

MINUTES AND DETERMINATION OF THE LIVERPOOL LOCAL PLANNING PANEL MEETING

Monday 23rd February 2026

Held online via
MS Teams

Panel:

John Cole (Chair)
Brian Kirk (Expert)
Megan Jones (Expert)
Stuart Mangleson (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-344/2024

- Shane Gray - Applicant

Item 2 – DA-305/2025

- Jarita Zeng - Applicant

Item 3 – DA-878/2015/B

- Kip Laverack - On behalf of Applicant
- Julie Horder - On behalf of Applicant
- Carter Gaze - On behalf of Applicant

Item 4 – DA-235/2025

- Frank Mosca - Architect on behalf of Applicant
- Rinaut Baianov - Architect on behalf of Applicant
- Trevor Dunbar - Planner on behalf of Applicant

Item 5 – DA-550/2024/A

- Zainab Hamka - Submitter
- Charbel Kazzi - Submitter
- Andrew Minto - Planner on behalf of Applicant

Note: Site inspections were conducted for Items 2 - 5. Item 1 was inspected at the meeting held on 31st March 2025.

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ITEM No:	1
APPLICATION NUMBER:	DA-344/2024
SUBJECT:	Construction of a Footpath and Boardwalk to be used for public recreation
LOCATION:	Lot 304 Newbridge Road, Moorebank 85 Brickmakers Drive, Moorebank New Brighton Golf Course and Club, Moorebank Wurrungwuri Reserve and 85 Brickmakers Drive, Moorebank
OWNER:	[REDACTED]
APPLICANT:	New Brighton Golf Club Ltd
AUTHOR:	Joe Bell - Patch Planning

DETERMINATION OF PANEL:

Development Application DA-344/2024 seeking approval for the construction of a footpath and boardwalk to be used for public recreation is approved subject to conditions of the consent as recommended in the Assessment Report:

REASONS FOR DECISION:

The Panel endorses the Council Officers' Assessment Report and is satisfied with the recommended conditions of consent.

VOTING NUMBERS:

4-0

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ITEM No:	2
APPLICATION NUMBER:	DA-305/2025
SUBJECT:	Construction of Koala fencing on Heathcote Road at Deadmans Creek. The proposal is identified as designated development pursuant to Clause 2.7 of State Environmental Planning Policy (Resilience and Hazards) 2021.
LOCATION:	Land within the road reserve of Heathcote Road, adjacent to Deadmans Creek and Lot 7 in Deposited Plan 825745
OWNER:	Liverpool City Council
APPLICANT:	Transport for NSW
AUTHOR:	Annabelle Ambrogio - CPS Planning

DETERMINATION OF PANEL:

Development Application DA-305/2025 seeking approval for the Construction of Koala fencing on Heathcote Road at Deadmans Creek is approved subject to conditions of the consent as recommended in the Assessment Report with the following amendments:

1. Delete condition **(B095) Long Service Levy**

REASONS FOR DECISION:

The Panel endorses the Council Officers' Assessment Report and is satisfied with the recommended conditions of consent as amended by the Panel.

VOTING NUMBERS:

4-0

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ITEM No:	3
APPLICATION NUMBER:	DA-878/2015/B
SUBJECT:	Modification to Development Consent DA-878/2015 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, for alterations and additions, and the retention and use of unauthorised modifications within an approved residential flat building.
LOCATION:	71 Hill Road, Lurnea
OWNER:	[REDACTED]
APPLICANT:	Hill Road Lurnea Pty Ltd
AUTHOR:	Greg Mottram

DETERMINATION OF PANEL:

Modification Application DA-878/2015/B seeking approval for alterations and additions, and the retention and use of unauthorised modifications within an approved residential flat building is deferred until 31st March 2026 to allow the applicant additional time to provide an amended application to Council.

REASONS FOR DECISION:

The Panel is uncertain of the parts of the building for which prospective use is being sought and the building works that are proposed against those that have already been carried out. The Panel notes that consent was granted for use of the building as a residential flat building in the determination of the initial DA.

The Panel does not need to, nor have power to, retrospectively approve the erection or retention of those parts of the building which are in breach of the development consent. In particular, contravention of height and floor space controls, which would ordinarily require, as part of a clause 4.55 assessment, to be considered in a similar manner to a clause 4.6 objection; however, as the breaches already exist (i.e. the offending parts of the building have already been constructed), the Panel cannot consider the contravention of these development standards retrospectively. Bearing this in mind, the Panel notes the question whether the Panel should be involved at all as the reasons the application is before the Panel is because there is more than a 10% breach of development standards.

