hectares, if in Zone RU1 Primary Production, or*
 - (ii) 2 hectares, if in Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots.*

The proposal seeks a variation to the minimum lot size for dual occupancies in rural zones contained in Liverpool Local Environmental Plan (LEP) 2008. The subject site has an area of 1.37 hectares and is located within the RU4 Small Lot Primary Production zone where a minimum lot size of 2 hectares is required for dual occupancy development. Therefore, a variation of 6,300m² (31.5% variation) is proposed to the minimum required lot size for dual occupancies within rural zones.

Consequently, pursuant to Clause 4.6 of the LEP 2008 the Applicant has submitted a written request seeking a variation to the minimum lot size for dual occupancies in rural zones control as prescribed by Clause 7.10. A copy of the applicant's Clause 4.6 submission is at Attachment 3.

The objectives of Clause 4.6(1) are as follows:

- (a) "to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances."*

Clause 4.6(3) prescribes:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant 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***

Written request addressing why compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient planning grounds to justify contravening of the development standard(s)

Variation to Minimum Lot Size, Clause 7.10:

- (a) Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case***

The Applicant's justification as below:

"As discussed below, it is unreasonable and unnecessary to require compliance with the minimum lot size for dual occupancy development in rural area control as all key Clause 4.6 requirements are satisfied.

Council's assessment on the variation proposed:

In response to the Applicant's comments listed above, Council has provided the following commentary as to why compliance with applicable minimum lot size development standard for dual occupancies in rural zones is not considered unreasonable or unnecessary in this instance:

- Compliance with the minimum lot size control is not considered an unreasonable requirement as the Applicant has failed to sufficiently address the proposal's impact on the development potential of adjoining sites in the context of the desired future character of the locality.
- The Applicant's argument that the design maximises amenity over a design that adheres to the minimum lot size standard is not considered to adequately justify a departure from the standard. It is considered a high level of amenity could also be achieved through a compliant development therefore, compliance has not been demonstrated to be unnecessary.
- The bulk and scale of the proposed development is inconsistent with the controls set out in the DCP 2008 and therefore considered to be inconsistent with the future character of the locality and streetscape. The farm shed is considered excessive given the height of 11.60m, which is not what you would ordinarily expect of a dwelling of this nature in a rural setting.

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

The Applicant's justification as below:

"The subject site has an area of 1.37heactares below the 2hectare requirement on the subject site. It is considered that the application, and in particular the proposed dual occupancy on a rural allotment, should be supported as:

The subject site is zoned 'RU4 Primary Production Small Lots' under Clause 2.1 of the LLEP2008.

The objectives of the zone are:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposed development is for a low-density residential development being compatible with the existing and future character of the locality. The proposed development has been designed to meet the day to day needs of the residents and is provided with appropriate services and facilities. Furthermore, the development is

designed to provide a high level of amenity for adjoining residents whilst considering the amenity of the site and surrounding sites.

The proposal, including lot area, is consistent with the objectives of the RU4 Primary Production Small Lots zone in that the proposal will continue to provide low-impact residential development, that the proposal ensures that primary industry and compatible land use continue to be available to the subject site and existing neighbouring development.

Therefore, the proposal is considered to meet the objectives of the RU4 Zone.

The requested variation relates to Clause 7.10 (2) as shown below:

7.10 Minimum lot size for dual occupancies in rural zones

- (1) The objective of this clause is to maintain opportunities for productive rural and urban fringe uses by providing certainty about the land area required for two dwellings to be on a single lot in rural zones.*
- (2) Development consent for the purposes of a dual occupancy on land in Zone RU1 Primary Production or Zone RU4 Primary Production Small Lots, or a dual occupancy (attached) on land in Zone RU2 Rural Landscape, may be granted only if the lot—*
 - (a) is a lot on which a dwelling house can lawfully be erected, and*
 - (b) has an area of not less than—*
 - (i) 10 hectares, if in Zone RU1 Primary Production, or*
 - (ii) 2 hectares, if in Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots.*

The subject site has an area of 1.37heactares and therefore less than the required 2 hectares.

The residential development is reasonable development for the site as dual occupancies are permissible within the zone and it is evident that a suitable land area is available to site the proposed residence. The proposed low density residential land use is considered to be an orderly land economic use of the land.

The objective of Clause 7.10 is:

- (1) The objective of this clause is to maintain opportunities for productive rural and urban fringe uses by providing certainty about the land area required for tow dwellings to be on a single lot in rural zones.*

The objective of this control is understood to ensure the erection of a dual occupancy does not prevent the use of the site for the purposes of productive rural and urban fringe whilst outline the land area required for to dwellings in rural zones.

The extent of land area, although less than what the development standard seeks, is not inconsistent with the historical subdivision to which this application relates. The site currently contains a dwelling and associated ancillary structures and has been historically used for rural-residential purposes.

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The proposed dual occupancy development is in keeping with residential development in the surrounding area where two dwellings are provided on single allotments.

It is considered that the design and siting on the proposal is appropriate to substantially satisfy the relevant objectives for the RU4 zone.

The development is proposed to be sited in a location that provides an appropriate front setback to minimise the impact on the streetscape, accommodate an adequate private open space area for the amenity of residents of each dwelling, appropriate setbacks and space and varied roof form to minimise overshadowing and overlooking of neighbours.

The setbacks of the site is to be undertaken in accordance to the accompanying landscape concept plan that includes the removal of some existing vegetation in order to site the proposed building footprint and driveway. Drainage from the site is to be connected to an approved system via a rainwater tank in accordance with the attached Drainage Concept Plan.

The development provided a high level of safety by allowing passive surveillance of the street from the existing shed dwelling and proposed single storey dwelling.

The proposal is not expected to have a detrimental impact on the rural streetscape character of the area or on the environmental quality of the area.

Clause 7.10(2) indicates that within the RU4 zone dual occupancies are to be erected on land having an area less than 2 hectares. In this instance, the subject lot has an area of 1.37 hectares, and was historically created from a rural-residential subdivision intended for low density housing.

The subject land area is deficient by 0.63 hectares. The extent of deficiency is not considered a significant departure from the requirement and the site is considered capable of sustaining a dual occupancy development and satisfy the objects of the DCP, which makes allowance for such development.

Obtaining further land area in order to increase the allotment area is not considered to be feasible, based upon the historical land holdings within direct proximity already being utilised for low density housing purposes with most lots likely to be deficient in area themselves.

Based upon the intended purpose of the land and its history as being subdivided for rural-residential purposes, it is considered that the proposal is suitable within the setting, with the extent of variation sort insignificant in the overall development context. In the particular circumstances of this situation, it is considered that strict compliance with the minimum lot area for dual occupancies within a RU4 Zone under Liverpool LEP 2008 is unreasonable and unnecessary. The reduced land area can easily accommodate a dual occupancy and maintain the low density residential character of the area. The proposal can meet the objectives of the Environmental Planning and Assessment Act 1979 and is the intended form of development within the RU4 Zone. The reduction in land area created at subdivision is insignificant to the proposal's ability to satisfy the intentions of the zone."

Council's assessment of variation proposed:

In response to the Applicant's comments listed above, Council has provided the following commentary as to why compliance with applicable minimum lot size development standard for dual occupancies in rural zones is not considered unreasonable or unnecessary in this instance:

- The Applicant's test for environmental planning grounds is reliant on consistency with Section 4.15 Evaluation of the EP&A Act 1979 where consideration is required to be given to any environmental planning instrument. The proposed development is required to be consistent with objectives of the RU4 zone pursuant to the LEP 2008 and subsequently the DCP 2008. The development does not ensure that a high level of residential amenity is achieved and maintained pursuant to Section 4.15(1)(a)(i), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
- The proposed development does not demonstrate that the site is suitable for residential development pursuant to Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) – Remediation of land and Part 1, Section 10 (Contaminated Land Risk) of the DCP 2008.
- The proposal does not comply with the Part 5 – Development in Rural and E3 zones, Section 4 (Building Form, Style and Streetscape) of the DCP 2008, as the design of the farm shed proposed to be converted into a residential dwelling exceeds the expected height of 8.5 meters. Furthermore, the proposal is not sensitive to site attributes such as streetscape character, natural landform, existing vegetation, views and land capability that fails to maintain the rural character of the vicinity.
- The development does not comply with the Part 5 – Development in Rural and E3 zones, Section 2 (Setback) of the Liverpool Development Control Plan 2008, in that the proposal (shed as a second dwelling) does not comply with minimum rear setback of 10m.

