

**DERTERMINATION OF THE  
LIVERPOOL LOCAL PLANNING PANEL**

**20 May 2019**

Determination Made Electronically

Panel: Michael Mantei (Chair)  
Michael Harrison  
Fiona Gainsford  
Stephen Dobell-Brown

**There were no declarations of any conflict of interest by panel members in respect of the only item on the meeting agenda.**

<b>APPLICATION #:</b>	<b>DA-719/2018</b>
<b>SUBJECT:</b>	<b>Removal of all vegetation from the site and earthworks to accommodate future industrial development</b>
<b>LOCATION:</b>	<b>Lot 100 DP 1249662, NO. 5 Yarrowa Street, Pestons</b>
<b>OWNER</b>	<b>Mr F Nasser, Mr G Nasser, Mr M Nasser</b>
<b>APPLICANT</b>	<b>JVMC Pty Ltd</b>
<b>AUTHOR:</b>	<b>Ivan Kokotovic – Senior Development Planner</b>

### **PANEL DISCUSSION**

The Panel resolved at its meeting held on 25 February 2019 to defer consideration of this item pending submission of additional information by the applicant and further assessment of that information by Council officers. The Panel resolved to determine the application electronically once the further assessment report was finalised.

The further information requested by the Panel related to:

- traffic and parking
- potential impacts on the adjoining Endeavour Energy substation and overhead high voltage electricity transmission easement
- landscape treatment adjacent to the road frontage
- general impact mitigation measures

On 7 March 2019 the applicant provided Council with a supplementary planning report prepared by Willow Tree Planning, which was accompanied by a traffic report prepared by Transport and Traffic Planning Associates dated 1 March 2019, a landscape plan prepared by Habit8 revision C, a construction vibration report by Renzo Tonin & Associates dated 6 March 2019 and civil design plans prepared by AT&L Civil Engineers and Project Managers issue B.

The additional information was assessed by Council officers and referred to Endeavour Energy for comment on 11 April 2019. Council received a submission from Endeavor on 30 April 2019. Council officers have provided the Panel with revised draft conditions of consent.

In light of the additional information submitted by the applicant and the Council officers assessment of that information, the Panel has resolved to grant development consent subject to the draft conditions recommended by Council officers.

In relation to traffic and parking the Panel notes that the additional information demonstrates that the traffic volumes generated by the proposal are reasonably low. The existing traffic issues observed by the Panel on site were caused by existing on-street parking and traffic generated by other development in the vicinity. The Panel recommends that Council's traffic engineers assess the need for parking restrictions in Yarrowa Street in the future and implement any changes prior to the commencement of this development. This can be done in the context of the construction traffic management plan required by condition 12 of the draft conditions.

In relation to potential impact on the substation and easement, the Panel is satisfied that Endeavor Energy's comments have been adequately considered and incorporated into the development consent by draft condition 2. The recommendations of the Renzo Tonin & Associates report are also incorporated into the development consent in draft condition 11.

In relation to landscaping, the Panel considers that the existing mature trees within the front building line setback at the corner of Yarrowa Street and the M7 on-ramp and the triangular portion of land at the northern tip of the site should be retained. The streetscape benefit of retaining these trees outweighs the small burden on the applicant resulting from their retention. The Panel's concern is capable of being addressed by conditions of consent in the form of conditions 9(b) and (c) and accompanying marked up landscape plan.

In relation to mitigation measures, the Panel's concerns have been addressed by the imposition of draft condition 3, which requires the proposed development to implement the mitigation measures recommended in the Environmental Impact Statement, prepared by WillowTree Planning, dated December 2018, reference number: WTJ18-201 Rev 1.

**VOTING NUMBERS:**

4-Nil

**DETERMINATION OF PANEL:**

That DA-719/2018 for Removal of Vegetation and Earthworks to accommodate future Industrial Development (as proposed and under assessment under DA-796/2018) at Lot 100 DP 1249662, NO. 5 Yarrowa Street, Pestons is determined by the granting of development consent subject to the draft conditions attached as **Annexure A** to these minutes.

Liverpool Local Planning Panel  
20 May 2019