

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

Monday the 29th of May 2023

Held online via
MS Teams

Panel: Michael Mantei (Chair)
Jason Perica
Stuart McDonald
Ellie Robertson

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

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ITEM No:	1
APPLICATION NUMBER:	DA-965/2021
SUBJECT:	Installation of 285 photovoltaic solar panels and 4 invertors, along with cabling and associated works, to the existing concrete roof of the Powerhouse building
LOCATION:	Casula Powerhouse, 1 Powerhouse Road, Casula NSW 2170
OWNER:	Liverpool City Council
APPLICANT:	Liverpool City Council
AUTHOR:	Liam Spinks - APP

ISSUES RELATED TO THE APPLICATION

The Panel has reviewed the consultant planner's assessment report and the plans and report accompanying the development application.

Subject to an additional condition arising from the statement of heritage impact, the Panel accepts the consultant planner's recommendation that development consent be granted subject to the draft conditions annexed to the assessment report. The Panel satisfied the consultant planner has properly considered all relevant matters as set out in the assessment report. The Panel considers that the proposal to install solar panels on the Powerhouse is a commendable and sustainable initiative.

The Panel notes the statement of heritage impact contains specific recommendations on the installation of the panels to help preserve the heritage significance of the building. The panel considers these recommendations ought to be specifically mentioned in the conditions of consent. Accordingly, the below conditions are imposed in addition to the existing condition 37.

- a. The installation works are to be monitored by a structural engineer to confirm that best practice installation techniques are employed and to monitor whether any early signs of stress or damage to the roof structure occur.
- b. The structural engineer is to ensure that no penetrations into the historic building fabric or structures will occur.
- c. Prior to issue of Occupation Certificate, a specialist waterproofing contractor is to be engaged to ensure penetrations through the existing roof form during the installation of the stainless steel rods will be re-sealed accordingly.

VOTING NUMBERS:

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DETERMINATION OF PANEL:

DA965/2021 for installation of 285 photovoltaic solar panels and 4 invertors, along with cabling and associated works, on the existing concrete roof of the Powerhouse building be approved subject to the conditions annexed to the assessment report and the conditions referred to in the panel minutes.

ITEM No:	2
APPLICATION NUMBER:	DA-221/2021
SUBJECT:	Demolition of existing building structures, tree removal, and construction of a five storey residential flat building over 2 levels of basement parking, and related landscaping and stormwater management.
LOCATION:	1 Harvey Avenue and 11 Dredge Avenue, Moorebank
OWNER:	Mr Dennis John Muller, Ms Lorraine Joyce Muller and Ms Kylie Jacklynne Gleza
APPLICANT:	Alain Assoum
AUTHOR:	Emily Lawson

ISSUES RELATED TO THE APPLICATION

The Panel has read the Council officers' report and accompanying documents. Panel members have familiarised themselves with the site of the proposed development. A representative of the applicant attended the meeting to answer questions.

The Panel has considered the applicants written request in respect of the contravention of the height of buildings development standard contained in clause 4.3 of Liverpool Local Environmental Plan 2008. For the reasons articulated in the Council officer's assessment report the Panel considers that the applicant's written request under clause 4.6 adequately justifies the contravention by demonstrating that:

- (a) compliance with the development standard is unreasonable or necessary in the circumstances of the case, and
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

The Panel is also satisfied that the proposed development will be in the public interest, because it is consistent with the objectives of the height of building standard, and the objectives of the R4 high density residential zone.

The Panel notes the design breaches the building separation controls contained in the Apartment Design Guide at a number of locations. The Panel is satisfied that strict compliance for these controls is not necessary, given the irregular shape of the allotment, the location of the encroachments relative to the adjoining properties and minor degree of the breaches.

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The Panel considers it appropriate in the circumstances to impose a condition requiring the applicant to install a single electric vehicle charging unit (32 amp) within the basement in a suitable location, accessible to all unit owners. An additional condition is imposed to this effect.

The Panel is otherwise satisfied that the bulk and scale of the proposed development is consistent with the likely future character of this precinct in the Moorebank locality, given the R4 high density residential zone.

VOTING NUMBERS:

4 – 0

DETERMINATION OF PANEL:

That DA221/2021 for demolition of existing building structures, tree removal, and construction of a five storey residential flat building over 2 levels of basement parking, and related landscaping and stormwater management be approved subject to the conditions annexed to the Council officers report and the additional condition outlined in the Panel minutes.

ITEM No:	3
APPLICATION NUMBER:	RZ-3/2022
SUBJECT:	Planning proposal to amend HOB and FSR of the LLEP 2008 relating to land at 93-145 Hoxton Park Road, 51 Maryvale Avenue & 260 Memorial Avenue, Liverpool NSW
LOCATION:	93-145 Hoxton Park Road, 51 Maryvale Avenue & 260 Memorial Avenue, Liverpool
OWNER:	91-143 Hoxton Park Road Liverpool – ABA Estate PTY LTD 260 Memorial Avenue Liverpool – NSW Trustee and Guardian 145 Hoxton Park Road Liverpool and 51 Maryvale Avenue Liverpool – Transport for New South Wales
APPLICANT:	ABA Estate Pty Ltd
AUTHOR:	Stephen Peterson

ISSUES RELATED TO THE APPLICATION

The Panel has considered the Council officer's report and the applicant's planning proposal report, draft DCP and supporting documents.

The Panel considers that a site-specific DCP containing the provisions summarised at page 86 of the Council officer's report is critical to ensure that the site is developed in a form that minimizes bulk and scale when viewed from Hoxton Park Rd, conserves existing vegetation and minimizes impact on the amenity of the adjoining low density residential development to the north.

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The existing mature trees along the northern boundary of the site are an important feature of the site that must be largely retained in any redevelopment of the land. To that end, the Panel recommend Council obtain an arborist report from the applicant outlining measures necessary to protect significant trees in the subsequent development (basement and above ground building), and these findings be considered in the DCP controls.

The Panel recommends that Council officers reconsider the following aspects of the proposal:

- a) whether incentives ought to be included in the controls to encourage consolidation of the small lot adjoining the eastern boundary of the site (lot 5A DP 396839) with the development site;
- b) modelling of the potential maximum building envelope on the site to confirm that the GFA includes the site area of the access handle lots and adjustment of the envelopes if necessary;
- c) seek traffic engineering advice on the feasibility of additional vehicular access to Memorial Ave and (subject to consolidation of lot 5A with the development site) Maryvale Ave at the western and eastern ends of the site;
- d) if feasible, the suggestion in (c) above will improve wider traffic distribution, reduce impacts to neighbours of the site to the north, improve building design and separations, improve deep soil areas between buildings, improve the amenity of the civic spaces opposite the access handles, potentially allow separate basements and reduce the very long travel distances for residents in an alternate single consolidated basement.
- e) consider permitting small scale retail and food and drink premises on the site to encourage activation of the central community space within the site, noting that the limited scope for neighbourhood shops in the R4 zone.

Subject to reassessment of the FSR when the access handle areas are reconciled, the Panel a height of buildings or 20.5 m and FSR of 1.5:1 appropriate for the site.

VOTING NUMBERS:

4 – 0

ADVICE OF PANEL:

Following consideration of the matters outlined in the panel minutes, the planning proposal to amend HOB and FSR of the LLEP 2008 relating to land at 93-145 Hoxton Park Road, 51 Maryvale Avenue & 260 Memorial Avenue, Liverpool NSW be progressed to a gateway determination.