

SYDNEY WESTERN CITY PLANNING PANEL ASSESSMENT REPORT

Panel Number:	PPSSWC-612
Application Number:	2025/432/1
Local Government Area:	Camden
Development:	Construction of a six-storey commercial building, including a three-level basement car park, landscaping and associated works.
Estimated Development Cost:	\$40,681,367
Site Address(es):	62 Central Avenue, Oran Park
Applicant:	Greenfields Development Company No.2 (GDC) – C/O Michael Rodger (UrbanCo)
Owner(s):	Perich Property Trust Pty Ltd
Date of Lodgement:	22 August 2025
Number of Submissions:	Nil
Classification:	Regionally significant development
Recommendation:	Approve with conditions
Regionally Significant Development Criteria (Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021):	General development estimated development cost >\$30 million
List of All Relevant Section 4.15(1)(a) Matters:	• State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Precincts - Western Parkland City) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Oran Park Development Control Plan 2007 (as amended) • Camden Development Control Plan 2019
List all Documents Submitted with this Report for the Panel's Consideration:	• Assessment report • State Environmental Planning Policy (Precincts - Western Parkland City) 2021 assessment table • Oran Park Development Control Plan 2007 assessment table • Camden Development Control Plan 2019 Assessment Table • Applicant's request to contravene a development standard • Recommended conditions • Proposed plans
Development Standard Contravention Request(s):	State Environmental Planning Policy (Precincts - Western Parkland City) 2021 Appendix 2 Oran Park and Turner Road Precinct Plan – Section 4.3 <i>Height of buildings</i>

Report Prepared By:	Adam Sampson, Team Leader DA Assessment West (Major)
Report Date:	December 2025

Summary of Section 4.15 Matters

	Yes
Have all recommendations in relation to relevant Section 4.15 matters been summarised in the Executive Summary of the assessment report?	☒

Legislative Sections Requiring Consent Authority Satisfaction

	Yes
Have relevant sections in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed and relevant recommendations summarised in the Executive Summary of the assessment report?	☒

Development Standard Contraventions

	Yes	N/A
If a written request for a contravention to a development standard has been received, has it been attached to the assessment report?	☒	☐

Special Infrastructure Contributions

	Yes	No
Does the application require Special Infrastructure Contributions?	☒	☐

Conditions

	Yes
Have draft conditions been provided to the applicant for comment?	☒

PURPOSE OF REPORT

The purpose of this report is to seek the Sydney Western City Planning Panel's (the Panel's) determination of a development application (DA) for the construction of a commercial building with associated site works at 62 Central Avenue, Oran Park.

The Panel is the consent authority for this DA as the estimated development cost (EDC) is \$40,681,367. This exceeds the EDC threshold of \$30 million for Council to determine the DA pursuant to Schedule 6 Regionally significant development of *State Environmental Planning Policy (Planning Systems) 2021*.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2025/432/1 for the construction of a six-storey commercial building, including a three-level basement car park, landscaping and associated works, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act, 1979* by granting development consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of a six-storey commercial building, including a three-level basement car park, landscaping and associated works at 62 Central Avenue, Oran Park (see **Figures 1 & 2** below). The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies. A summary of the assessment against all relevant environmental planning instruments is provided below.

Policy	Assessment Summary
State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)	The Panel is the consent authority for this DA as the development has an EDC of \$40,681,367. The EDC threshold for Council to determine the DA is \$30 million pursuant to Schedule 6 of the Planning Systems SEPP.
State Environmental Planning Policy (Precincts - Western Parkland City) 2021 – (Precincts SEPP)	The development site is located within the Oran Park Town Centre and therefore is subject to the relevant matters contained in Appendix 2 <i>Oran Park and Turner Road Precinct Plan</i> of the Precincts SEPP. The development is characterised as a 'commercial premises', which will facilitate the use of individual tenancies for either; 'business premises', 'office premises' or 'retail premises' pursuant to State Environmental Planning Policy (Precincts – Western Parkland City) 2021. The development has a maximum building height of 30.005m, contravening the 24m development standard prescribed for the site in Section 4.3 <i>Height of buildings</i> by 6.005m or 25%. A detailed assessment against Section 4.6 of the Precincts SEPP is provided below and as a separate attachment to this report. In summary, it has been determined that the proposed building height is reflective on surrounding built forms (existing and approved) within the wider Oran Park Town Centre and therefore, the proposed contravention will have no / minimal adverse impacts on surrounding land uses.

