

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	21 April 2026
DATE OF PANEL DECISION	21 April 2026
PANEL MEMBERS	Justin Doyle (Chair), David Kitto, Brian Kirk
APOLOGIES	Richard Ammoun, Ned Mannoun
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 30 March 2026.

MATTER DETERMINED

PPSSWC-609 – Liverpool – DA-83/2023/B – Zouch Road, Edmondson Park - Modification to Development Consent DA-83/2023 under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*: the proposed modification seeks to revise the wording of condition 132 of the development consent (DA-83/2023), which relates to the Voluntary Planning Agreement for the development.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6 and the material listed at item 7 in Schedule 1.

Revision of Condition 132

Condition 132 needs to be reworded because it refers to the Applicant's VPA offer, dated 9 July 2024.

This offer has now been superseded by the Applicant's VPA offer dated 10 February 2025 for the development of the Landcom Town Centre North Precinct in Edmondson Park, which includes this development.

The new offer was formally incorporated into the conditions of the Part 3A concept approval for development of Edmondson Park on 14 February 2025.

The proposed revision of Condition 132 refers to the new VPA offer, dated 10 February 2025.

It also allows a subdivision certificate to be issued for development on site prior to the execution of the VPA provided the Applicant gives Council a letter that commits to providing a security of \$6,615,000 within 6 months of the issuing of the subdivision certificate. If for some reason the execution of the VPA is delayed, then Council would hold this security until the VPA is executed.

The Panel notes that the execution of the VPA is governed by condition 1.8B of the Part 3A concept approval for development in Edmondson Park, not this development consent, and is not in doubt.

It also notes Council's advice that the VPA has been exhibited and is due to be executed shortly. Consequently, the security is unlikely to be required.

Finally, it notes that the Applicant has formally agreed to the proposed revision of the condition.

On this basis, the Panel has no objection to the revised wording of Condition 132 particularly since it will allow some early development on the site prior to the execution of the VPA, provided suitable security arrangements are put in place for the provision of infrastructure and services for the development until the VPA is executed.

The development and maintenance of the pocket park

The Panel noted that the proposed revisions to Condition 132 could have implications for the delivery of the pocket park for the development and sought clarification from Council that the revised VPA offer for the development, dated 10 February 2025, expressly deals with the:

- Development and maintenance of the pocket park (Condition 12)
- Timing of the delivery of the pocket park (Condition 133).

By email, dated 7 March 2026, Council confirmed that the revised VPA offer deals with both matters and that the arrangements for the delivery of the pocket park will be formalised shortly in the executed VPA.

On this basis, the Panel is satisfied that no modifications are required to these conditions.

Modification application

The Panel determined to approve the modification application pursuant to section 4.55 of the EP&A Act.

The decision was unanimous.

REASONS FOR THE DECISION

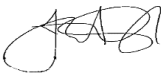
The Panel determined to approve the modification application for the reasons outlined in this report and Council’s assessment report.

CONDITIONS

The modification application was approved subject to the conditions in Council’s assessment report.

CONSIDERATION OF COMMUNITY VIEWS

Council exhibited the modification application from 3-19 September 2025 and received no submissions.

PANEL MEMBERS	
Justin Doyle (Chair) 	Brian Kirk 
David Kitto 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-609 – Liverpool – DA-83/2023/B
2	PROPOSED DEVELOPMENT	Modification to Development Consent DA-83/2023 under Section 4.55 of the Environmental Planning and Assessment Act 1979, the modification seeks to remove condition 12, condition 132 and condition 133 to resolve duplication and inconsistencies between these conditions and condition 1.8B on the Concept plan Mod 5.
3	STREET ADDRESS	Zouch Road, Edmondson Park
4	APPLICANT/OWNER	Applicant/Owner: Landcom
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Industry and Employment) 2021 - State Environmental Planning Policy (Precincts – Western Parkland City) 2021. - Appendix 1 State significant precinct – Edmondson Park South Site - Liverpool Local Environmental Plan 2008 - Draft environmental planning instruments: Nil - Development control plans: - Liverpool Development Control Plan 2008 - Planning agreements: Yes - 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: 19 March 2026 - Council's email to the Panel: 7 March 2026 - Written submissions during public exhibition: 0
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report