Having regard to the above, it is considered that there are not sufficient environmental planning grounds to vary Clause 7.10 Minimum subdivision lot size for dual occupancies in rural zones in this instance.

Clause 4.6(4) prescribes:

Development consent must not be granted for development that contravenes a development standard unless—

(a) the consent authority is satisfied that—

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

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

The Applicant's justification as below:

"The proposal is consistent with the objectives of the zone and also with the objectives of minimum lot size controls as discussed above."

Council Assessment of variation proposed

The objective of the minimum lot size for dual occupancies in rural zones standard is as follows:

7.10 Minimum lot size for dual occupancies in rural zones

(1) The objective of this clause is to maintain opportunities for productive rural and urban fringe uses by providing certainty about the land area required for two dwellings to be on a single lot in rural zones.

Comment: The proposed development does not meet the objective of the Clause 7.10 - Minimum lot size for dual occupancies in rural zones, as accommodating a second dwelling on a reduced lot would likely reduce the land use potential for productive rural and urban fringe uses. Also, the farm shed that is proposed to be converted is located within 10 metres of the adjoining site that could potentially conflict with future uses of the adjoining sites.

Consistency with objectives of the zone – RU4 – Primary Production Small Lots

Objectives of Zone RU4 – Primary Production Small Lots

- To enable sustainable primary industry and other compatible land uses.*
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- To minimise conflict between land uses within this zone and land uses within adjoining zones.*

Comment: The development is not consistent with the objectives of the RU4 – Primary Production Small Lots zone, as it does not sufficiently address the proposal's impacts or conflicts on development adjoining the sites, as well as the desired future character and uses of the locality.

Recommendation

The proposed variation to Clause 7.10 - Minimum subdivision lot size for dual occupancies in rural zones not be supported, as the proposal does not:

- Demonstrate that compliance with the developments standard is unreasonable or unnecessary in the circumstances of the case.
- Provide sufficient environmental planning grounds to justify contravening the development standard.

- The proposal is not consistent with the objectives of the zone or standard, and therefore is not in the public interest.

6.3 Section 4.15(1)(a)(ii) – Any Draft Environmental Planning Instruments

No applicable draft Environmental Planning Instruments.

6.4 Section 4.15(1)(a)(iii) – Any Development Control Plan

(a) Liverpool Development Control Plan 2008

The proposed development is subject to the Liverpool Development Control Plan 2008 (DCP) 2008. The proposed subdivision has been assessed under the following Parts of the DCP 2008:

- Part 1 of the LDCP 2008, which covers general controls relating to all types of development within the Liverpool Local Government Area;
- Part 5 of the LDCP 2008 for Development in Rural and E3 Zones.

The proposal is not considered to be consistent with the key controls outlined in the Liverpool Development Control Plan 2008, including:

- Section 2 – Tree Preservation of Part 1 of DCP 2008 – Its not clear if four (4) existing trees proposed to be removed are worthy of retention, as an arborist report has not been provided.
- Section 10 – Contamination Land Risk of Part 1 of DCP 2008 – Insufficient information has been submitted to ascertain if previous/existing land uses have caused contamination of the site.
- Section 1 – Site Planning of Part 5 of DCP 2008 – The secondary dwelling maintains the appearance of a shed.
- Section 2 – Setbacks – The proposed new dwelling provides a front setback of 24m, however, a minimum of 50m front setback is required.
- Section 2 – Setbacks – The secondary dwelling provides a rear setback of 4.3m, however, a minimum of 10m rear setback is required.
- Section 4 – Building Design, Style and Streetscape – The height of secondary dwelling is 11.60m, however, residential buildings are permitted to be a maximum of two storeys with attic (which is equivalent to the height limit of 8.5m).
- Section 4 – Building Design, Style and Streetscape – The roof of the secondary dwelling (shed) is a gable roof construction, and appears as a shed.
- Section 4 – Building Design, Style and Streetscape – The external material is Colorbond construction, and the design is not compatible with residential development.

An assessment against the development control is provided in Attachment 1 to this report.

6.5 Section 4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

There are no draft planning agreements that apply to the site.

6.6 Section 4.15(1)(a)(iv) – The Regulations

The Environmental Planning and Assessment (EP&A) Regulations 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). The proposed development has not been issued with the Building Information Certificate. It is unclear if the proposal will be able to meet the provisions of the BCA.

6.7 Section 4.15(1)(b) – The Likely Impacts of the Development

(a) Natural Environment

The proposal seeks to remove four (4) existing trees onsite, however it's unclear if the trees are worthy of retention, as an arborist report has not been provided to support the application. Therefore, the applicant did not provide a response to the requested detail, rendering the assessment of the development impact, unachievable.

(b) Built Environment

The proposal does not meet the desired sensitive to site attributes, such as, streetscape character, natural landform, existing vegetation, views and land capability, and the proposal does not maintain the rural character of the vicinity overall.

(c) Social Impacts and Economic Impacts

It is considered that until site design matters are met by the proposal, it is likely to have an unreasonable social impact.

The development will result in a positive economic impact, through the provision of employment generated during the construction of the development and the running of the facility and on-going building maintenance.

6.8 Section 4.15(1)(c) – The Suitability of the Site for the Development

A contamination assessment has not been submitted to ascertain whether or not the proposal complies with Clause 4.6 of SEPP (Resilience and Hazards) 2021, or if the site is suitable for additional residential development.

6.9 Section 4.15(1)(d) – Any Submissions made in relation to the Development

(a) Community Consultation

The proposal was notified to adjoining properties. No submissions were received in response to the notification.

(b) Internal Referrals

The following comments have been received from Council's Internal Departments:

DEPARTMENT	COMMENTS
Environmental Health	Due to the insufficient information, Environmental Health cannot ensure the site is not contaminated or if contaminated can be effectively remediated to be suitable for the proposed use.
Engineering	Supported, subject to conditions.
Building	Supported, subject to conditions.

6.10 Section 4.15(1)(e) – The Public Interest

The proposal is not considered to be in the public interest.

7. Developer Contributions

S7.11 apply to the development, however, as the proposed development is not supported, the contributions payable has not been calculated.

8. CONCLUSION

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, and the Environmental Planning Instruments, including the applicable State Environmental Planning Policies, Liverpool LEP 2008, Liverpool DCP 2008, and the relevant codes and policies of Council.

Based on the assessment of the application, it is recommended that the application be refused.

9. RECOMMENDATION

The information contained in the report on Development Application DA-379/2021 for the change of use of an existing shed to create a detached dual occupancy on site, be refused for the following reasons:

1. The proposed development does not clearly demonstrate that the site is suitable for residential development in accordance with Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) – Remediation of land and Part 1, Section 10 (Contaminated Land Risk) of the Liverpool Development Control Plan 2008, pursuant to Sections 4.15(1)(a)(i), 4.15(1)(a)(iii), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
2. The proposed development is not consistent with the zone objectives as the siting of the building will likely result in unacceptable land use conflicts within the RU4 – Primary Production Small Lots zone of Liverpool LEP 2008, pursuant to Sections 4.15(1)(a)(i), 4.15(1)(a)(iii), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
3. The proposed development does not clearly demonstrate that the site is suitable for residential development in accordance with Part 5 - Development in Rural

and E3 Zones, Section 2 – Tree Preservation of Part 1 of Liverpool Development Control Plan 2008, pursuant to Sections 4.15(1)(a)(i), 4.15(1)(a)(iii), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.

4. The proposed development does not comply with Part 5 - Development in Rural and E3 Zones, Section 1 (Building Form, Style and Streetscape) of the Liverpool Development Control Plan 2008, in that the proposal (shed as secondary dwelling) does not comply with the require design, sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and land capability of rural character of the vicinity, pursuant to Sections 4.15(1)(a)(iii), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
5. The proposed development does not comply with Part 5 - Development in Rural and E3 Zones , Section 2 (Setback) of the Liverpool Development Control Plan 2008, in that the proposal (shed as second dwelling) does not comply with rear setback of 10m and front setback of 50 (new dwelling), pursuant to Sections 4.15(1)(a)(iii),4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
6. Due to the above reasons, approval of the application is not in the public interest, pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.

