

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

Monday 25 June 2018

Held at the
'Gold Room, Liverpool Library'
170 George Street
LIVERPOOL

Panel:	Michael Mantei	Chair
	Grant Christmas	Expert
	Fiona Gainsford	Expert
	Carl Hadfield	Community Rep

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

25 June 2018

ITEM No:	1
APPLICATION NUMBER:	RZ-3/2017
SUBJECT:	Amend LLEP 2008 to include site specific enabling clause under Schedule 1- Additional Permitted Uses, to permit medical centres as a use at 2-6 Walder Road Hammondville
LOCATION:	DP 407758 CNR LOT E 2-6 WALDER ROAD, HAMMONDVILLE
OWNER:	GARLOFT PTY LTD and TOPGLOVE PTY LTD
APPLICANT:	Mammoth Projects Pty Ltd
AUTHOR:	Kweku Aikins

ISSUES RELATED TO THE APPLICATION

The panel has inspected the site and read the Council officer's report. The panel received representations from 5 local residents objecting to the proposed amendment and from 2 representatives of the applicant.

The objectors are concerned in summary with traffic, vehicular access and parking impacts arising from the proposal, as well as potential amenity impacts in the nature of noise, odour and overlooking.

The majority of the panel is satisfied that the proposal has strategic merit, however the panel has serious concerns about site specific merit. That is, the panel is satisfied that the site is capable of accommodating a medical centre in some shape or form, however not the shape and form shown on the development application plans. These concerns relate to the size and bulk of the building, setback to adjoining uses and the detailed plans for construction of a roundabout at the intersection of Meehan Avenue and Walder Road.

The majority of the panel recommends that Council request the proponent to test a number of design options for the site that achieve a significant increase in setback to adjoining residential uses and a reduction in building scale commensurate with the low density residential character of the area. This should be done before any amended plans are lodged with the development application. The resultant gross floor area of the final design should be incorporated as a condition in the schedule amendment.

In terms of traffic impacts, the majority of the panel recommends that council ask the proponent to provide more detailed traffic control measures designed to minimise impact on existing access to adjoining properties and consider potential widening of the road adjacent to the Walder Road frontage.

Ms Gainsford considers that the proposal does not have strategic or site specific merit.

25 June 2018

VOTING NUMBERS:

3-1

ADVICE OF PANEL:

That council considers the panel's advice contained in the panel's minutes in respect of RZ-3/2018 Amend LLEP 2008 to include site specific enabling clause Under Schedule 1- Additional Permitted Uses, to permit medical centres as a use at 2-6 Walder Road Hammondville.

ITEM No:	2
APPLICATION NUMBER:	RZ-7/2017
SUBJECT:	Amend Schedule 1 of the Liverpool Local Environmental Plan 2008 (LLEP 2008) to include a vehicle sales or hire premises as an additional permitted land use at 2A Helles Avenue, Moorebank (Lot 1 and 3 DP 626253).
LOCATION:	LOT 1 DP 626253, CNR LOT 3 DP 626253 2A HELLES AVENUE, MOOREBANK
OWNER:	A C MCGRATH AND CO PTY LTD
APPLICANT:	AHG NSW
AUTHOR:	Marcus Jennejohn

ISSUES RELATED TO THE APPLICATION

The panel has inspected the site and read the Council officer's report. The panel noted the attendance of a representative of the proponent at the panel meeting.

The panel considers that the proposal has strategic and site specific merit for the reasons outlined in the Council officer's report. The panel supports the proposed limitation on gross floor area and retention of the existing warehouse building as conditions of the amendment, to be incorporated in schedule 1 of LLEP 2008.

VOTING NUMBERS:

4-Nil

ADVICE OF PANEL:

That council considers the panel's advice contained in the panels minutes in respect of RZ-7/2018 Amend Schedule 1 of the Liverpool Local Environmental Plan 2008 (LLEP 2008) to include a vehicle sales or hire premises as an additional permitted land use at 2A Helles Avenue, Moorebank (Lot 1 and 3 DP 626253.)

25 June 2018

ITEM No:	3
APPLICATION NUMBER:	DA-829/2017
SUBJECT:	Proposed one into five lot residential subdivision of Lot 2 DP 1231204 together with the construction of dwellings on each lot. The proposal is integrated development requiring an approval from nsw rural fire service
LOCATION:	PART LOT 1 DP 1231204 PART LOT 1 CHANGSHA ROAD, EDMONDSON PARK
OWNER:	REMEMBRANCE DRIVE PTY LTD
APPLICANT:	REMEMBRANCE DRIVE PTY LTD
AUTHOR:	Zeliha Cansiz

ISSUES RELATED TO THE APPLICATION

The panel has inspected the site and read the Council officer's report. The panel received submission from a representative of the applicant. The applicant requests a change to the timing of payments in draft conditions 9 and 10 to prior to subdivision certificate.

The panel agrees with and adopts the reasons for the proposed variation to the minimum lot size in clause 4.1 of LLEP 2008 for proposed lots 2504 and 2505. The panel also otherwise agrees with the reasons for the proposed determination as outlined in the Council officers report.

The panel considers that the requested changes to conditions 9 and 10 are justified and will be made.

VOTING NUMBERS:

4- Nil

DETERMINATION OF PANEL:

DA-829/2017 Proposed one into five lot residential subdivision of Lot 2 DP 1231204 together with the construction of dwellings on each lot. The proposal is integrated development requiring an approval from NSW rural fire service be approved subject to the reasons outlined in the recommendation of the council officer's assessment report.

