

MINUTES AND DETERMINATION OF THE LIVERPOOL LOCAL PLANNING PANEL MEETING

Monday 15 June 2026

Held online via
MS Teams

Panel:

Terry Sheahan	Chairperson
Annette Ruhotas	Expert
Brian Kirk	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-480/2024**

Frank Mosca	Architect
Ivan Kokotovic	Applicants Planner

Note. Site inspections were conducted prior to the meeting.

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ITEM No:	1
APPLICATION NUMBER:	DA-480/2024
SUBJECT:	Re-advertised due to amendments to the original proposal for Demolition of existing structures, Construction of two (2) eight (8) level Residential Flat Buildings consisting of 148 apartments with separate basements, road construction, and on-site detention basin. The proposal includes Torrens Title subdivision into two (2) allotments from residue super-lot (Lot 26) approved under DA-141/2015/B, Stage 1. As amended for re-advertising, the proposal is for Demolition of the existing structures and the construction of one 10-storey Shop-top housing building consisting of 66 apartments and one 7-storey Residential Flat Building consisting of 74 apartments, separate basements with total car parking for 257 vehicles, with civil works, road construction, (and subsequent subdivision into 2 lots), over future residue super-lot (Lot 23) as approved in Modification Application DA-141/2015/C Stage 1 The proposal is Integrated Development, pursuant to the Environmental Planning and Assessment Act 1979, requiring general terms of approval from NSW Rural Fire Services under Section 100B of the Rural Fires Act 1997 The proposal is submitted pursuant to State Environmental Planning Policy (Housing) 2021, relating to the provision of affordable housing to both buildings.
LOCATION:	200 CROATIA AVENUE, EDMONDSON PARK NSW 2174
APPLICANT:	SIVA PROJECTS PTY LTD
AUTHOR:	Ben Paterson/ Nabil Alaeddine

DETERMINATION OF PANEL:

The Panel determined that Development Application DA-480/2024 seeking approval for Demolition of existing structures, Construction of two (2) eight (8) level Residential Flat Buildings consisting of 148 apartments with separate basements, road construction, and on-site detention basin. The proposal includes Torrens Title subdivision into two (2) allotments from residue super-lot (Lot 26) approved under DA-141/2015/B, Stage 1.

The proposal is submitted pursuant to State Environmental Planning Policy (Housing) 2021, relating to the provision of affordable housing to both buildings.

The proposal is Integrated Development, pursuant to the Environmental Planning and Assessment Act 1979, requiring general terms of approval from NSW Rural Fire Services under Section 100B of the Rural Fires Act 1997.

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As amended the proposal is for Demolition of the existing structures and the construction of one 10-storey Shop-top housing building consisting of 66 apartments and one 7-storey Residential Flat Building consisting of 74 apartments, separate basements with total car parking for 257 vehicles, with civil works, road construction, (and subsequent subdivision into 2 lots), over future residue super-lot (Lot 23) as approved in Modification Application DA-141/2015/C Stage 1 is approved subject to the applicant addressing the deferred commencement conditions relating to the registration of the subdivision pattern that will facilitate this development, and to the conditions recommended in the assessment report with the following amendments:

1. Amend Condition 14 – (B018) Provision for Electric Vehicle Charging to include the provision for EV infrastructure to be installed for all residential parking spaces. The condition is amended as follows in bold:

(B018) Provision for Electric Vehicle Charging

1. *Prior to the issue of a construction certificate, an electrical plan is to be submitted indicating that the nominated EV charging spaces are supported by appropriate electrical infrastructure, including:*
 - a) *a dedicated 32-amp circuit provided in the electricity distribution board for the purpose of vehicle charging; and*
 - b) *a minimum of one (1) 7 kW (32 A) type 2 electric vehicle charger within the basement parking area; Or*
 - c) *That the electrical distribution board is adjacent to the parking area; Or*
 - d) *In instances where the electrical distribution board is not on the wall adjacent to the parking area, an electrical conduit, pull-string and cover-plate is provided between the electrical distribution board and the vehicle parking area in a manner which permits a vehicle charger to be installed without penetrating any wall, ceiling or floor.*
 - e) **At a minimum, the installation of EV Foundation infrastructure is to be incorporated into the development to ensure that the Electrical Backbone is installed for all residential parking spaces to ensure that future installation of EV chargers and related infrastructure can be facilitated.**

Condition reason: *This condition is imposed to ensure the adoption of sustainable transportation practices by the integration of electric vehicle charging infrastructure in all new dwellings..*

2. Amendments to condition 48, *Nature Play in COS* relating to Landscaping conditions as follows in bold:

(B956) Nature Play in COS

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Prior to the issue of a Construction Certificate, a revised Landscape Plan is to be submitted to and approved by Council's City Design and Public Domain Team. The plan is to include improvements to the landscape design of the Communal Open Spaces at ground level, as follows:

- (a) North of each building. Natural play elements such as logs and additional trees. These play elements encourage imaginative play, discovery and connection with nature. If these elements are kept below 500mm, soft fall is not required. The NSW DPHI 'Everyone Can Play Guidelines' should be referred to when reviewing the play area design.*
- (b) A form of shading must be provided to the northern communal and private open space areas to ensure adequate protection from direct sunlight.*

Condition reason: To ensure the landscaping provides adequate amenity for residents.