10. REPORT ATTACHMENTS

**ATTACHMENT 1: LIVERPOOL DEVELOPMENT CONTROL PLAN 2008
COMPLIANCE TABLES**

ATTACHMENT 2: PLANS OF THE PROPOSAL

- **PLANS FOR THE SHED/SECONDARY DWELLING**
- **PLANS FOR THE NEW DWELLING**

ATTACHMENT 3: APPLICANT’S CLAUSE 4.6 SUBMISSION

**LIVERPOOL CITY COUNCIL
LOCAL PLANNING PANEL REPORT**

Monday 25th July 2022

**ATTACHMENT 1: LIVERPOOL DEVELOPMENT CONTROL PLAN 2008
COMPLIANCE TABLES**

Part 1 General Controls for all Development			
Control	Requirement	Proposed	Comment
Section 2 – Tree Preservation	Consider impact of development on existing vegetation	4 trees are proposed to remove	The site is 1.37ha and has scattered trees. An Arborist report has not been submitted these trees can be saved and re-locate proposed new dwelling.
Section 3 – Landscaping and Incorporation of Existing Trees	Incorporation of existing trees into development where appropriate	4 trees are proposed to remove	Existing trees are not incorporated into development where appropriate
Section 4 – Bushland and Habitat Preservation	Consider impact of development on bushland and habitats	Site is not within the vicinity of bushland	N/A
Section 5 – Bushfire Risk	Land on or adjacent to bushfire prone land to comply with RFS requirements	Land is bushfire prone	Bushfire Assessment report provided.
Section 6 – Water Cycle Management	Consideration of stormwater and drainage	Stormwater plans submitted	Complies
Section 7 – Development Near a Watercourse	Consideration of impact to riparian corridors	Development does not impact on the nearest watercourse as it is more than 40m from Hawkesbury River	N/A
Section 8 – Erosion and Sediment Control	Sediment Control Plan or Soil and Water Management Plan required	Sediment control details shown on plans	Complies
Section 9 – Flooding Risk	Flood affectation of property to considered	Not affected by flooding	N/A
Section 10 – Contaminated Land Risk	Previous use to be considered in assessing risk	Agricultural use, bulk earthworks and vehicle storage/junkyard.	Insufficient information submitted to ascertain that previous/existing land uses have caused contamination of the site.
Section 11 – Salinity Risk	Salinity Management response required for affected properties	Application referred to Council's Building Compliance section for comments.	The proposal new dwelling is to comply with the BCA. Building Information Certificate was not submitted with the

**LIVERPOOL CITY COUNCIL
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Monday 25th July 2022


			application, therefore, compliance with this control cannot be confirmed.
Section 12 – Acid Sulfate Soils Risk	Affected properties to consider impact of development on soils	Not affected by Acid Sulfate	N/A
Section 13 - Weeds	Noxious weeds to be removed as part of development where applicable	N/A	N/A
Section 14 – Demolition of Existing Development	Appropriate measures proposed	Existing dwelling is proposed to demolish.	Appropriate conditions can be included if this application approved.
Section 15 – Onsite Sewage Disposal	S68 Application required where connection to sewer not available	A section 68 application has not been lodged for the required On-Site sewerage management system.	Compliance with conditions if required
Section 16 & 17 – Aboriginal Archaeology	AHIA required where items of aboriginal archaeology exist	N/A	N/A
Section 20 – Car parking and access	2 spaces dwelling houses	Spaces for 2 car parking each dwelling is available within the site	Complies
Section 22 – Water Conservation	BASIX certificate required for all new residential developments	BASIX Certificate has been provided for proposed new dwelling	BASIX Certificate is submitted for the proposed new dwelling.
Section 23 – Energy Efficiency	BASIX certificate required for all new residential developments	BASIX Certificate has been provided for proposed new dwelling	
Section 25 – Waste Management	Waste Management Plan shall be submitted for demolition, construction and on-going waste management.	A wastewater report was submitted and Council's Environmental Health supported the proposal	.

Part 5 Development in Rural and E3 Zones

Control	Requirement	Proposed	Comment
Site Planning	Buildings shall not be located on ridges or in places where they are too visible from the street.	Although the proposed development has been set back approx. 24m (new dwelling) and 110m (farm shed), the proposal conversation of shed into dwelling has poor presentation	The proposed conversation farm shed into a secondary dwelling has a poor visual quality.

**LIVERPOOL CITY COUNCIL
LOCAL PLANNING PANEL REPORT**

Monday 25th July 2022

		to the street. It appears like a shed than a dwelling.	
	Buildings shall be sited to maximise the retention of existing trees.	4 trees are proposed to remove.	No detail has been provided to ascertain the requirement of this trees as proposed new dwelling can be located where there is no trees.
	When siting buildings and seeking to maximise views, the visual impact of the building on the landscape is to be minimised.	Although the proposed development has been set back approx. 26m, the proposal has poor presentation to the street. It appears like a shed than a dwelling.	Does not comply
			
Photo taken from Greendale Road (June 2021, Near map)			
	Outbuildings and water tanks associated with rural dwellings are to be organised and planned in a group and not be predominantly from public view.	Outbuildings are proposed to have behind the existing building line	Complies
	Site planning should be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and land capability.	Although the proposed development (shed) has been set back approx. 110m, the proposal has poor presentation to the street. It appears like a shed than a dwelling.	Does not comply
	The site layout should enhance the streetscape through the use of landscaping and built form.	The proposed development will not enhance the streetscape as proposed. There are Scattered trees on site and no trees in	As proposed, development is not considered enhance the streetscape.

**LIVERPOOL CITY COUNCIL
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		the front setbacks or on the Council reserve.	
	Site planning should enable buildings to address streets and public open spaces.	The proposed development (shed) does not address street as it appears like a shed and located at the far north-east corner of the site .	Does not comply
	Site Coverage: 10%	The allowable site coverage is 1,370sqm, where total of approx. 328sqm is covered by existing (shed) and proposed dwelling (new dwelling).	Complies
Setbacks	Front: 20m with RU1,RU2 or RU4 zone Land with a Frontage to Greendale Road requires 50m front setbacks Secondary street: 10m	Front: approx. Shed -110m Proposed dwelling - 24m Secondary Shed - approx. 82m Proposed dwelling - 15m	Does not comply The proposed new dwelling only has 24m from the Greendale Road were it require minimum of 50m.
	Side: 2m	Side: <u>Shed</u> East -approx. 5.9m West - approx 82m <u>New dwelling</u> East - approx. 61m West -15m	Complies
	Rear: 10m	Rear: Shed- 4.3m New dwelling - 103m	Does not Comply Existing shed only has 4.3m rear setbacks
Private Open Space	Min 100sqm	A designated private open space area has been shown on plans and proposed over 100sqm	Complies.
	Directly accessible from the living area of a dwelling.	A designated private open space area has been shown on plans and have direct accessible from the living area of the proposed new dwelling and from the	Complies

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Monday 25th July 2022

		living are of converted shed.	
	Must receive at least 3 hours of direct sunlight	A designated private open space area has been shown on plans and will receive 3 hours of direct sunlight.	Complies
	Must not be visible from the street	A designated private open space area has been shown on plans and will not visible from street	Complies
Building Design	Residential Buildings are permitted to be a maximum of two (2) Storeys and an Attic in Height. This is equivalent to the height limit that is found across the residential zones of 8.5m.	Proposed new dwelling is less than 8.5m in height	Does not comply Existing shed has a height of 11m which was approved for a farm shed.
	The roof pitch of a building is not to exceed 36 degrees.	The roof shall have a maximum pitch of less than 36 degrees.	Complies
	Gabled and hipped rooflines are to be incorporated into the design of a building.	The roofline of the dwelling will be gabled and it appears like a shed. No design is proposed other than the existing shed. New dwelling complies	The proposed development does not comply with this control. Complies.
	Materials must complement the rural landscape. Examples include stained timbers, brickwork, mud bricks, metal roofs and similar materials sympathetic to the Australian rural heritage.	It is proposed that the shed will be remain of Colorbond construction. Materials of the existing dwelling includes cladding and tile roof.	Does not Comply
	Buildinthisgs and structures must complement the rural landscape where possible. However, Council will consider the use of the building when assessing building materials.	The proposed dwellings does not complement the rural landscape therefore, it will not negatively impede.	The approved shed can only consider as a farm shed as construction materials remain of Colourbond.
	Natural earth colours and natural vegetation colours are to be emphasised on all buildings. (Examples include light ochres, silver greys, grey blues and olive greens.)	The proposed development incorporates the use of natural earth colours such as green for the shed and grey colour.	Complies

