

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	3 April 2025
DATE OF PANEL DECISION	2 April 2025
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Michael Mantei, Sue Francis
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 27 March 2025.

MATTER DETERMINED

PPSSWC-426 - Camden - DA/2024/259/1 - 38-44 Lasso Road, Gregory Hills - Construction of a seven storey mixed use development comprising one retail premises, four food and drink premises and 48 business premises with four levels of basement car parking and associated site works.

PANEL CONSIDERATION AND DECISION

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

Application to vary a development standard:

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Camden Local Environmental Plan 2010 (LEP), the Panel is satisfied that the applicant has demonstrated that:

- compliance with cl. 4.1E(1) of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 is unreasonable or unnecessary in the circumstances; and
- there are sufficient environmental planning grounds to justify contravening the development standard.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to uphold the Clause 4.6 variation to 4.1E Shops Turner Road Precinct; and approve the application for the reasons outlined in the council assessment report.

The Panel has considered the written request to contravene State Environmental Planning Policy (Precincts - Western Parkland City) 2021 in relation to the retail shop cap standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 4.1E(1) of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Precincts - Western Parkland City) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.

The development is consistent with the objectives of the Turner Road Development Control Plan 2018 and Camden Development Control Plan 2019.

Subject to the recommended conditions, the development is considered to be of an appropriate scale and form for the site and the character of the locality.

Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.






For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

CONDITIONS

The development 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 	Michael Mantei 
Sue Francis 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-426 - Camden - DA/2024/259/1
2	PROPOSED DEVELOPMENT	Construction of a seven storey mixed use development comprising one retail premises, four food and drink premises and 48 business premises with four levels of basement car parking and associated site works.
3	STREET ADDRESS	38-44 Lasso Road, Gregory Hills
4	APPLICANT/OWNER	Applicant: Rocco Furfaro Owner: Austral 88 P/L
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Camden Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Camden Development Control Plan 2019 Turner Road Development Control Plan 2007 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	<ul style="list-style-type: none"> Council assessment report: 26 March 2025 Clause 4.6 variation request: Clause 4.1E Shops Turner Road Precinct Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 16 December 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Sue Francis, Michael Mantei <u>Council assessment staff</u>: Jamie Erkin, Ryan Pritchard, Jessica Mesiti, Stephen Pratt <u>Applicant representatives</u>: Rocco Furfaro, Anthony Spinozzi, Adam Byrnes
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report