25 June 2018

ITEM No:	4
APPLICATION NUMBER:	DA-1242/2015
SUBJECT:	Construction of a 5-storey mixed-use development comprising of 6 retail tenancies on the ground floor and 44 residential units above with 3 levels of basement
LOCATION:	LOT F DP 385534 260 EDMONDSON AVENUE, AUSTRAL
OWNER:	A ELCHEIKH & X GAO
APPLICANT:	GEC CONSULTING GROUP P/L
AUTHOR:	Adam Flynn

ISSUES RELATED TO THE APPLICATION

The panel has inspected the site and read the Council officer's report. The panel received a submission from a representative of the Austral Progress Association in support of the recommendation for refusal of the application.

The panel is concerned about the clear inconsistency between the maximum height limit of 17 metres, on the one hand, and the objectives of the zone and heritage conservation area which, on the other hand, seek to limit the size and scale of future buildings. A 17 metre height limit sets an unrealistic expectation for development on this site given the constraints of the existing character of the area, which are reinforced by the heritage conservation area controls.

The proposed building is too high and out of scale with the existing buildings on either side of the site. The panel notes that the applicant has attempted to address the DEP recommendations, however there is a fundamental issue with the size and scale of the proposed building.

The panel agrees with and adopts the reasons for refusal outlined in the Council officer's report.

VOTING NUMBERS:

4-Nil

DETERMINATION OF PANEL:

Construction of a 5-storey mixed-use development comprising of 6 retail tenancies on the ground floor and 44 residential units above with 3 levels of basement be refused subject to the reasons outlined in the recommendation of the council officer's assessment report

25 June 2018

ITEM No:	5
APPLICATION NUMBER:	DA-1226/2016
SUBJECT:	Demolition of existing dwelling, construction of nine (9) level residential flat building containing eighteen (18) residential units above three (3) basement levels with 22 car parking spaces
LOCATION:	LOT 2 DP 110597 6 COPELAND STREET LIVERPOOL
OWNER:	Mr A H Mariush
APPLICANT:	Mr A H Mariush
AUTHOR:	George Nehme

ISSUES RELATED TO THE APPLICATION

The panel has inspected the site and read the Council officer's report. The panel did not receive any representation from any objector or the applicant.

The panel is concerned about suitability of the site for the proposed development given constraints imposed by access to Copeland Street/Hume Hwy and the size and shape of the allotment.

The panel notes the significant departure from the minimum building separation requirements of the Apartment Design Guide and resultant impacts on the amenity of future adjoining development. The panel is not convinced that amalgamation of the site with adjoining land to the north has been fully or properly explored. The panel considers that a more appropriate form of development on this site would involve amalgamation with the adjoining property to the north or east, alternatively a lesser scale development that satisfies all setback and amenity controls.

The panel adopts and agrees with the reasons for refusal of the application contained in the Council officer's report.

VOTING NUMBERS:

4-Nil

DETERMINATION OF PANEL:

DA-1226/2016 Demolition of existing dwelling, construction of nine (9) level residential flat building containing eighteen (18) residential units above three (3) basement levels with 22 car parking spaces be refused subject to the reasons outlined in the recommendation of the council officer's assessment report.

25 June 2018

ITEM No:	6
APPLICATION NUMBER:	DA-541/2016
SUBJECT:	Demolition of existing dwelling, inground concrete swimming pool and detached secondary dwelling and construction of a Childcare Centre for 60 children with basement car park to operate from Monday to Friday 7am – 7pm and 30 children Saturdays 8am to 4.30pm
LOCATION:	LOT 8 DP 237072 53 CLYDE AVENUE, MOOREBANK
OWNER:	Mr A N HASTIE
APPLICANT:	Mr A N HASTIE
AUTHOR:	George Nehme

ISSUES RELATED TO THE APPLICATION

The panel has inspected the site and read the Council officer's report. The panel received submissions from a number of local residents objecting to the proposal and from the applicant.

The objectors raised concern about existing delays in accessing the intersection of Nuwarra Road and Marshall Avenue and the narrow width of Clyde Avenue. The applicant raised concern about procedural issues associated with notification of the latest panel report and the lack of cooperation from Council traffic engineers and planning staff.

The panel notes that the applicant has provided Council with an updated traffic survey and analysis, which has been assessed by Council officers. The result of that assessment is that Council officers recommend refusal of the application.

The panel considers there are significant capacity constraints in the local road network to accommodate a childcare centre. The updated traffic data shows a significant increase in the delay experienced by drivers wishing to exit Marshall Avenue turning right into Nuwarra Road at peak times. Although the existing intersection is already functioning poorly, the proposed development will significantly increase the delays at this intersection. Additionally Clyde Avenue is narrow and windy, creating potential traffic safety issues for existing users, particularly when on-street car parking numbers are high.

The panel acknowledges the applicant's desire to work with Council officers to find a solution to the intersection of Marshall Avenue and Nuwarra Road. However the process of designing and implementing a treatment at that intersection is lengthy and not able to be accommodated through deferral of this application. The panel is satisfied that the applicant has been afforded procedural fairness in respect of the recommendation for refusal.

The panel adopts and agrees with the reasons for refusal of the application contained in the Council officer's report.

25 June 2018

VOTING NUMBERS:

4-Nil

DETERMINATION OF PANEL:

DA-541/2016 Demolition of existing dwelling, inground concrete swimming pool and detached secondary dwelling and construction of a Childcare Centre for 60 children with basement car park to operate from Monday to Friday 7am – 7pm and 30 children Saturdays 8am to 4.30pm be refused subject to the reasons outlined in the recommendation of the council officer's assessment report.