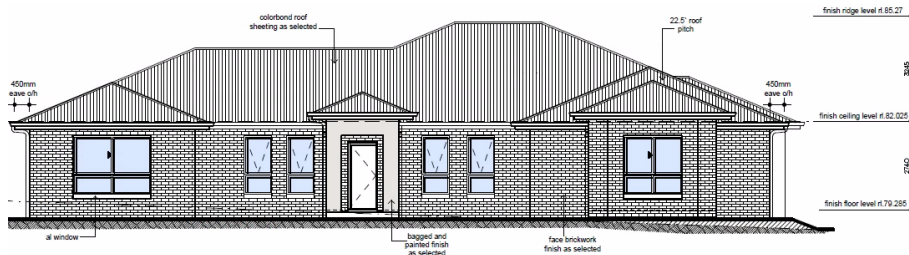
LIVERPOOL CITY COUNCIL
LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

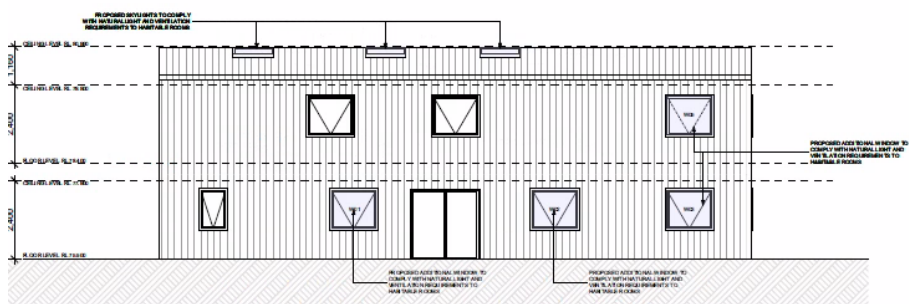
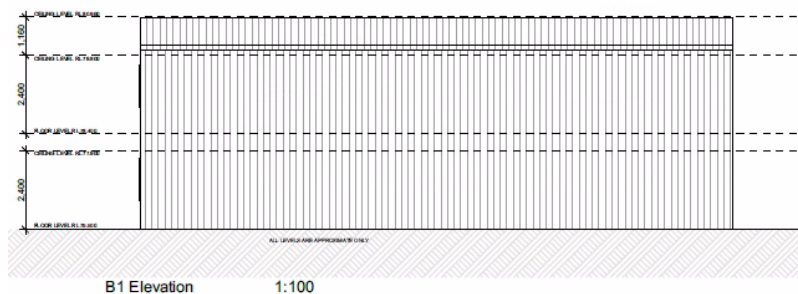
	Highly reflective (shiny) colours are to be avoided for roofs and walls of buildings, including sheds.	The building will not incorporate the use of highly reflective materials.	Complies
	Natural vegetation should be retained in setback to the street.	4 trees are proposed to remove and proposed to plant hedge in front setback of proposed new dwelling	Can consider
	Buildings shall directly address the street frontage.	The proposed new dwelling address the front street. However farm shed is approx 110m from the Greendale Road.	The proposed development does not comply with this control.

An attached dual occupancy shall be compatible with the design features of the existing dwelling in terms of cladding, colour, building materials, windows, verandahs, roof form and pitch.	The proposal is for a detached dual occupancy.	The existing shed remain colorbond construction throughout. However, the new dwelling is proposed to construct with brickwork face and colorbond roof.
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Dwelling Houses & Dual Occupancy



Submitted south elevation plan of new dwelling shows face brickwork and colourbond roof



**LIVERPOOL CITY COUNCIL
LOCAL PLANNING PANEL REPORT**

Monday 25th July 2022

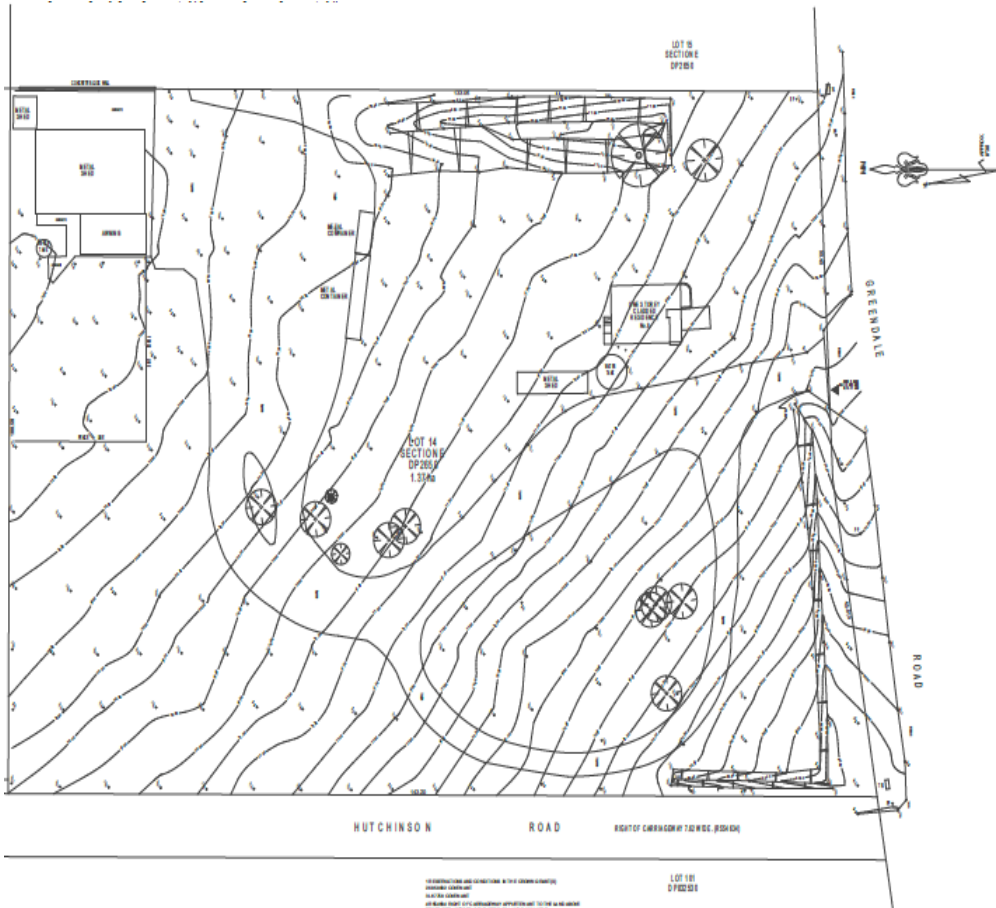
<p><i>Submitted elevation plans of existing shed that is proposed for secondary dwelling that show coloubond construction of walls and roof.</i></p>		
<p>The principal dwelling and second dwelling in rural dual occupancies shall be sited in close proximity in order to reflect the traditional rural landscape character of clustering buildings and to allow for larger expanses of undisturbed land that allows for the pursuit of rural activities.</p>	<p>The principal dwelling and proposed dwelling are sited approx.80m in distance and does not reflect the traditional rural landscape character of clustering buildings and to allow for larger expanses of undisturbed land that allows for the pursuit of rural activities.</p>	<p>Does not comply as dwellings are proposed to possess that is not compatible architectural treatments and building materials (as above).</p>
<p><i>Submitted site plan showing proposed new dwelling and existing shed</i></p>		
<p>Mirror reversed dual occupancies or replica dwelling designs are not supported.</p>	<p>The proposed dwelling will be distinct in appearance to that of the existing dwelling. The proposed dwelling appears like a shed.</p>	<p>Complies</p>
<p>Attached Dual Occupancy development shall be physically attached under the same roofline and have the general appearance of a large single dwelling house when viewed from the primary street frontage. Structures such as carports, skillion roofs, pergolas, covered awnings and the like are not</p>	<p>The proposal is for a detached dual occupancy.</p>	<p>N/A</p>

**LIVERPOOL CITY COUNCIL
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	acceptable as a mode of attachment.		
	In the case of Detached Dual Occupancy and Secondary Dwelling development, both dwellings shall possess compatible architectural treatments and building materials.	The proposed colours and finishes are not compatible with that of the proposed new dwelling.	The proposed development does not comply with this control.
	The colours of roof and wall cladding shall be generally low reflective neutral/earth tones, compatible with existing development on the site.	The proposed colours and finishes are not compatible with that of the proposed new dwelling.	The proposed development does not comply with this control.
	Car parking areas, internal driveways and access driveways shall be constructed of hard standing, all weather material.	Existing driveway can be consider in rural setting	Can consider

