

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

**Monday, 28 October 2024**

Held online via  
MS Teams

**Panel:**

Heather Warton (Chair)  
Stephen McMahon (Expert)  
David Lloyd (Expert)  
Ellie Robertson (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-160/2024

- Caitlin Spencer – Ventia Pty Ltd (Applicant)
- Oliver Jekic – (Objector)

Item 2 – DA-326/2024

- George Nehme – Pivotal Planning Pty Ltd (Applicant)

# LIVERPOOL CITY COUNCIL

## LIVERPOOL LOCAL PLANNING PANEL MINUTES AND DETERMINATION PAGE 1

28 October 2024

<b>ITEM No:</b>	1
<b>APPLICATION NUMBER:</b>	DA-160/2024
<b>SUBJECT:</b>	Telecommunications Facility with associated works
<b>LOCATION:</b>	Lot 100 Sirius Road, Voyager Point NSW 2172
<b>OWNER:</b>	Sydney Water Corporation
<b>APPLICANT:</b>	Ms Jessie Zhao – Ventia Pty Ltd
<b>AUTHOR:</b>	Tamim Omar

### DETERMINATION OF PANEL:

Development Application DA-160/2024 is approved subject to the draft conditions of the consent as recommended by the Council Officer with the following amendments:

- 1. Condition 73**  
Is to be moved under the heading 'Building work Before Issue of the Construction Certificate'. The conditions are to be renumbered accordingly.
- 2. Condition 2**  
The reference in the heading to the payment of 'Section 7.11 Contributions' shall be amended to read payment of Section 7.12 Contributions.

### REASONS FOR DECISION:

The majority of the Panel supports approval of the application for the reasons outlined in the Council's assessment report. The development is consistent with SP2 Infrastructure zone under the Liverpool LEP 2008 and is permissible under SEPP (Transport and Infrastructure 2021).

The written submissions and the submissions made at the meeting by an objector were considered by the Panel. The Panel notes that the written objections and the speaker at the meeting referred to the confusion regarding the location of the site. Council's Officers confirmed that the location of the site was shown in the notification information on Council's Planning Portal and that application notices were prominently displayed on the site

The dissenting member did not support the application due to the sheer volume of the community objection.

### VOTING NUMBERS:

# LIVERPOOL CITY COUNCIL

## LIVERPOOL LOCAL PLANNING PANEL MINUTES AND DETERMINATION PAGE 2

28 October 2024

<b>ITEM No:</b>	2
<b>APPLICATION NUMBER:</b>	DA-326/2024
<b>SUBJECT:</b>	Two lot Torrens title subdivision of an existing allotment
<b>LOCATION:</b>	30 Augusta Street, Casula NSW 2170
<b>OWNER:</b>	Mohammad Ali Hussein
<b>APPLICANT:</b>	Pivotal Planning Pty Ltd
<b>AUTHOR:</b>	Darren Laybutt – GAT & Associates

### DETERMINATION OF PANEL:

Development Application DA-326/2024 is approved subject to the draft conditions of the consent as recommended by the Council Officer with the following amendments:

1. Condition 21 is to be added:

#### **F. Prior to Issue of Subdivision Certificate Timing of Demolition**

Prior to the issue of subdivision certificate, the existing structures on the site must have been demolished via a separate approval. Consent has not been granted for the demolition of structures in this approval.

### REASONS FOR DECISION:

The Panel approves the application for the reasons outlined in the Council assessment report. The development is consistent with the R2 Low Density Residential zone under the Liverpool LEP 2008. Condition 21 is added, to address the issue of the demolition of the existing dwelling, as identified in the assessment report. There were no submissions on the application.

### VOTING NUMBERS:

4-0

## LIVERPOOL CITY COUNCIL

### LIVERPOOL LOCAL PLANNING PANEL MINUTES AND DETERMINATION PAGE 3

28 October 2024

<b>ITEM No:</b>	3
<b>APPLICATION NUMBER:</b>	DA-170/2024
<b>SUBJECT:</b>	Construction of a dual occupancy (detached) with landscaping and associated site works
<b>LOCATION:</b>	16 Flood Avenue, Austral NSW 2179
<b>OWNER:</b>	S.E.L Home Corp Pty Ltd
<b>APPLICANT:</b>	Rubik Homes Pty Ltd
<b>AUTHOR:</b>	Darren Laybutt – GAT & Associates

#### DETERMINATION OF PANEL:

Development Application DA-170/2024 is approved subject to the draft conditions of the consent as recommended by the Council Officer with the following amendments:

1. Add a condition after Condition 9, and renumber all other conditions accordingly:

##### **General Conditions**

##### **(A015) General Terms of Approval**

All conditions issued by Endeavour Energy shall be complied with prior, during and at the completion of construction as required in accordance with the letter dated 5/06/2024. A copy of the letter is attached to this decision notice.

2. Add a condition after Condition 18, and renumber all other conditions accordingly:

##### **Before Issue of a Construction Certificate**

##### **(D702) Bushfire**

Construction shall be in accordance with any BAL level identified and the recommendations of the Bush Fire Assessment Report by Bushfire Consultancy Australia dated 29.05.2023.

The dwelling shall be constructed in accordance with the provisions of the "Planning for Bushfire Protection" November 2019 and "AS3959 - 2018 'Construction in Bushfire Prone Areas'".

3. Add a condition after Condition 64, and renumber all other conditions accordingly:

##### **Before the Issue of an Occupation Certificate**

##### **(E018) Street Tree**

Prior to the issue of an Occupation Certificate, the Principal Certifier must be satisfied that the existing street tree affected by the construction of the driveway for Unit 2 is relocated to a new position within the road reserve in the property frontage to the satisfaction of a supervising arborist.

28 October 2024

4. Add a condition after Condition 68 (the last condition which will have been renumbered):

**Occupation and Ongoing Use  
(G085) Management of Asset Protection Zones (APZ)**

During ongoing use of the site, the APZ must be managed in accordance with the Bush Fire Assessment Report by Bushfire Consultancy Australia dated 29.05.2023, Planning for Bushfire Protection 2019 and the NSW Rural Fire Service's Standards for Asset Protection Zones.

**REASONS FOR DECISION:**

The Panel approves the application for the reasons outlined in the Council assessment report. The development is consistent with the R2 Low Density Residential zone under the State Environmental Policy (Precincts – Western Parkland City) 2021. No submissions were received.

Additional conditions have been added to clarify the requirements arising from the proximity to an existing Endeavour Energy substation and easement; as the site is Bushfire prone; and to require the relocation of the street tree which was identified as an issue in the assessment report.

A copy of Endeavour Energy's Terms of Approval was provided to the Panel, and will be annexed to the Notice of Determination.

**VOTING NUMBERS:**

4-0