

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-581 – Liverpool – DA-263/2018/C – 55 Martin Road, Badgerys Creek - Modification to Development Consent DA-263/2018 under Section 4.55(2) of the Environmental Planning and Assessment Act 1979, to amend the architectural plans for the approved single storey office/administration building and associated staff and visitor parking to be replaced with a two-storey building, with an additional five (5) car parking spaces for visitors and staff.

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. Namely:

This modification application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, aerotropolis provisions, and the key issues identified in this report, it is considered that the application can be supported.

The key issues around this application are building car park layout, noise, processing capacity, and demonstrating that the proposal results in substantially the same development. These have been addressed, and on balance, it is considered that the development is compatible with the locality and worthy of approval.

Based on the assessment against the relevant planning considerations, it is deemed that the site is suitable for the proposed development. The proposal is considered to be compatible with the locality. The proposal takes into consideration characteristics of the site and adjoining lots, as well as the locality, and produces an overall acceptable development with limited detrimental impacts to neighbouring lots.

It is considered that the key issues as outlined in Section 8 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at Attachment A.

The panel was also satisfied, following a careful review of the proposed modifications, that the proposed changes to DA-263/2018 are for substantially the same development.

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-581 – Liverpool – DA-263/2018/C
2	PROPOSED DEVELOPMENT	Modification to Development Consent DA-263/2018 under Section 4.55(2) of the Environmental Planning and Assessment Act 1979, to amend the architectural plans for the approved single storey office/administration building and associated staff and visitor parking to be replaced with a two-storey building, with an additional five (5) car parking spaces for visitors and staff. The proposal is identified as Designated Development as specified in Schedule 3 of the Environmental Planning and Assessment Regulation 2000 and is identified as Nominated Integrated Development, requiring a license from NSW Environmental Protection Authority pursuant to Protection of the Environment Operations Act 1997.
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 4.56 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