ATTACHMENT 2: PLANS FOR THE SHED/SECONDARY DWELLING



REV	DESCRIPTION	BY	DATE
A	APPROVAL	FA	09/12/2020
B	APPROVAL	FA	10/12/2020
C	APPROVAL	FA	14/12/2020
D	APPROVAL	FA	14/02/2021
E	LANDSCAPE AMENDMENT	FA	26/03/2021



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2. THESE DRAWINGS ARE TO BE USED IN CONJUNCTION WITH ALL APPLICABLE LOCAL GOVERNMENT REGULATIONS.
3. THE DESIGNER SHALL BE RESPONSIBLE TO THE CLIENT FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THESE DRAWINGS.
4. THE CLIENT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THESE DRAWINGS.
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6. THE CLIENT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THESE DRAWINGS.
7. IF ANY DISCREPANCY EXISTS BETWEEN THESE DRAWINGS AND ANY OTHER INFORMATION PROVIDED TO THE CLIENT, THE CLIENT SHALL BE RESPONSIBLE FOR RESOLVING THE DISCREPANCY.
8. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.
9. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT.

DUAL OCCUPANCY

JOB NUMBER FJ019

Survey

CLIENT

MELISSA PERRY

LOCATION

LOT 14 No. 9 Greenlane Road,

Stratfield NSW 2566

DP SEC. E DP266

LGA: LIVERPOOL CITY COUNCIL

DRAWN: FA SCALE: 1:500 @ A3

DESIGN: NA FACADE: NA

SHEET NO: APPROVAL-1

DATE PRINTED

Friday, 26 March 2021

CONSTRUCTION AND CONSTRUCTION OF THIS DUAL OCCUPANCY
SHED/SECONDARY DWELLING
SHALL BE IN ACCORDANCE WITH THE LOCAL GOVERNMENT REGULATIONS
AND THE BUILDING REGULATIONS. THE CLIENT SHALL BE RESPONSIBLE FOR
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LOT 101

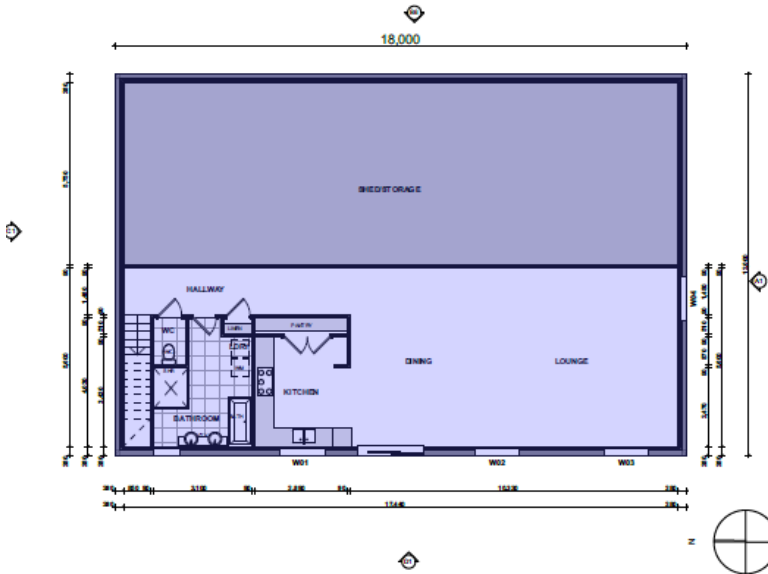
DP266

LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

Lot 14, 9 Granddale Road, Bringilly NSW 2566

REV	DESCRIPTION	BY	DATE
A	APPROVAL	FA	09/02/2020
B	APPROVAL	FA	10/02/2020
C	APPROVAL	FA	14/03/2020
D	APPROVAL	FA	14/02/2021
E	LANDSCAPE/AMENDMENT	FA	26/03/2021



DWELLING 2



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3. THE CONTRACTOR SHALL TAKE RESPONSIBILITY FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT.
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5. DIMENSIONS OF THIS PLAN IS GIVEN TO THE CENTER UNLESS OTHERWISE SPECIFIED.
6. DIMENSIONS OF WALLS SHALL BE TO THE FACE UNLESS OTHERWISE SPECIFIED.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
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10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

DUAL OCCUPANCY

JOB NUMBER FJ079

Ground Floor Plan

CLIENT

MELISSA PERRY

LOCATION

LOT 14 No. 9 Granddale Road, Bringilly NSW 2566

DP SEC. E DP2850

LGA LIVERPOOL CITY COUNCIL

DRAWN: FA SCALE: 1:100 @ A3

DESIGN: NA FACADE: NA

SHEET NO: APPROVAL-3

DATE PRINTED

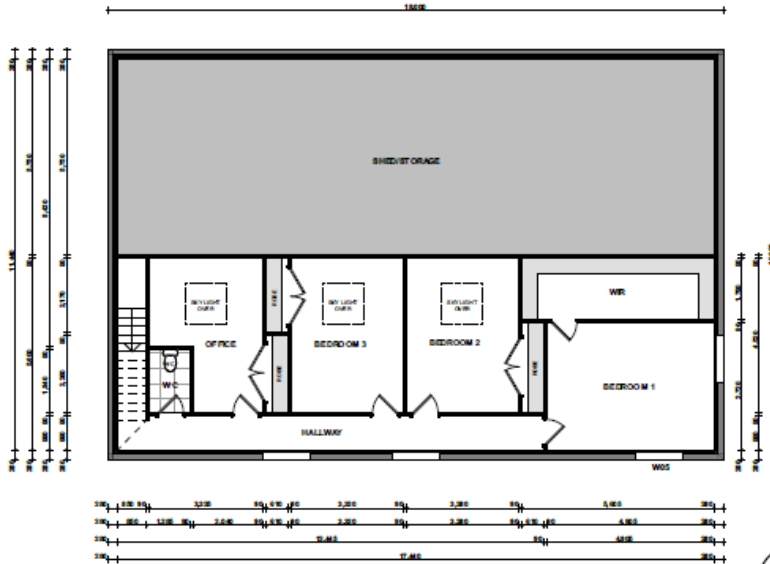
Friday, 26 March 2021

LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

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Area Calculations		REV	DESCRIPTION	BY	DATE
Room Name	Area	A	APPROVAL	FA	09/12/2020
DWELLING 1	311.27	B	APPROVAL	FA	10/12/2020
DWELLING 2 FIRST FLOOR	107.46	C	APPROVAL	FA	14/12/2020
DWELLING 2 GROUND FLOOR	107.46	D	APPROVAL	FA	14/02/2021
	526.19 m²	E	LANDSCAPE AMENDMENT	FA	26/03/2021



DWELLING 2



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14/02/2021

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FINISHES TO MATCH THE ADJACENT BUILDING

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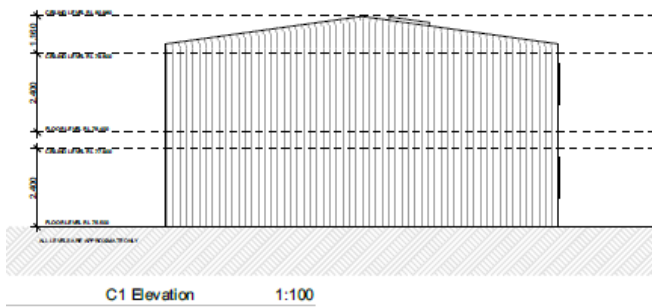
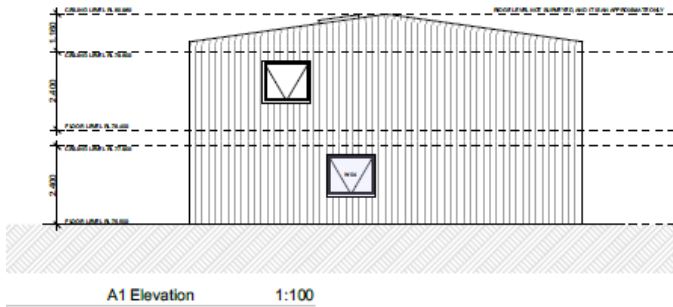
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LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