The Panel notes that for it to be satisfied for a prospective use approval it would need to be demonstrated that the building is fit for purpose and that will require, at least, satisfactory completion of the rectification works listed in the Order issued by the Building Commissioner and the issue of a Building Information Certificate for those parts of the development already constructed but not in accordance with the development consent.

The Panel notes that an Occupation Certificate will have to be issued prior to occupation and use of the development.

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VOTING NUMBERS:

4-0

ITEM No:	4
APPLICATION NUMBER:	DA-235/2025
SUBJECT:	Development Application for the use and operation of a constructed motel development with associated at-grade and basement car parking and signage
LOCATION:	654A Hume Highway Casula NSW 2170 654B Hume Highway Casula NSW 2170
OWNER:	[REDACTED]
APPLICANT:	Afif Chehab c/ - Chehab Asset Management Pty Ltd
AUTHOR:	Tamim Omar

The minutes for this item are currently being finalised and will be published separately once completed.

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ITEM No:	5
APPLICATION NUMBER:	DA-550/2024/A
SUBJECT:	Section 4.56 modification to DA-550/2024 pursuant to the Environmental Planning and Assessment Act 1979 seeking consent to convert the communal living area 03 into co-living room 505, modification to bulky waste area, modification to internal layouts of co-living rooms 302,303,401,501 and communal living room 02 and relabelling of communal living area 04 to communal living area 03.
LOCATION:	25 Simone Crescent, Casula 2170
OWNER:	[REDACTED]
APPLICANT:	Huimin Cui C/- Texco Design
AUTHOR:	Tamim Omar

DETERMINATION OF PANEL:

Development Application DA-550/2024/A seeking approval to convert the communal living area 03 into co-living room 505, modification to bulky waste area, modification to internal layouts of co-living rooms 302,303,401,501 and communal living room 02 and relabelling of communal living area 04 to communal living area 03 is approved subject to conditions of the consent as recommended in the Assessment Report with the following amendments:

1. Under the heading 'Building work before the issue of a Construction Certificate' insert the following condition:

40A. Plan of Management

An amended Plan of Management is required to be submitted to and approved by Council referencing a maximum occupancy of 40 rooms.

Condition reason: To ensure fairness, transparency and probity.

2. Under the heading 'Building work before the issue of a Construction Certificate' insert the following condition:

40B. Services and Fire Hydrant Enclosure

Prior to the issue of a Construction Certificate for works above ground slab level, the Certifying Authority is to be provided with plans demonstrating that all Services (Gas meter, water meter & fire hydrant and sprinkler booster valves and the like) are enclosed in a manner that complements the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA.

Condition reason: To ensure essential services are appropriately screened

3. Amend Condition 145 (**G004**) **Plan of Management** to:

The approved Plan of Management must be complied with at all times. A copy of the Plan of Management must be kept onsite at all times and be provided to

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Council officers on request. The operator of the site is to review the Plan of Management at least annually from the date of issue of an occupation certificate, with any changes necessitated from the review not to be carried out without written approval of Council's Executive Manager, Development Assessment.

Note: Council undertakes to not unreasonably withhold its approval and to respond to requests to amend in a timely manner.

Any proposed amendments to the Plan of Management that conflict with any other condition of consent or require the modification of any other condition of consent may require the submission and determination of a further formal application (e.g. complying development certificate application, modification application or development application).

Condition reason: To ensure fairness, transparency and probity. To ensure the operational measures implemented protect the amenity of the local area, maintain the safety and security of patrons and staff and to facilitate ongoing minor changes to the Plan of Management.

4. Amend condition 152 (**G200**) **Car Parking/Loading Provisions** to:
A total of eight (8) off street car parking spaces, including one (1) car share space and 15 bicycle parking must be provided in accordance with Council's requirements.

Condition reason: To ensure that adequate parking and loading are provided.

5. Under the heading 'Occupation and ongoing use' insert the following condition:
168A. Maximum Occupancy
A maximum of 40 rooms is permitted within the Co-Living Development.

Condition reason: To ensure fairness, transparency and probity.

REASONS FOR DECISION:

The Panel endorses the Council Officers' Assessment Report and is satisfied with the recommended conditions of consent as amended by the Panel.

VOTING NUMBERS:

4-0