

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

**Monday, 29<sup>th</sup> September 2025**

Held online via  
MS Teams

**Panel:**

Terry Sheahan	(Chair)
Noni Ruker	(Expert)
Lindsey Dey	(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-77/2025

- Gilbert B. de Chalain

**Note:** Site Inspections were carried out at all sites

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<b>ITEM No:</b>	1
<b>APPLICATION NUMBER:</b>	DA-77/2025
<b>SUBJECT:</b>	<p>Development Consent is sought for the increase of production capacity at an existing concrete batching plant from 300,000 tonnes per annum to 500,000 tonnes per annum of concrete and concrete products.</p> <p>The original development has been previously approved as a Designated Development as specified in Schedule 3 of the Environmental Planning and Assessment Regulation 2000.</p> <p>The application is identified as Nominated Integrated Development requiring approval from the NSW Environmental Protection Authority pursuant to Protection of the Environment Operations Act 1997.</p>
<b>LOCATION:</b>	4 Ash Road Prestons
<b>OWNER:</b>	Renita Developments Pty Ltd
<b>APPLICANT:</b>	Renita Developments Pty Ltd
<b>AUTHOR:</b>	Emily Lawson

#### **DETERMINATION OF PANEL:**

Development Application DA-77/2025 seeking approval for the increase of production capacity at an existing concrete batching plant from 300,000 tonnes per annum to 500,000 tonnes per annum of concrete and concrete products is **refused**. The reasons for refusal set out below replace those in the Council Officer's assessment report.

1. The proposal cannot rely upon Clause 48 of Part 3 of Schedule 3 of the Environmental Planning and Assessment Regulation 2021. Pursuant to Schedule 3 of the Environmental Planning and Assessment Regulation 2021, fees have not been paid for concurrence which have therefore not progressed, and the consent authority is able to refuse the application.
2. Pursuant to Clause 173 of the Environmental Planning & Assessment Regulation 2021 a written request is to be made to the Planning Secretary, which has not occurred.
3. Pursuant to Schedule 3 Designated Development of the Environmental Planning and Assessment Regulation 2021, the proposal is considered designated development with insufficient information submitted to ascertain compliance with the provisions of Schedule 3 and Section 173 of the Regulations.
4. Pursuant to Section 4.16(1)(a) of the EP&A Act 1979, the proposed development has not demonstrated compliance with Chapter 6 Water catchments requirements of the State Environment Planning Policy (Biodiversity and Conservation) 2021.

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6. Pursuant to Section 4.16(1)(a) of the EP&A Act 1979, the proposed development has not demonstrated compliance, due to insufficient information, with Chapter 3 Hazardous and Offensive Development requirements of the State Environment Planning Policy (Resilience and Hazards) 2021.
7. Pursuant to Section 4.15 (1)(a)(iii) of the EP&A Act 1979, the proposed development does not comply with Clause 1.2 Aims of Plan (h) *“to protect, connect, maintain and enhance the natural environment in Liverpool, and promote ecologically sustainable development which takes into account the environmental constraints of the land”* and Clause 2.3 Zone objectives and Land Use table, in particular E5 Heavy Industrial objectives *“To minimise any adverse effect of industry on other land uses”* of the Liverpool Local Environmental Plan 2008.
8. Pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979, the proposed development does not comply with the following sections of the Liverpool Development Control Plan 2008:
  - a. Part 1: General Controls for All Development, Section 6 – Water Cycle Management.
  - b. Part 1: General Controls for All Development, Section 7 – Development Near a Watercourse.
  - c. Part 1: General Controls for All Development, Section 9– Flooding Risk.
  - d. Part 1 – General Controls for All Development, Section 20 – Car Parking and Access
  - e. Part 1 - General Controls for All Development, Section 25 – Waste Disposal & Re-use Facilities.
  - f. Part 7 – Development in Areas Zoned E4-General Industrial and E5-Heavy Industrial – Section 6 – Building Design, Streetscape and Layout.
  - g. Part 7 – Development in Areas Zoned E4- General Industrial and E5-Heavy Industrial – Section 8 – Car Parking and Access.
  - h. Part 7 – Development in Areas Zoned E4- General Industrial and E5-Heavy Industrial – Section 9- Amenity and Environmental Impact.
  - i. Part 7 – Development in Areas Zoned E4- General Industrial and E5-Heavy Industrial – Section 10- Site Services.
9. Pursuant to Section 4.15 (1)(c) of the EP&A Act 1979, insufficient information has been submitted to demonstrate the site would be suitable for the proposed development including as to water catchments, acoustic impact, traffic impacts and material storage and handling on site.
10. Pursuant to Section 4.15(1)(a)(iv) of the EP&A Act 1979) an insufficient response has been received to Council’s requests for additional information to allow a full assessment of the proposal.
11. Due to the above reasons, approval of the application is not in the public interest, pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.