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Window Code	Height	Width	Window List		Quantity
			Head height	Surface Area	
W01	1,200	1,400	2,110	1.68	1
W02	1,200	1,400	2,110	1.68	1
W03	1,200	1,400	2,110	1.68	1
W04	1,200	1,400	2,110	1.68	1
W05	1,200	1,400	2,400	1.68	1
				8.40 m²	5

PROPOSED WINDOWS ARE NOMINAL AND ARE SUBJECT TO EXISTING WALL STRUCTURE AND SELECTED WINDOW COMPANY STANDARD SIZES

REV	DESCRIPTION	BY	DATE
A	APPROVAL	FA	06/12/2020
B	APPROVAL	FA	10/12/2020
C	APPROVAL	FA	14/02/2021
D	APPROVAL	FA	14/02/2021
E	LANDSCAPE AMENDMENT	FA	26/03/2021



ARCHITECTURAL + INTERIOR DESIGNERS

www.jfadesigns.com.au

www.jfadesigns.com.au

620 488 888

fa@jfadesigns.com.au

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GENERAL BUILDING NOTES

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2. THESE DIMENSIONS ARE TO BE MAINTAINED IN CONFORMANCE WITH BUILDING REGULATIONS.
3. THESE DIMENSIONS ARE TO BE MAINTAINED IN CONFORMANCE WITH BUILDING REGULATIONS.
4. FINISHES AND MATERIALS TO BE USED ARE TO BE AS SPECIFIED IN THE DRAWINGS.
5. LEVELS IN THIS AND OTHER DRAWINGS ARE TO BE COMPARED TO THE SURFACE OF THE GROUND.
6. DIMENSIONS OF WALLS ARE TO BE TO THE FACE UNLESS OTHERWISE SPECIFIED.
7. DIMENSIONS OF ROOFS ARE TO BE TO THE CENTRE UNLESS OTHERWISE SPECIFIED.
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10. DIMENSIONS OF ROOFS ARE TO BE TO THE CENTRE UNLESS OTHERWISE SPECIFIED.

DUAL OCCUPANCY

JOB NUMBER FJ079

Elevations

CLIENT

MELISSA PERRY

LOCATION

LOT 14 No. 9 Greenlake Road,

Bringelly NSW 2566

DP SEC. E DP2860

LGA LIVERPOOL CITY COUNCIL

DRAWN: FA SCALE: 1:100, 1:1 @ A3

DESIGN: NA FACADE: NA

SHEET NO: APPROVAL-5

DATE PRINTED

Friday, 26 March 2021

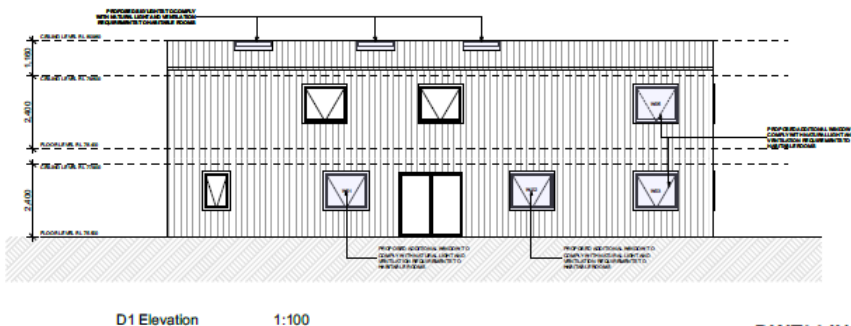
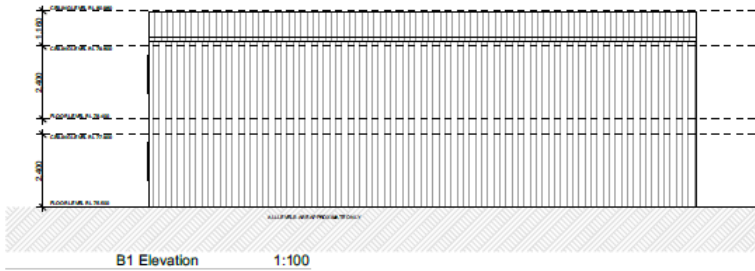
DWELLING 2

LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

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REV	DESCRIPTION	BY	DATE
A	APPROVAL	FA	09/12/2020
B	APPROVAL	FA	10/12/2020
C	APPROVAL	FA	14/03/2021
D	APPROVAL	FA	14/03/2021
E	LANDSCAPE/AMENDMENT	FA	26/03/2021



DWELLING 2



ARCHITECTURAL + INTERIOR DESIGNERS
www.jfadesigns.com.au
www.jfadesigns.com.au
610 500 0000
jfa@jfadesigns.com.au

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- GENERAL BUILDING NOTES**
1. THESE DRAWINGS ARE TO BE USED IN CONJUNCTION WITH THE SPECIFICATIONS PROVIDED.
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DUAL OCCUPANCY
JOB NUMBER FJ079

Elevations

CLIENT
MELISSA PERRY

LOCATION
LOT 14 No. 9 Greenlane Road,
Bringilly NSW 2566
DP SEC. E DP2050

LGA LIVERPOOL CITY COUNCIL

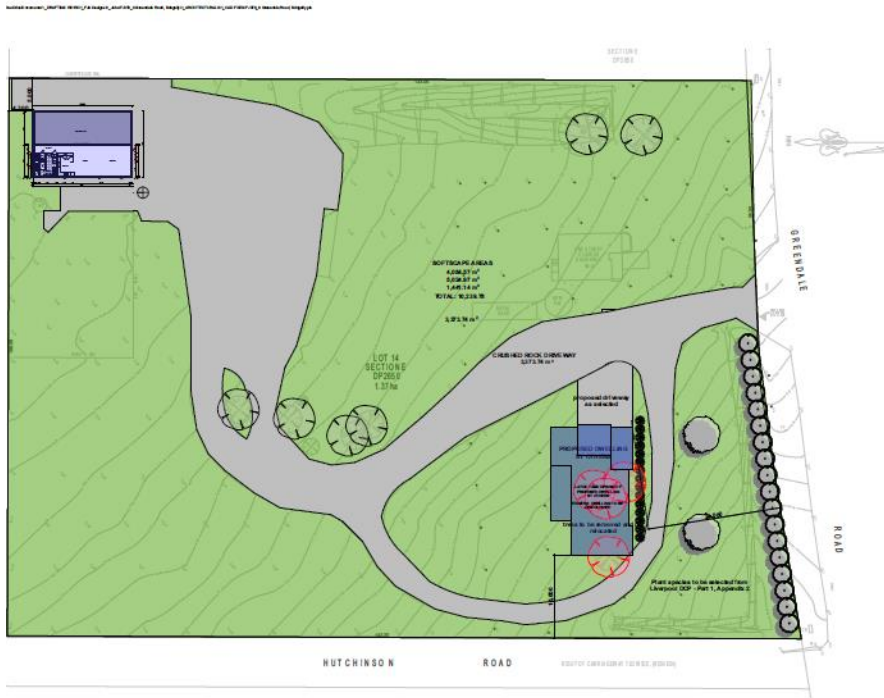
DRAWN: FA **SCALE:** 1:100 @ A3
DESIGN: NA **FACADE:** NA

SHEET NO: APPROVAL-6

DATE/PRINTED:
Friday, 26 March 2021

LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022



REV	DESCRIPTION	BY	DATE
A	APPROVAL	FA	16/12/2020
B	APPROVAL	FA	16/12/2020
C	APPROVAL	FA	14/12/2020
D	APPROVAL	FA	14/02/2021
E	LANDSCAPE/AMENDMENT	FA	26/03/2021

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PLANNING & BUILDING CONSULTANTS

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ARCHITECTURAL + INTERIOR DESIGNERS

www.jfdesigns.com.au
www.jadealights.com.au

FA 14/12/2020
FA 16/12/2020
FA 14/02/2021
FA 26/03/2021

- GENERAL BUILDING NOTES**
1. THESE ARE GENERAL NOTES AND SHOULD BE USED IN CONJUNCTION WITH THE ARCHITECTURAL DRAWINGS.
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DUAL OCCUPANCY