	With the exception of the above, the development is generally compliant with all other relevant sections and development standards contained in the Precincts SEPP. A detailed assessment is provided as a separate attachment to this report.
State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)	Information available to Council confirmed that during the rezoning phase of the wider precinct area, no areas of environmental concern were identified specifically within the development site. Further, no areas of concern were discovered whilst earthworks were being carried out in accordance with the parent approval. Since the original bulk earthworks were completed, the site has remained vacant with no evidence of potentially contaminating activities being conducted on the site. Despite the above, it is recommended that standard conditions be imposed in the event any unexpected finds are discovered during the construction phase of the development. Subject to recommended conditions, the development is consistent with the relevant matters contained in this policy and is suitable for development to proceed.
State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)	Pursuant to Section 3.2(1) of the SEPP, the development is a non-residential development and is required to demonstrate that embodied emissions attributable to the development have been quantified. In addition, subject to Section 3.3(2&3), the development must demonstrate that it is capable of achieving the standards for energy and water use specified in Schedule 3, unless there is a NABERS commitment agreement in place to achieve the standard. The applicant has submitted a NABERS Embodied Carbon calculator and a net zero statement satisfactorily demonstrating that embodied emissions attributable to the development have been quantified and that a commitment is in place to achieve standards for energy and water use.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)	The development site forms part of the Hawkesbury-Nepean catchment and therefore Chapter 6 is applicable to this DA. The development will incorporate a number of measures to ensure the adverse impacts on the sub-catchment will be kept to a minimum. Standard conditions are recommended to ensure ongoing compliance with the relevant matters contained in this policy.
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The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021 (CPP). The exhibition period was from 5 to 18 September 2025 and no written submissions were received.

The development seeks a contravention to the Height of Buildings development standard, pursuant to Section 4.3, Appendix 2 *Oran Park and Turner Road Precinct Plan* of the Precincts SEPP. The development proposes a maximum building height of 30.005m, exceeding the development standard by 6.005m (or 25%). The contravention is sought as a result of the 4m diagonal cross fall over the site, which results in the lift overrun, roof top services and part of the upper level 6 penetrating above the maximum building height. The portions of the building which extend above the permissible maximum building height are generally not perceptible from pedestrian view at ground level, with the rooftop lift wells, roof top servicing infrastructure and skylights centralized and setback from the building edge and are not visible from the street level.

In addition, the development has been designed with consideration of the vision and development objectives also prescribed in Part B1 of the Oran Park DCP, to ensure that the building height, bulk and scale are consistent with the adopted long-term masterplan for the Oran Park Town Centre, nominated building heights and surrounding constructed and approved buildings.

An assessment against Section 4.6 *Exceptions to development standards* of the Precincts SEPP has been undertaken, which has determined that compliance with the development standard is unnecessary as the extent of the variation is relatively minor and there will be minimal adverse impacts to the site and surrounding land uses.

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
Section 4.3 of the Precincts SEPP - 24m maximum building height	30.005m maximum building height	6.005m (25%)