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#### ADVISORY NOTES

- a) Section 8.2 of the EP&A Act provides that an applicant may request, within six (6) months of the date of the determination of the Development Application, that Council review its determination (this does not relate to designated development or Crown development). An application under Section 8.2 of the EP&A Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 8.2 Application must allow sufficient time for Council to complete its review within the prescribed timeframe, including the statutory requirement for public notification.
- b) Section 8.7 and 8.9 of the EP&A Act provides that an applicant who is dissatisfied with the determination of a Development Application, may appeal to the Land and Environment Court within six (6) months of the date of determination, or as otherwise prescribed by the EP&A Act.

#### REASONS FOR DECISION:

The Panel endorses the Council Officers' Assessment Report and is satisfied with the recommended reasons of refusal with the inclusion of the above amendments.

#### VOTING NUMBERS:

4-0

<b>ITEM No:</b>	2
<b>APPLICATION NUMBER:</b>	DA-267/2025
<b>SUBJECT:</b>	Works to the external façade of the existing building, comprising installation of additional louvres to improve ventilation.
<b>LOCATION:</b>	Civic Place, 40-52 Scott Street, Liverpool NSW 2170
<b>OWNER:</b>	Lot 1 DP 1293937
<b>APPLICANT:</b>	Knight Frank (Aust) P/L
<b>AUTHOR:</b>	Leena Sebastian – Monteath & Powys

#### DETERMINATION OF PANEL:

Development Application DA-267/2025 seeking approval for works to the external façade of the existing building, comprising installation of additional louvres to improve ventilation 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

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recommended conditions of consent.

#### VOTING NUMBERS:

4-0

<b>ITEM No:</b>	3
<b>APPLICATION NUMBER:</b>	DA-179/2025
<b>SUBJECT:</b>	<p>Torrens Title Subdivision of the site (approved residue lot 'superlot 3' under DA-400/2018) into 12 residential lots and 2 residue lots with associated civil works (including construction of two local roads, one collector road, and one laneway), landscaping, and bulk earthworks, and decommissioning of a temporary detention basin and associated drainage infrastructure (to be constructed under approved DA-400/2018).</p> <p>The proposed development is identified as Integrated Development requiring approval from NSW Rural Fire Service under <i>Rural Fires Act 1997</i>.</p> <p>The proposed is identified as nominated integrated development requiring approval from DPE-Water under the <i>Water Management Act 2000</i>.</p>
<b>LOCATION:</b>	1402 Camden Valley Way, Leppington
<b>OWNER:</b>	BQ Property Development Pty Ltd
<b>APPLICANT:</b>	BQ Property Development Pty Ltd
<b>AUTHOR:</b>	Eunice David

#### DETERMINATION OF PANEL:

Development Application DA-179/2025 seeking approval for Torrens Title Subdivision of the site (approved residue lot 'superlot 3' under DA-400/2018) into 12 residential lots and 2 residue lots with associated civil works (including construction of two local roads, one collector road, and one laneway), landscaping, and bulk earthworks, and decommissioning of a temporary detention basin and associated drainage infrastructure (to be constructed under approved DA-400/2018) is **refused** with the following amendments:

**1. Insert the following new reason:**

The proposed development application is inconsistent with the aims of Chapter 3 Sydney Region Growth Centres under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021, pursuant to Section 4.15(1)(a)(i), 4.15(1)(b) and 4.15(1)(c) of the EP&A Act 1979

**2. Insert the following new reason:**

The proposed development application is inconsistent with the objectives of the R3 – Medium Density Residential zone described within Appendix 4 Liverpool Growth Centres

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Precinct Plan of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 in terms of the following:

- To provide for the housing needs of the community within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a medium density residential environment.

Pursuant to Section 4.15(1)(a)(i), 4.15(1)(b) and 4.15(1)(c) of the EP&A Act 1979.

#### **3. Amend reason 7 to:**

The site is not suitable for the proposed development, pursuant to Sections 4.15(1)(c) of the EP&A Act 1979, including as to catchment management, stormwater management and future amenity of residents.

#### **4. Renumber reasons for refusal accordingly**

#### **REASONS FOR DECISION:**

The Panel endorses the Council Officers' Assessment Report and is satisfied with the recommended reasons of refusal with the inclusion of the above amendments.

#### **VOTING NUMBERS:**

4-0