

MINUTES AND DETERMINATION OF THE LIVERPOOL LOCAL PLANNING PANEL MEETING

Monday 25 May 2026

Held online via
MS Teams

Panel:

John Cole	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-520/2024

Deborah Vickers	Submission
Matt Hudson	Speaker only
Evan Smith	Speaker only
Theo Brown	Speaker only
Adam Coburn	Mecone Town Planner
Megan	Speaker only
Cian Fitzgerald	Available for answers from panel
Louis Penna	Available for answers from panel
Ken Knox	Available for answers from panel
Rido Pin	Available for answers from panel
Ryan Carabine	Available for answers from panel
Rhys Hazell	Available for answers from panel

INDEPENDENT HEARING & ASSESSMENT PANEL REPORT

28 JULY 2014

Item 2 – DA-458/2025

Tony Hadchiti	Owner/ Applicant
Charbel Ishac	Planner
Leena Sebastian	External Planner (for Council)

A site inspection was conducted

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ITEM No:	1
APPLICATION NUMBER:	DA-520/2024
SUBJECT:	Construction of (3) three multi-storey residential flat buildings with 294 apartments comprising 66 x 1-bedroom units, 176 x 2-bedroom units, 19 x 3-bedroom units; a two-level mixed-use commercial podium consisting of a gymnasium, medical centre, retail, and business premises; single storey basement car park and two-storey podium car park comprising of 395 Residential and 412 Retail/Commercial/Recreation parking spaces; a standalone two-storey gastro pub (licensed food and drink premises), Signage, and associated civil and landscape works. The proposal is identified as Integrated Development requiring approval from NSW Rural Fire Services under the Rural Fires Act 1997. Liverpool City Council is the consent authority, and the Sydney Western City Planning Panel has the function of determining the application
LOCATION:	2 MACARTHUR DRIVE, HOLSWORTHY NSW 2173
APPLICANT:	HOLSWORTHY SHOPPING CENTRE PTY LTD
AUTHOR:	Ben Paterson

DETERMINATION OF PANEL:

Development Application DA-520/2024 seeking approval for Construction of (3) three multi-storey residential flat buildings with 294 apartments comprising 66 x 1-bedroom units, 176 x 2-bedroom units, 19 x 3-bedroom units; a two-level mixed-use commercial podium consisting of a gymnasium, medical centre, retail, and business premises; single storey basement car park and two-storey podium car park comprising of 395 Residential and 412 Retail/Commercial/Recreation parking spaces; a standalone two-storey gastro pub (licensed food and drink premises), Signage, and associated civil and landscape works. The application is deferred subject to the following:

- Clarification of the provision of owner's consent along the Heathcote Road boundary at the zero-lot setback area..
- Details to be provided of the panels proposed to screen the above ground carparking including materials finishes and section plan at 1-50 scale.
- Accessible residential visitor carparking spaces to be provided for buildings A and B.

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- A detailed green travel plan is to be provided, with particular focus on the management and operation of commercial carparking spaces, carshare provision, details of bicycle parking and end of trip facilities.
- Clarification of how wayfinding and delineation will be achieved between commercial and residential carparking areas.
- Details of perimeter landscaping treatments to address softening/screening at a scale commiserate with the size and setbacks of the development, particularly along the eastern elevation (Heathcote Road side).
- Provision of publicly accessible disabled amenities constructed to Changing Places (<https://changingplaces.org.au/>) standards or equivalent .

The Panel requests that the applicant provide all necessary information within 28 days and the Council provide a supplementary report on the above listed matters for the Panels consideration as soon as practicable after receipt of all the above details. The Panel shall meet electronically to make the determination.

REASONS FOR DECISION:

The Panel determined to defer the application to facilitate legal and planning outcomes.

VOTING NUMBERS:

4/0

ITEM No:	2
APPLICATION NUMBER:	DA-458/2025
SUBJECT:	Proposed Three Lot Torrens Title Subdivision (Including One Residue Lot
LOCATION:	250 FOURTEENTH AVENUE, AUSTRAL NSW 2179
APPLICANT:	MR A HADCHITI
AUTHOR:	Leena Sebastian

DETERMINATION OF PANEL:

Development Application DA-458/2025 seeking approval for Proposed Three Lot Torrens Title Subdivision Including One Residue Lot, is refused for the recommended reasons in the Independent Planner's Assessment Report as amended as follows, however noting our qualifications regarding in particular, the legal requirement for a clause 4.6 objection:

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1. The applicant has made a written request pursuant to cl. 4.6 of the Liverpool Local Environmental Plan 2008, seeking a 93% contravention of the minimum residential development density standard under S.41.B of Appendix 4 of State Environmental Planning Policy (Precincts – Western Parkland 2021).

After considering the request the Panel has determined that if the standard applies to this subdivision it is not satisfied that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental grounds to support the variation.

If Panel is wrong on this reason for refusal that the cl. 4.6 request is a necessary precondition to the granting of consent, then the development application also fails on a merits assessment in the context of the relevant planning framework when applied to the specific details of this subdivision layout.

2. The proposed subdivision fails to demonstrate that the resulting residential lots can be developed in an orderly and economically efficient manner to support future housing development. The resultant residential lot with limited development potential is burdened with providing infrastructure that primarily benefits the other lot, which is not a realistic or logical outcome. The subdivision layout does not allow each lot to be developed independently or logically without creating a temporary road arrangement which creates further complexity and undermines orderly development. Accordingly, the proposal is inconsistent with the objects in Sections 1.3(b) and 1.3(k) of the Environmental Planning and Assessment Act 1979.
3. The proposed subdivision is inconsistent with Part 2, Section 2.1 and Schedule 1 of the Liverpool Growth Centre Precincts Development Control Plan (DCP). The layout jeopardises the future delivery of the internal road identified in the Indicative Layout Plan and compromises the ability to achieve the intended ultimate development outcome. Any subdivision to create Lot 102 should maintain the ability to have the access road to service it in accordance with the DCP. A temporary road as well as the DCP layout is not orderly and economic development of land.
4. The subdivision will excise the existing on-site sewer management system for the dwelling onto a separate lot, which is inconsistent with Council's standards for onsite sewer management which require such systems to be wholly contained within the lot that generates the effluent.
5. The proposal is not considered to be in the public interest, as it is contrary to Council's adopted planning instruments and does not realise the intended planning outcome in a coordinated and orderly manner.

REASONS FOR DECISION:

The Panel considered in some detail, the application of cl. 4.6 with respect to this application and took further advice from the Independent Planner. The Panel did not reach a conclusive position but given that the Independent Planner and the Council agree that a written request under cl. 4.6 is necessary, and the Applicant submitted a request, the Panel considered it and determined that it is unsatisfactory. The Panel continues to be concerned that a more definitive

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position on the issue of whether, where no residential development is proposed, the standard applies should be investigated by Council as it may have wider impacts upon future development applications in the Austral land release area.

Otherwise, the Panel agrees with the remaining recommended reasons for refusal.

VOTING NUMBERS:

4/0