AERIAL PHOTO



Figure 1 – The parent lot (outlined in red) and surrounding allotments

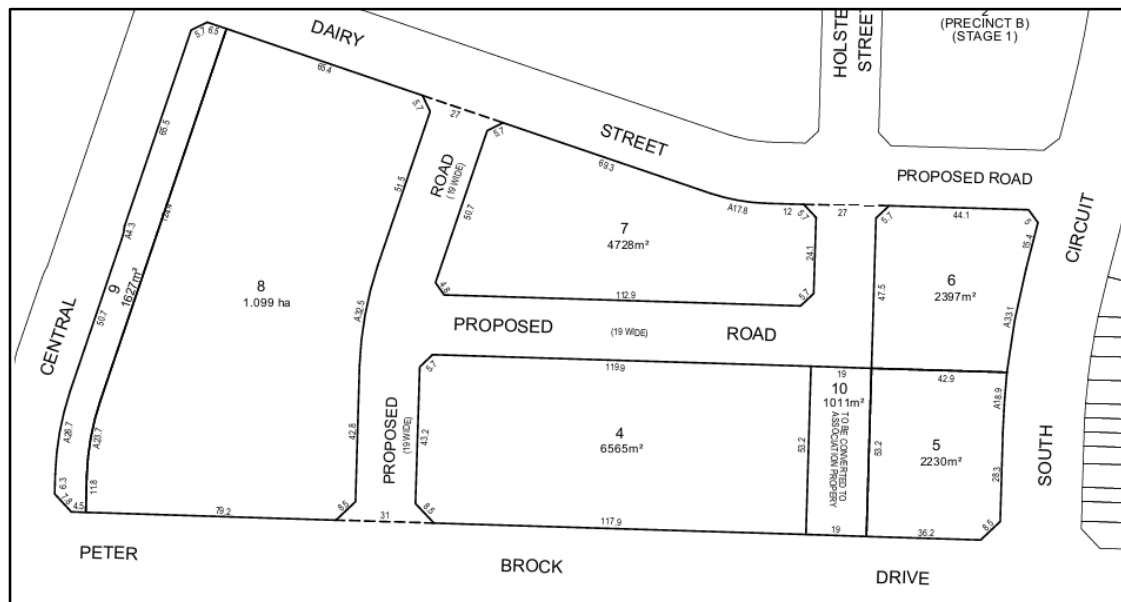


Figure 2 – The commercial building will be located within Lot 5 created via DA/2023/631/1 which approved Community title subdivision to create six lots, construction of roads, landscaping and associated site works

THE SITE

The site comprises of a single lot that is commonly known as 62 Central Avenue, Oran Park and is legally described as Lot 22 in DP270899 (as shown in **Figure 1** above). Specifically, the development site is located on the south-eastern portion of the superlot and forms part of the Oran Park Town Centre. The development site is bounded by Central Avenue to the west, South Circuit to the east, Dairy Street and

Holstein Street to the north and Peter Brock Drive to the south. Following the registration of the community title subdivision and construction of the Holstein Road extension, the site will have road frontages to South Circuit to the east, Peter Brock Drive to the south and the Holstein Road extension to the west. The site has a 4m diagonal cross fall over the site and is not flood affected or bushfire prone.

The development site is located on the eastern edge of the Oran Park Town Centre, which forms part of the South West Growth Centre. Since the rezoning, the Oran Park Town Centre precinct has delivered over 4,000 residential homes as well as other commercial, recreational facilities and retail premises including Stages 1 and 2 of Oran Park Podium, the Oran Park Leisure Centre and the Oran Park Hotel.

A hotel development for guest accommodation is currently under construction to the east of the Oran Park Podium. A residential flat building (up to 7 storeys) and seniors living development (8-10 storeys) have been approved further to the north of the development site and construction has commenced on the RFB. On the northern / directly adjoining future community Lot 6, construction of a part seven and part eight storey residential flat building containing 64 residential units is proposed. An area masterplan is shown in Figure 5 below.



Image 1 – View of the cross fall across the site viewed from South Circuit to the southwest



Image 2 – View of the cross fall across the site viewed from Peter Brock Drive to the north-east.