JOB NUMBER: FJ079

Landscape Plan

CLIENT: MELISSA PERRY

LOCATION: LOT 14 No. 9 Greenisle Road, Brangely NSW 2566
DP: SEC: E DP265/1

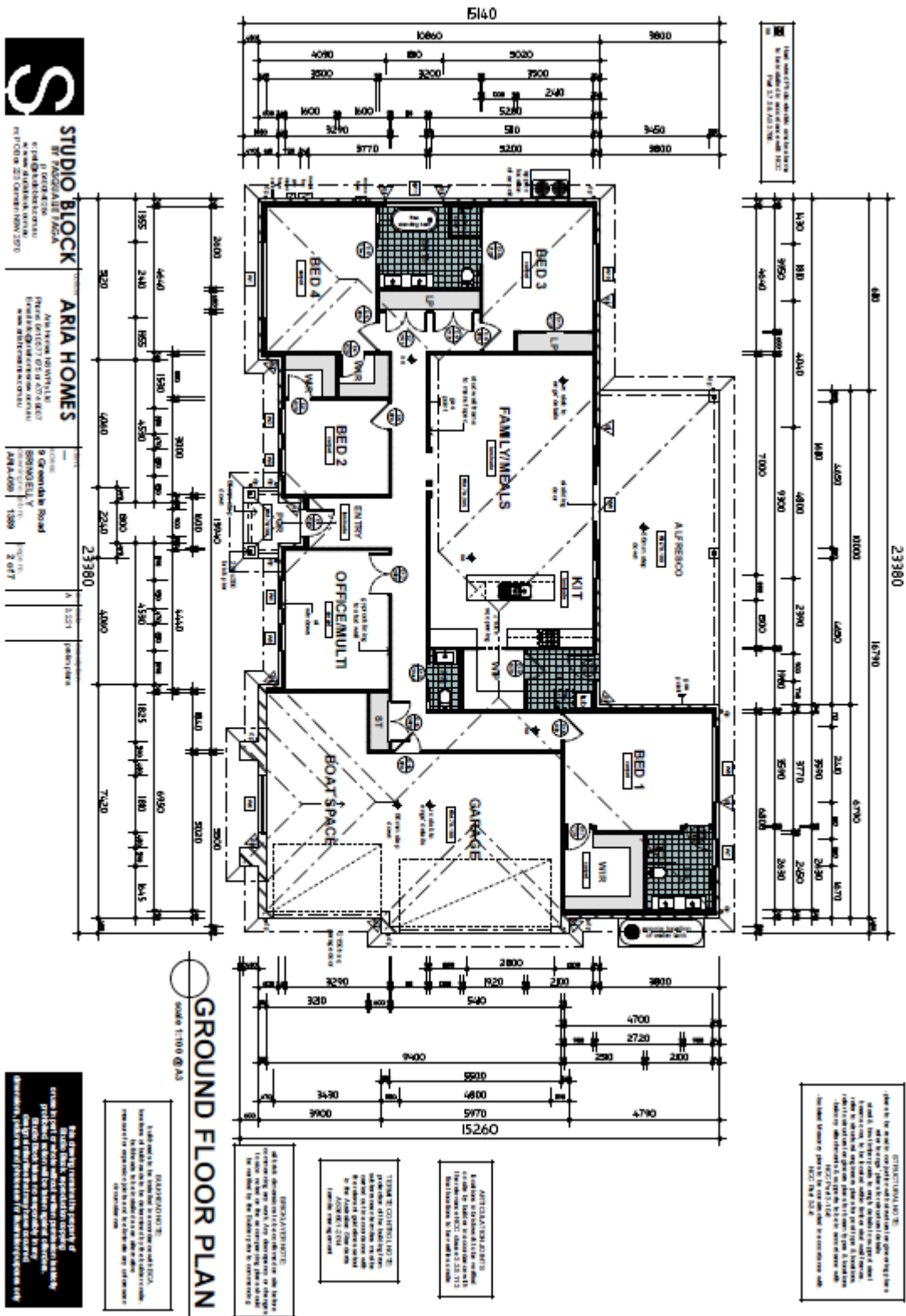
LGA: LIVERPOOL CITY COUNCIL

DRAWN: FA SCALE: 1:500 @ A3
DESIGN: NA FACADE: NA
SHEET NO: APPROVAL-7

DATE PREPARED: Friday, 26 March 2021

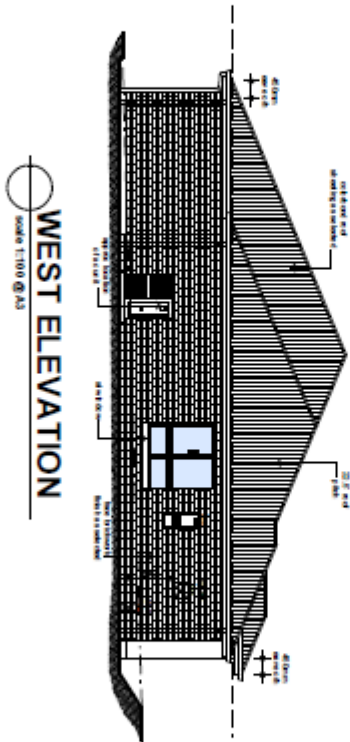
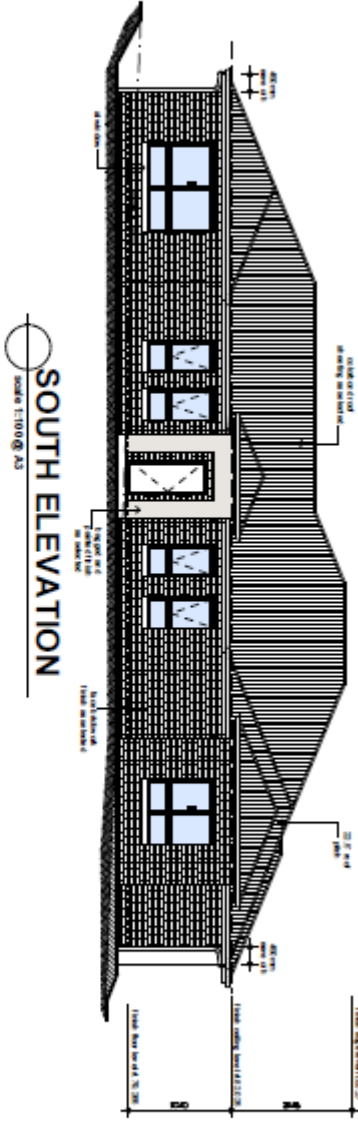
LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022



Obj Code	Notes	H	WH
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STUDIO BLOCK
BY ALISON ALLEN ARCH

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100%

ARIA HOMES
100%
100%
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BRUNNEN
100%
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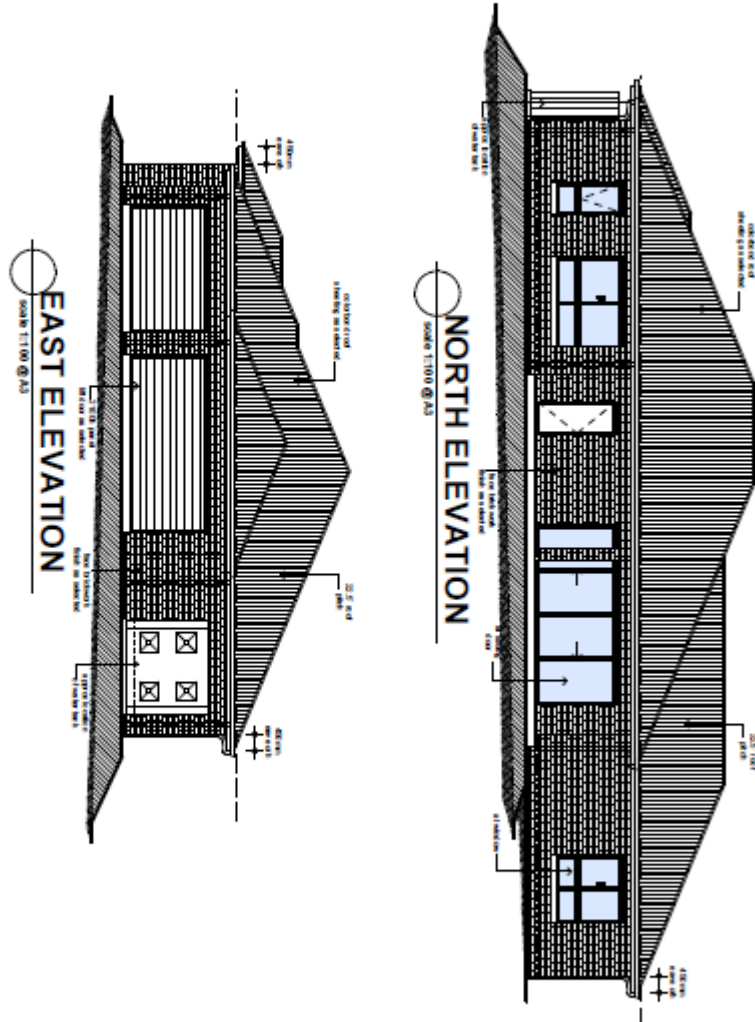
Approved by the Council on 25th July 2022. The Council has granted planning permission for the proposed development in accordance with the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1989.



