

Meeting Date: 7 September 2026

Meeting Subject: PPSSWC-681 – Liverpool – DA-1183/2016/F – 68-82 Stewart Avenue, Hammondville

Background Notes:

The following information relates to:

PPSSWC-681 – Liverpool – DA-1183/2016/F – 68-82 Stewart Avenue, Hammondville – *Modification to Development Consent DA-1183/2016 under **Section 4.55(2)** of the Environmental Planning and Assessment Act 1979, the application seeks consent for a series of minor amendments across Stage 4 of the approved development, specifically in relation to Building B1, Building B7/8, Building B11 and the Pavilion, as well as associated modifications to the landscape design.*

Modification Details s4.55(2):

The proposal seeks consent for a range of changes to components of Stage 4 of the approved development. The amendments relate to Buildings B1, B7/8 and B11, the Pavilion, and associated landscaping works. The proposal specifically involves:

Building B1 – Raguz House (formerly Bond House):

- Removal of first floor, including office space;
- Internal reconfiguration of the Ground floor;
- Extension to the south-eastern corner of the building to accommodate the relocation of the shop (from B11);
- Reconfiguration of basement level that connects to B10;
- Consequential changes to the roof form;
- Inclusion of an open plant area to the roof;
- Changes to the extent and materiality of the new roof component

Building B7/8 – Stace Building (formerly Multi-purpose Building):

- Reduction in curvature of built form;
- Amended/slanted roof form;
- Rooftop landscaping removed;
- Changes to materiality.

Building B11:

- Relocation of standalone shop from B11 to B1;
- Design refinement of adjacent playground & fitness station area;
- Landscape embellishment in place.

Pavillion:

- Amended layout and roof form to the Pavillion within the 'Village Green';
- Green roof removed, rectangular shape adopted;

- Design refinement of adjacent playground & fitness station area;
- Landscape embellishment.

Reason for Referral to SWCPP

The Sydney Western City Planning Panel was the determining body for the originally approved development DA-1183/2016 (Panel Ref – 2016SSW002) as it had a CIV of over \$20 million, which at the time triggered the regional panel under Schedule 4A of the EP&A Act 1979.

Pursuant to the current *Environmental Planning and Assessment Regulation 2021*, Clause 275 - Functions exercisable by council on behalf of Sydney district or regional planning panel (Clause 123BA under EP&A Regulation 2000):

*(2) A council must not determine an application to modify a development consent under the Act, section 4.55(2) on behalf of a Sydney district or regional planning panel if the application is of a kind specified in the **Instruction** on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels— Applications to Modify Development Consents published on the NSW planning portal on 30 June 2020.*

The effect of the Instruction is that Councils are to determine applications lodged under s4.55(2) of the Act, except if the application:

- proposes amendments to a condition of development consent recommended in the council assessment report but which was amended by the panel, or
- proposes amendments to a condition of development consent that was not included in the council assessment report but which was added by the panel, or
- meets the criteria relating to conflict of interest, contentious development or departure from development standards set out in Schedule 1 to this instruction.

The proposed modification application does not meet the criteria relating to conflict of interest, contentious development, and departure from development standards set out in Schedule 1 of the instruction; however, the proposal requires the modification of **Condition 16 and 19** both of which were amended by the panel.

Stormwater Concept Plan

16. A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Demlakian Engineering, reference 216146, revision P4, dated 8/12/2016 and Civil & Stormwater Design Report prepared by Demlakian Engineering, revision D, dated 8/12/2016.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate relevant to each stage of the development. The plan shall indicate the method of disposal of all stormwater and must include existing ground levels, finish surface levels and sizes of all pipes.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

Flood Related Conditions

19. Prior to the issue of a Construction Certificate relevant to each stage of the development the Certifying Authority shall ensure that:
- a) The floor level of habitable areas shall be no lower than the Probable Maximum Flood (i.e. 10.3m Australian Height Datum).
 - b) The structure shall be constructed from flood compatible building components below the Probable Maximum Flood (i.e. 10.3m Australian Height Datum).
 - c) The development shall be consistent with any relevant flood evacuation strategy or similar plan.
 - d) Appropriate water quality treatment facilities shall be provided in accordance with Section 4.3 WSUD Objectives of the Report Civil & Stormwater Design Report by Demlakian Consulting Engineers dated December 2016. Stormwater runoffs leaving the site comply with Council's water quality standards. The treatment facilities shall capture all gross pollutants and liquid contaminants from the stormwater before discharging it to downstream. Water quality treatment works shall be designed using MUSIC modelling software and a copy of the MUSIC model shall be submitted to Council.

Reason for request to have the matter delegated for determination by Council

The proposed amendments are purely administrative in nature and are intended only to update the conditions to reflect the latest revision and date of the drainage plan across Stage 4 only, specifically in relation to Raguz (Building B1), Stace (Building B7/8), Standalone shop (Building B11) and the Pavilion.

Condition	Amendments made by the Panel (DA-1183/2016):	Amendment to condition currently proposed (DA-1183/2016/F):
16	- Amend condition 16 to include reference to the “relevant stage of the development” - Amend condition 16 to remove the words “rainwater tanks”	Amend condition 16 to reference the latest Drainage report date/revision number.
19	- Amend condition 19 to include reference to the “relevant stage of the development” - Amend condition 19(a) to include the words “the floor level of the habitable areas”	Amend condition 19 to reference the latest Drainage report date/revision number.

The conditions would be modified as shown in ***bold and italic*** below:

Stormwater Concept Plan

16. A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Demlakian Engineering, reference 216146, revision P4, dated 8/12/2016 and Civil & Stormwater Design Report prepared by Demlakian Engineering, revision D, dated 8/12/2016 ***and Stormwater Drainage Report prepared by Northtrop, reference 223445_STW03, Revision 06, dated 04/05/2026, specifically in relation to the Stage 4 works.***

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate relevant to each stage of the development. The plan shall indicate the method of disposal of all stormwater and must include existing ground levels, finish surface levels and sizes of all pipes.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council’s Design Guidelines and Construction Specification for Civil Works.

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- c) The development shall be consistent with any relevant flood evacuation strategy or similar plan.
- d) Appropriate water quality treatment facilities shall be provided in accordance with Section 4.3 WSUD Objectives of the Report Civil & Stormwater Design Report by Demlakian Consulting Engineers dated December 2016 **and the Stormwater Drainage Report prepared by Northtrop, Reference 223445_STW03, Revision 06, dated 04/05/2026, specifically in relation to the Stage 4 works.** Stormwater runoffs leaving the site comply with Council's water quality standards. The treatment facilities shall capture all gross pollutants and liquid contaminants from the stormwater before discharging it to downstream. Water quality treatment works shall be designed using MUSIC modelling software and a copy of the MUSIC model shall be submitted to Council.

Given that the proposed amendments are minor and administrative in nature, do not alter the use or intent of the approved development, and do not give rise to any additional planning impacts, it is considered appropriate that the Sydney Western City Planning Panel delegate the determination of the modification application to Liverpool City Council.

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Date: 8 September 2026