ZONING PLAN

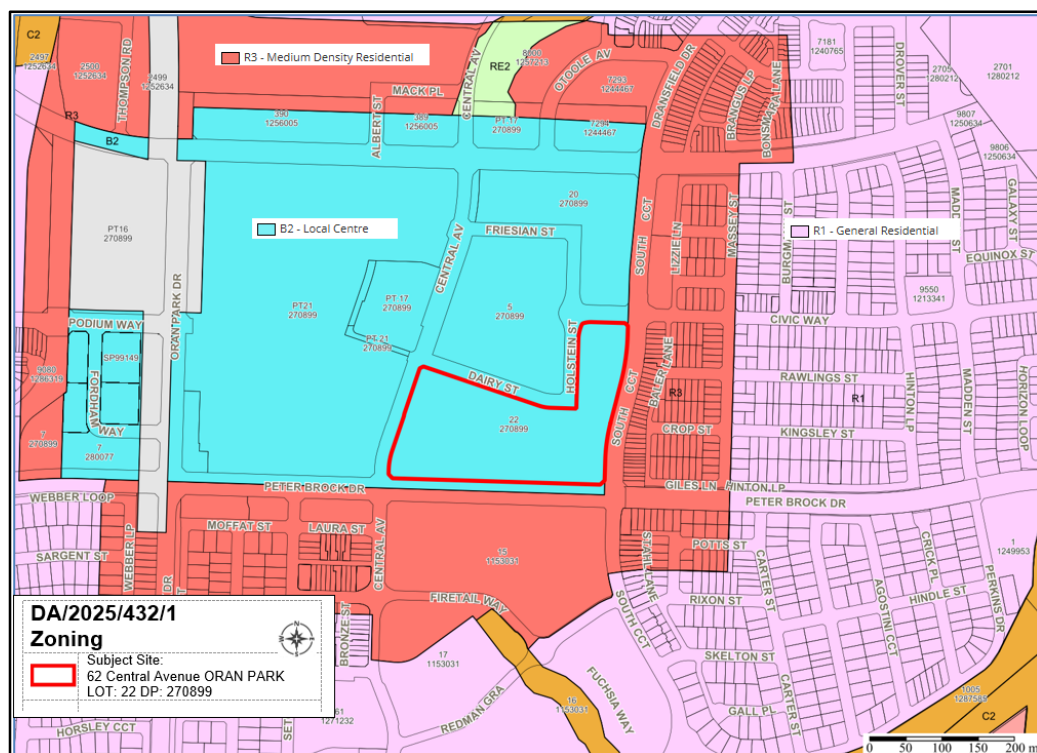


Figure 3 – Zoning map with the parent lot is outlined in red.

HEIGHT OF BUILDING

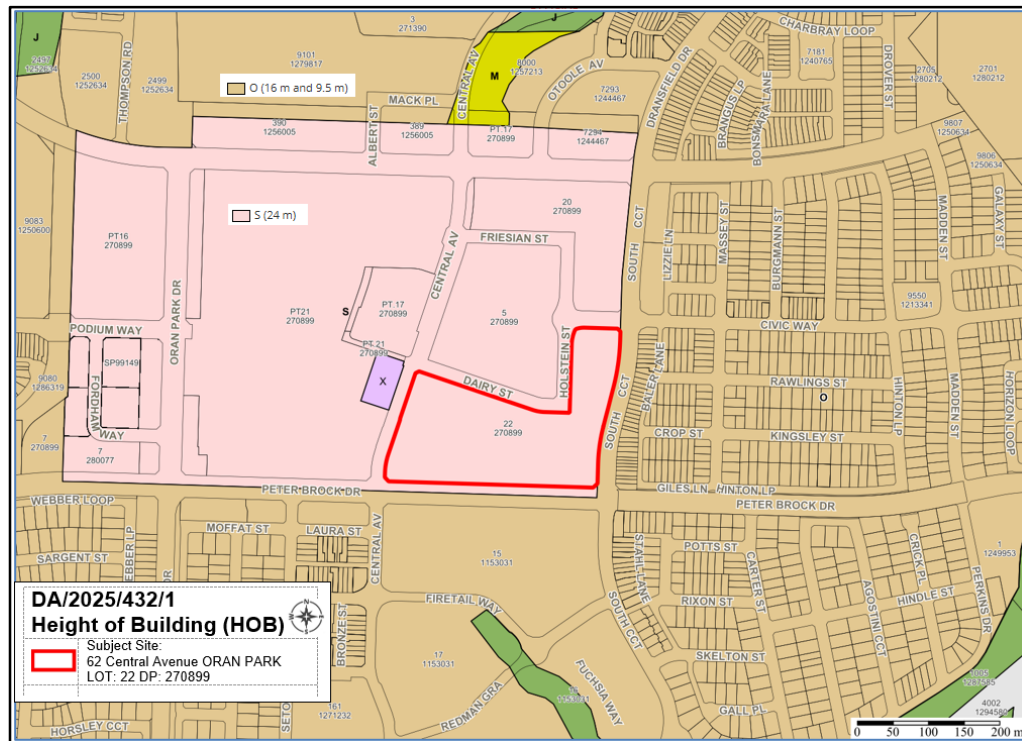


Figure 4 – Height of buildings map with the parent lot is outlined in red.

