

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

Monday 30<sup>th</sup> March 2020, 2pm

**Held Via Teleconference Microsoft Teams**

Panel: Michael Mantei (Chair)  
Fiona Gainsford Expert  
Lindsay Fletcher Expert  
Ula Jane Llewellyn Community Rep

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

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<b>ITEM No:</b>	1
<b>APPLICATION NUMBER:</b>	DA-6/2018
<b>SUBJECT:</b>	Demolition of existing structures, subdivision of the site into 2 separate lots and construction of a single storey allied health facility with 40 at-grade car parking spaces and a slip lane off Heathcote Road and creation of a residential lot.
<b>LOCATION:</b>	CNR LOT E & LOT D DP 407758 LOT 7 & LOT 8 DP 539636 2-6 WALDER ROAD and 194 HEATHCOTE ROAD, HAMMONDVILLE
<b>OWNER:</b>	Garloft Pty Ltd and Topglove Pty Ltd
<b>APPLICANT:</b>	Mammoth Projects Pty Ltd
<b>AUTHOR:</b>	Development Assessment

#### ISSUES RELATED TO THE APPLICATION

The Panel members have inspected site and read the Council Officer's report.

The Panel received representations from a number of objectors and representatives of the applicant.

The Panel notes the Council officer's assessment of the likely impacts of the proposed development and agrees with the conclusions reached. In particular, the Panel:

- a) is satisfied that the scale of the proposed building is compatible with the scale of the surrounding land uses;
- b) is satisfied that the impact of the proposal including traffic generated by the additional consulting rooms is acceptable, on the basis of the expert traffic engineering advice provided to the Panel; and
- c) has considered the potential noise impacts arising from the development on the adjoining residential properties in Pritchard Avenue, Heathcote Road and Walder Road.

In relation to noise impact the Panel will require the height of the acoustic barrier recommended in the acoustic report along the boundary of the site (excluding Lot 1) to be increased to 2.1 metres, noting that the applicant's representatives at the meeting agreed to the amendment. The height of the acoustic barrier is to be reduced to 1.2 metres forward of the front building setback on Walder Road and Heathcote Road to ensure safe sight distance. Draft conditions 16 and 113 have been amended

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accordingly.

On the morning of the Panel meeting the Panel was provided with additional information prepared by the applicant's planning consultant dealing with permissibility of the pharmacy component of the development. The information was intended to respond to proposed condition 2 of the draft conditions of consent.

The Panel is not in a position to properly consider the additional information submitted by the applicant, given the limited time before the Panel meeting for Council officers to properly assess the information and brief the Panel accordingly. Consequently, the Panel has determined to impose proposed condition 2, which excludes the pharmacy component from the approved development, for the reasons outlined in the Council officer's report.

The Panel is otherwise satisfied that the other components of the proposed development are characterised as a medical centre, which is permitted with development consent on the land under clause 57 of the Infrastructure SEPP.

The panel has made a minor adjustment to draft condition 94 to be consistent with other conditions.

#### **VOTING NUMBERS:**

4-Nil

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

DA-6/2018 Demolition of existing structures, subdivision of the site into 2 separate lots and construction of a single storey allied health facility with 40 at-grade car parking spaces and a slip lane off Heathcote Road and creation of a residential lot be approved subject to the conditions as modified.

<b>ITEM No:</b>	2
<b>APPLICATION NUMBER:</b>	DA-15/2019
<b>SUBJECT:</b>	Demolition of all existing structures and construction of a five (5) storey residential flat building comprising seventeen (17) units (6 of which are identified as affordable housing) and two (2) levels of basement car parking for twenty-four (24) vehicles
<b>LOCATION:</b>	Lot 401 of DP 1185131 37 Carboni Street, Liverpool
<b>OWNER:</b>	Thomas Tan Do
<b>APPLICANT:</b>	Marcel Zarb

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<b>AUTHOR:</b>	Peter Nelson
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#### ISSUES RELATED TO THE APPLICATION

The Panel members have familiarised themselves with site and read the Council officer's report.

The Panel received a representation from the applicant.

The proposed development does not comply with a number of critical design requirements in SEPP65 and the Apartment Design Guide. The applicant has not responded in a timely manner to the design amendments suggested by the Council's Design Excellence Panel.

It is critical that new development in a locality likely to undergo change as a result of changes in zoning controls comply with the applicable design controls. This site is a prominent site in such a locality.

It is not appropriate to defer determination of the application given the extent of changes necessary to address the outstanding issues, and the uncertainty about the timing of the submission and assessment of amended plans.

#### VOTING NUMBERS:

4-Nil

#### DETERMINATION OF PANEL:

DA-15/2019 Demolition of all existing structures and construction of a five (5) storey residential flat building comprising seventeen (17) units (6 of which are identified as affordable housing) and two (2) levels of basement car parking for twenty-four (24) vehicles be refused for the reasons outlined in the Council officer's report.

<b>ITEM No:</b>	3
<b>APPLICATION NUMBER:</b>	DA-256/2019
<b>SUBJECT:</b>	Consolidation of two (2) lots into one (1) lot and construction of a shed, carport and attached double storey dwelling to create a dual occupancy onsite.
<b>LOCATION:</b>	Lot 1, DP 245122 and Lot 32, DP 651017 1562 Elizabeth Drive, Cecil Park
<b>OWNER:</b>	Antonio and Carmela Ongaro

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<b>APPLICANT:</b>	Peter Pham
<b>AUTHOR:</b>	Gorana Dubroja

#### ISSUES RELATED TO THE APPLICATION

The Panel members have familiarised themselves with the site and read the Council officer's report.

No representations were received at the meeting.

The Panel is satisfied that the applicant's written request to vary the minimum lot size in clause 4.1 of LEP2008 adequately addresses the matters required to be demonstrated by clause 4.6 (3) of LEP2008.

The Panel is also satisfied that the proposed development will be in the public interest because it is consistent with the objectives of clause 4.1 and the objectives of development within the RU4 zone under LEP2008, for the reasons outlined in the Council officer's assessment report.

The Panel otherwise agrees with the Council officer's assessment of the application

#### VOTING NUMBERS:

4-Nil

#### DETERMINATION OF PANEL:

1. The Panel upholds the applicants request to vary the minimum lot size in clause 4.1 of LEP2008.
2. DA-256/2019 for consolidation of two (2) lots into one (1) lot and construction of a shed, carport and attached double storey dwelling to create a dual occupancy onsite be approved subject to the conditions outlined in the Council officer's report.