STUDIO BLOCK
ARCHITECTS
10, ROBERTSON ROAD
LIVERPOOL, L3 5RN
0151 233 1000

ARIA HOMES
AN INDEPENDENT
RESIDENTIAL DEVELOPER
10, ROBERTSON ROAD
LIVERPOOL, L3 5RN
0151 233 1000

1580
RESIDENTIAL
4 OF 7
1580



Notwithstanding to whom the project is referred, the Architect shall remain responsible for the design and construction of the project. The Architect shall not be liable for any design or construction errors or omissions. The Architect shall not be liable for any design or construction errors or omissions. The Architect shall not be liable for any design or construction errors or omissions.

LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

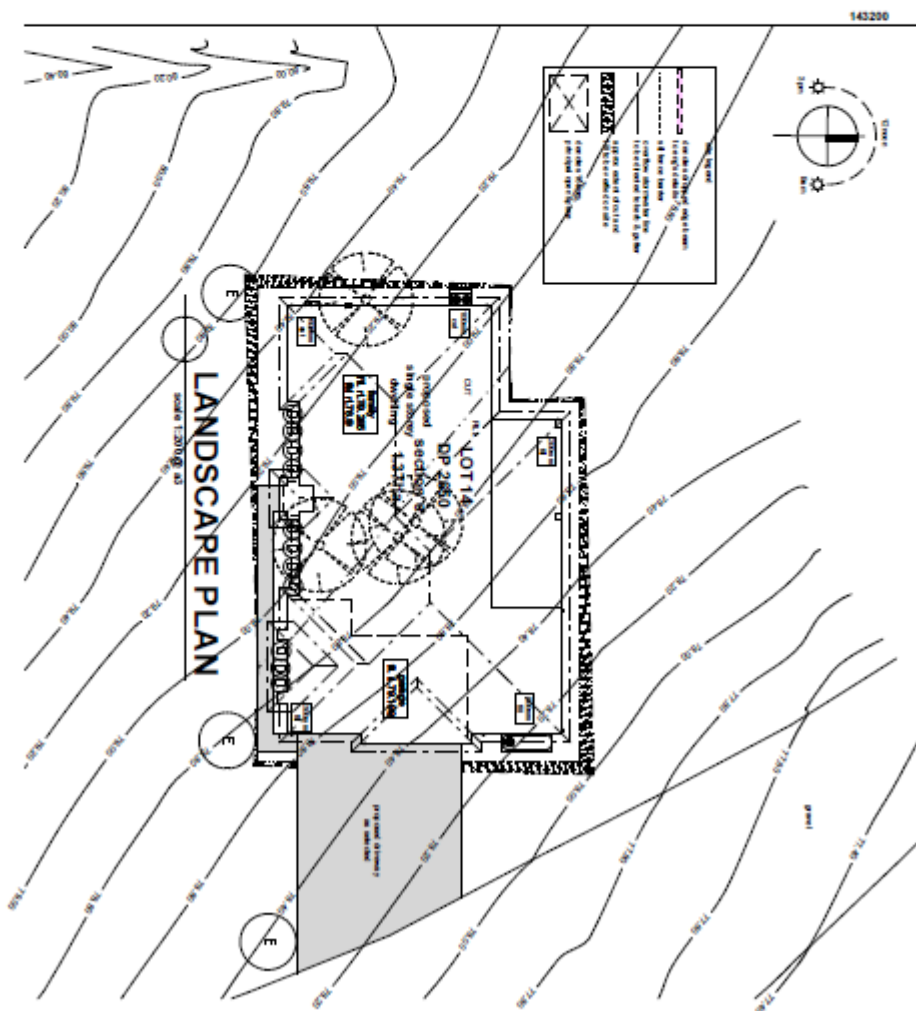


STUDIO BLOCK
PROJECT MANAGER
BY FASSON & PARTNERS
PROJECT MANAGER
BY FASSON & PARTNERS
PROJECT MANAGER
BY FASSON & PARTNERS
PROJECT MANAGER
BY FASSON & PARTNERS

ARIA HOMES
PROJECT MANAGER
BY FASSON & PARTNERS
PROJECT MANAGER
BY FASSON & PARTNERS
PROJECT MANAGER
BY FASSON & PARTNERS
PROJECT MANAGER
BY FASSON & PARTNERS

L. LEGEND			
	PROPOSED BUILDING FOOTPRINT		
	PROPOSED EXTERNAL WALL		
PLANT SCHEDULE			
NAME	NO.	COLOUR	COMMENTS
PROPOSED BUILDING FOOTPRINT	1	NO	PROPOSED BUILDING FOOTPRINT
PROPOSED EXTERNAL WALL	2	NO	PROPOSED EXTERNAL WALL
PROPOSED DRIVE	3	NO	PROPOSED DRIVE
PROPOSED PATH	4	NO	PROPOSED PATH
PROPOSED FENCE	5	NO	PROPOSED FENCE
PROPOSED GARDEN	6	NO	PROPOSED GARDEN
PROPOSED GRASS	7	NO	PROPOSED GRASS
PROPOSED PAVEMENT	8	NO	PROPOSED PAVEMENT
PROPOSED ASPHALT	9	NO	PROPOSED ASPHALT

HUTCHINSON ROAD



The Strategic Environmental Assessment
of Liverpool City Council's Local Planning Panel Report
is a process of identifying, assessing, and mitigating the
potential effects on the environment of the
proposed development and its surrounding area.
This process is undertaken in parallel with the
planning process and is required by the
Environment Act 2021 and the Environmental Information
Act 2004.

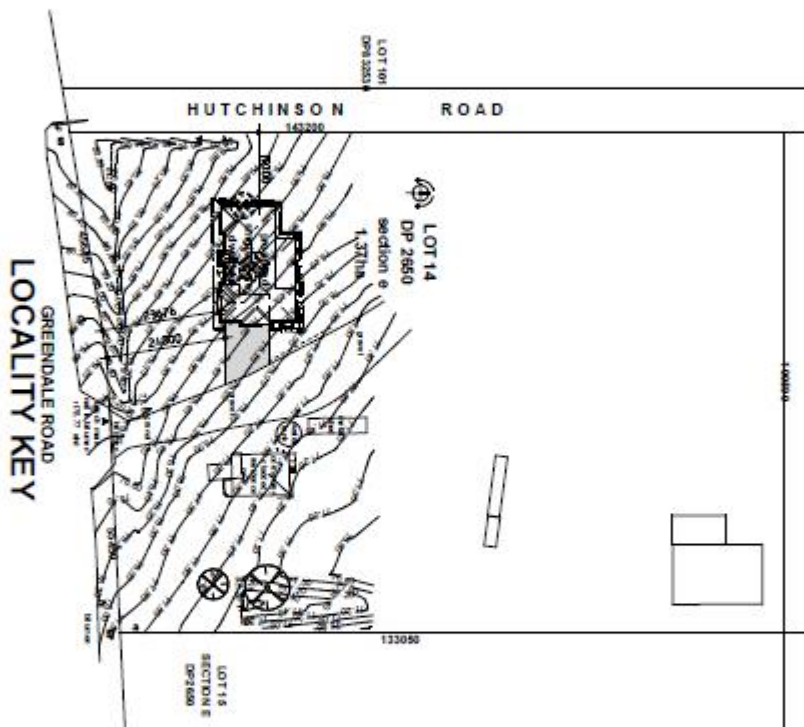
LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

Monday 25th July 2022

S
STUDIO BLOCK
BY P ASSOCIATES BUDA
11 DECKENHAM
11 DECKENHAM DRIVE
DECKENHAM NSW 2202
PH: 02 9331 1500

ARIA HOMES
ARIA HOMES PTY LTD
11 DECKENHAM DRIVE
DECKENHAM NSW 2202
PH: 02 9331 1500

9 Greendale Road
BROOKFIELD
NSW 2150
1300 0 0 7 7
A 33231



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