3. Impose a new condition regarding the ongoing maintenance of the landscaping as follows:

Landscape Maintenance Plan

Prior to the issues of a construction certificate, a landscape maintenance plan is to be provided to Liverpool City Council to ensure the ongoing maintenance of all landscaped areas for the life of the development.

Condition reason: To ensure the ongoing maintenance of the landscaped areas

4. Impose a new condition for services and fire hydrants be enclosed as follows:

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

5. Impose a new condition requiring that all building egress areas comply with the relevant National Construction Code provisions for Disability Access services, as follows:

Compliance with the Disability Discrimination Act

Prior to issues of a Construction Certificate, access to the buildings, parking, and facilities for persons with disabilities in accordance with the provisions of the National Construction Code are to be shown on the plans forming part of the stamped plans and documents submitted to Council as part of the information accompanying the Construction Certificate.

Condition reason: To ensure Disability Access requirements comply with the NCC.

6. Condition 250 is to be deleted. Amend conditions 99 and 132 to include the wording "suitable qualified acoustic consultant" as follows:

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99.	(D480) Acoustic Report
	<i>All construction requirements identified in the approved acoustic report, which is listed in Condition 1, are to be incorporated in the stamped plans and documentation accompanying the relevant Construction Certificate. Certification of this is to be provided to the Certifier by a suitably qualified acoustic consultant and is to accompany the stamped plans and documents submitted to Council as part of the information accompanying the Construction Certificate.</i>
	<i>Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.</i>

132.	(E020) Acoustic Report
	<i>Written confirmation is to be provided to the Certifier verifying that all recommended acoustic measures have been incorporated in the construction of the development in accordance with the approved acoustic report, which is listed in Condition 1. This must be prepared by a suitably qualified acoustic consultant and is to be submitted to Council as part of the information accompanying the Occupation Certificate.</i>
	<i>Condition reason: To ensure the use meets health and amenity provisions to occupants and/or neighbouring properties.</i>

250.	(D480) Acoustic Report
	<i>The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development. The acoustic report must be prepared by a suitably qualified acoustic consultant.</i>
	<i>Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.</i>

7. Amend conditions 156 & 179 to reference condition 1 approved plans and documentation as follows:

156.	(E950) Affordable Housing
	<i>A restriction shall be registered, before the date of issue of any Occupation Certificate, against the title of the property on which the development is to be carried out, pursuant to Section 88E of the Conveyancing Act 1919, in the following terms:</i>
	<i>Terms of the Restriction on Use</i>
	<i>The restriction applies for fifteen (15) years from the date of issue of the Occupation Certificate pursuant to Notice of determination of Development Application No. DA-480/2024 issued by Liverpool City Council.</i>
	<i>The restrictions are:</i>
	<i>a) To be applied in accordance with the adaptable unit plan, drawing number AP-19, and the Access Report approved under Condition 1 of this consent that are to be used for the</i>

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	<i>purposes of affordable housing as defined in State Environmental Planning Policy (Housing) 2021;</i> b) <i>All accommodation that is used for affordable housing will be managed by a registered community housing provider; and</i> c) <i>Name of authority empowered to release, vary or modify the above restriction is Liverpool City Council.</i> <i>Evidence is to be submitted to Liverpool City Council that restrictions (a) and (b) have been complied with prior to the issue of an Occupation Certificate.</i> Condition reason: To ensure affordable housing is provided as per the State Environmental Planning Policy (Housing) 2021
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179. (G950) Affordable Housing

The units identified in the adaptable unit plan, drawing number AP-19, and the Access Report approved under Condition 1 of this consent are to be used for the purposes of identifying the affordable housing for **a minimum of 15 years** from the date of issue of the Occupation Certificate. In addition, all accommodation that is used for affordable housing shall be managed by a registered community housing provider.

Note: Affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument. A household is taken to be a very low income household, low income household or moderate income household if the household:

- a) *Has a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or*
- b) *Is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that, which would be charged if the household were to occupy rental accommodation under that scheme.*

Note: Subdivision of the development is permitted but only with further development consent.

Condition reason: To ensure the affordable housing unit is used for affordable housing purposes and is managed by a registered provider.

REASONS FOR DECISION:

The Panel determined at its meeting on 15 June 2026 to defer the application to facilitate legal and planning outcomes. The Panel reconvened on 16 July 2026.

While generally satisfied with the Council officer's report, the panel identified a few matters that required amendment, and the attached documents as approved by the Panel reflect all the agreed amendments.

VOTING NUMBERS: