



DATE OF DETERMINATION	10 June 2025
DATE OF PANEL DECISION	6 June 2025
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Sue Francis, Michael Mantei
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 29 May 2025.

MATTER DETERMINED

PPSSWC-508 – Camden – DA/2024/624/1 - 80 Hartley Road, Smeaton Grange - Demolition of existing structures, torrens title subdivision creating three (3) industrial lots and staged construction of three (3) warehouse buildings for general industry and warehousing uses, including bulk earthworks, private road construction, drainage construction, car parking for a total of 407 vehicles, landscaping and all associated 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:

- a) compliance with cl. 4.3 (Height of Buildings) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard.

In particular, the Panel is satisfied that the development is consistent with the objectives of the development standard in that the proposed development will be compatible with the bulk and scale of the existing and future character of the locality, the proposal will deliver a mix of high quality industrial unit sizes accommodating a range of different uses and the height variation is required to accommodate modern racking systems to facilitate the needs for future end users of the building. Further, existing landscaping and earth mounding to the east of the property mean that the proposed development will result in a minor change when viewed from residential areas to the east of the site and therefore mitigate any visual impacts

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 building height; and approve the application for the reasons outlined in the council assessment report.

The Panel is satisfied that the matters raised at the briefing on 31 March 2025, relating to: planting along the mound to improve the landscaping treatment of the site from Downes Crescent, along with recessive colours for the warehouses to improve the aesthetics of the warehouses; appropriate conditions relating to solar panels and EV infrastructure; and the further traffic swept path and safety analysis, have all been addressed by the submission of additional information, conditions and the Applicant's letter to the Council of 3 April 2025.

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	 Sue Francis
 Michael Mantei	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-508 – Camden – DA/2024/624/1
2	PROPOSED DEVELOPMENT	Demolition of existing structures, torrens title subdivision creating three (3) industrial lots and staged construction of three (3) warehouse buildings for general industry and warehousing uses, including bulk earthworks, private road construction, drainage construction, car parking for a total of 407 vehicles, landscaping and all associated works.
3	STREET ADDRESS	80 Hartley Road, Smeaton Grange
4	APPLICANT/OWNER	Applicant: Willowtree Planning/Charter Hall Owner: The Trust Company (Australia) Limited
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 (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Industry and Employment) 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 • 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: 29 May 2025 • Clause 4.6 variation requests: Height of Buildings • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 31 March 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Louise Camenzuli (Acting Chair), David Kitto, Sue Francis, Michael Mantei, Justin Doyle ○ <u>Council assessment staff</u>: Stephen Pratt, Jamie Erken ○ <u>Applicant representatives</u>: Cameron Gray, Tim Gleeson, Jack Hansen, Patrick King, Nathan Cairney, Dave Vargo
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report