

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

Monday, 29th July 2024

Held online via
MS Teams

Panel:

Heather Warton (Chairperson)
Helen Lochhead (Expert)
Brendon Beirne (Expert)
Anthony Krilich (Community Representative)

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

Speakers:

Item 1 – DA-64/2007/F

- Matthew Daniel - Applicant

Item 2 – DA-470/2022/A

- Vandana Vandana – Applicant

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ITEM No:	1
APPLICATION NUMBER:	DA-64/2007/F
SUBJECT:	Modification to Development Consent DA-64/2007 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 to revise the northern alignment of Road 4, reposition the roundabout within the intersection with Southern Cross Drive (Road 7).
LOCATION:	Middleton Grange Town Centre - Lots 2-6 Flynn Avenue, Middleton Grange; 60 Hall Circuit, Middleton Grange; Lot 1 Seventeenth Ave East, Middleton Grange; Lot 102 Sixteenth Ave East, Middleton Grange.
OWNER:	Manta Group Ltd Al-Somai Developments Pty Ltd Liverpool City Council
APPLICANT:	Pacific Planning Pty Limited
AUTHOR:	Darren Laybutt – GAT & Associates

DETERMINATION OF THE PANEL:

Modification Application DA-64/2007/F seeking approval for the modification to Development Consent DA-64/2007 under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* to revise the northern alignment of Road 4, reposition the roundabout within the intersection with Southern Cross Drive (Road 7) is approved subject to the draft conditions of consent as recommended by the Council officer, with the following amendments:

1. Deletion of Condition 10.8
2. Revise Condition 10.7 as follows:
 - Change “sidra” to SIDRA
 - Change “constriction” to “construction”
 - Change “LTC” to “Liverpool Local Traffic Committee”
 - Change “Main Street” to “Main Street (Road 4)”
3. Move Condition 10.9 under the heading ‘Prior to any Work Commencing on the Site’ and to be renumbered as Condition 23C.

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ISSUES RELATED TO THE APPLICATION

The Panel considered the matters raised by the applicant's representative in the public meeting and agreed that recommended Condition 10.8 regarding bus stops is not directly relevant to this application.

The Panel otherwise agrees with the reasons for approval in the Council officer's assessment report.

VOTING NUMBERS:

4-0

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ITEM No:	2
APPLICATION NUMBER:	DA-470/2022/A
SUBJECT:	<p>Modification to Development Consent DA-470/2022/A under Section 4.56 of the <i>Environmental Planning and Assessment Act 1979</i>, to amend the subdivision layout and remove 1 residential lot resulting in 20 residential lots and 1 residue lot and to remove the proposal to construct 12 dwellings.</p> <p>Stage 1 Torrens title subdivision to create 17 residential lots and two residue lots, being proposed Lot 16 for a temporary OSD basin and temporary turning head, to be further subdivided into 3 residential lots in Stage 2, and one residue superlot (proposed Lot 19) that will be subject of a future development consent, site remediation, dam de-watering and demolition, construction of roads, tree removal and associated civil works.</p> <p>Stage 2 Decommissioning and rehabilitation of temporary OSD and temporary turning head and Torrens title subdivision of proposed Lot 16 to create 3 residential lots.</p>
LOCATION:	140 Sixth Avenue, Austral
OWNER:	UPG 245 Pty Ltd
APPLICANT:	UPG 245 Pty Ltd
AUTHOR:	Pradip Adhikari

DETERMINATION OF THE PANEL:

Modification Development Application DA-470/2022/A seeking approval for the modification to Development Consent DA-470/2022/ under Section 4.56 of the *Environmental Planning and Assessment Act 1979*, to amend the subdivision layout and remove 1 residential lot resulting in 20 residential lots and 1 residue lot and to remove the proposal to construct 12 dwellings is deferred for the following reasons:

1. The applicant is to:
 - a. Submit written evidence of consultation with the owner of the adjoining land part Lot 1077 in DP 2475 and demonstrate that there is an intention to cooperate in the orderly development of the ultimate proposed lot layout. This is light of the submitted Orderly Development Plan reference SK04 prepared by The Bathla Group September 2023 being reliant on road access from within Lot 1077.

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- b. Address how the applicant intends to comply with Condition 107.
2. Points a and b are to be addressed by the applicant within 14 days of this decision. After submission of the required information within this period, and following consideration by Council's Officers, the application is to be referred to the Panel for determination
3. The wording and applicability of Conditions 20, 98, 99 and 107 is to be considered by Council's officers in the future assessment report.

ISSUES RELATED TO THE APPLICATION

The Panel raises concern with the lack of evidence of consultation with adjoining landowner with regards to the treatment of the residual lot and the adjoining land that is in different ownership. Further information is requested to confirm that orderly development of the subject site and the adjoining land will not be impeded if this modification application is approved. On this basis the application is deferred.

VOTING NUMBERS:

4-0