

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	16 October 2025
DATE OF PANEL DECISION	16 October 2025
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Jeremy Thomas, Ellie Robertson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 13 October 2025.

MATTER DETERMINED

PPSSWC-539 – Liverpool – DA-263/2018/D – 55 Martin Road, Badgerys Creek - Modification to Development Consent DA-263/2018 Resource Recovery Facility under Section 4.55 of the *Environmental Planning and Assessment Act 1979*, amend the architectural plans for the approved processing shed to be relocated on the site and increased in floor area and height.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at item 8 in Schedule 1.

Development application

The panel determined to approve the modification application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report. Importantly in the context of the nature of the proposed modifications, the panel is satisfied that, while the proposed changes to the building (in particular, the size of the shed and the second storey to the office building) are material, the core function of the building remains unchanged and, as such, is for substantially the same development as that approved by DA-263/2018.

The increased shed size will also allow all receiving, processing, storage, and loading-out activities to be undertaken entirely within an enclosed space, resulting in an improved environmental outcome – in particular, in relation to air quality, noise, stormwater run-off and safety.

CONDITIONS

The modification application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
Justin Doyle (Chair) 	Louise Camenzuli 
David Kitto 	Jeremy Thomas 
Ellie Robertson 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-539 – Liverpool – DA-263/2018/D
2	PROPOSED DEVELOPMENT	Modification to Development Consent DA-263/2018 Resource Recovery Facility under Section 4.55 of the Environmental Planning and Assessment Act 1979, amend the architectural plans for the approved processing shed to be relocated on the site and increased in floor area and height.
3	STREET ADDRESS	55 Martin Road, Badgerys Creek
4	APPLICANT/OWNER	Applicant: Claron Consulting Pty Ltd Owner: Antoun's Construction Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Planning System) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Precincts—Western Parkland City) 2021 - Liverpool Local Environmental Plan 2008 - Draft environmental planning instruments: Nil - Development control plans: - Liverpool Development Control Plan 2008 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 2 October 2025 - Written submissions during public exhibition: 0 - Total number of unique submissions received by way of objection: 0
8	COUNCIL RECOMMENDATION	Approval
9	DRAFT CONDITIONS	Attached to the council assessment report