AREA MASTER PLAN

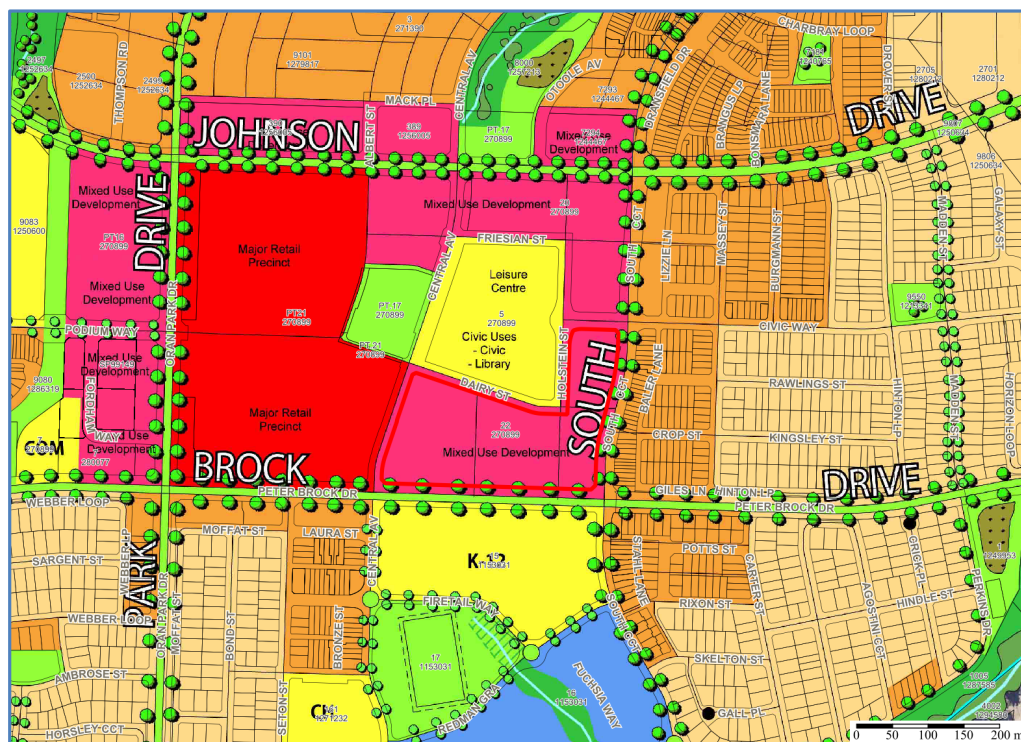


Figure 5 – Oran Park masterplan with the parent lot is outlined in red.

HISTORY

The relevant development history of the site is summarised in the following table:

DA Number	Development
DA/2010/1548/1	Bulk earthworks and remediation of contaminated land. These works were carried out over the subject site. This DA was approved by Council staff on 30 June 2011. Relevance: Undertaken over the development site.
DA/2017/1525/1	Subdivision to create two lots and construction of local roads. This DA was approved by Council staff on 10 May 2018. Relevance: The subdivision created the subject lot containing the proposed development.
DA/2022/626/1	Construction of the Dairy Street extension, including the dedication of road, provision of a Community Title Subdivision to create three lots and associated site works. This DA was approved by Council staff on 3 April 2023. Relevance: The road will allow for driveway access into the development site.
DA/2023/265/1	Construction of a seven-storey residential flat building with two levels of basement car parking and associated site works. Relevance: This development is located directly north of the development site.
DA/2023/556/1	Staged construction of two six-storey commercial buildings comprising three levels of basement car parking and associated site works. This proposal is located on the southern end of the site.
DA/2023/631/1	Community title subdivision to create six lots, construction of roads, landscaping and associated site works. Relevance: Establishes the community title subdivision and separate allotments for future development.
DA/2025/414/1	Construction of a part seven and part eight storey residential flat building containing 64 apartments, three levels of basement car parking comprising of 106 vehicle spaces, five motorcycle spaces, 20 bicycle spaces and associated storage for residents with associated site works Relevance: The development is located directly north of the proposal and shares a central open space area between the adjoining building and constructs a level three basement, which will be utilized for commercial parking for DA/2025/432/1.

THE PROPOSAL

DA/2025/432/1 seeks approval for construction of a six-storey commercial building, including a three-level basement car park, landscaping and associated works.

Specifically, the development includes:

- Erection of a six-level commercial building creating 7,703m² of floor area, with a net lettable area of 5,862m². Suite sizes vary in area between 109.5m² and 257.9m².

- Three levels of basement car parking comprised of 193 vehicle spaces, 8 accessible spaces, ten motorcycle spaces, with seven EV spaces. Access to the basement will be obtained from the Holstein Road extension subject to DA/2023/631/1, which has commenced construction.
- Ground level waste and recycling storage area and a loading dock.
- A central landscaped plaza area between the proposed commercial building and the adjoining residential flat building subject to DA/2025/414/1.
- Associated site works that include external landscaping and a landscaped communal rooftop and drainage works.

The proposed development has an EDC of \$40,681,367

A site plan of the proposed development is shown below in **Figure 6** and surrounding (approved and proposed developments) is shown below in **Figure 7**.

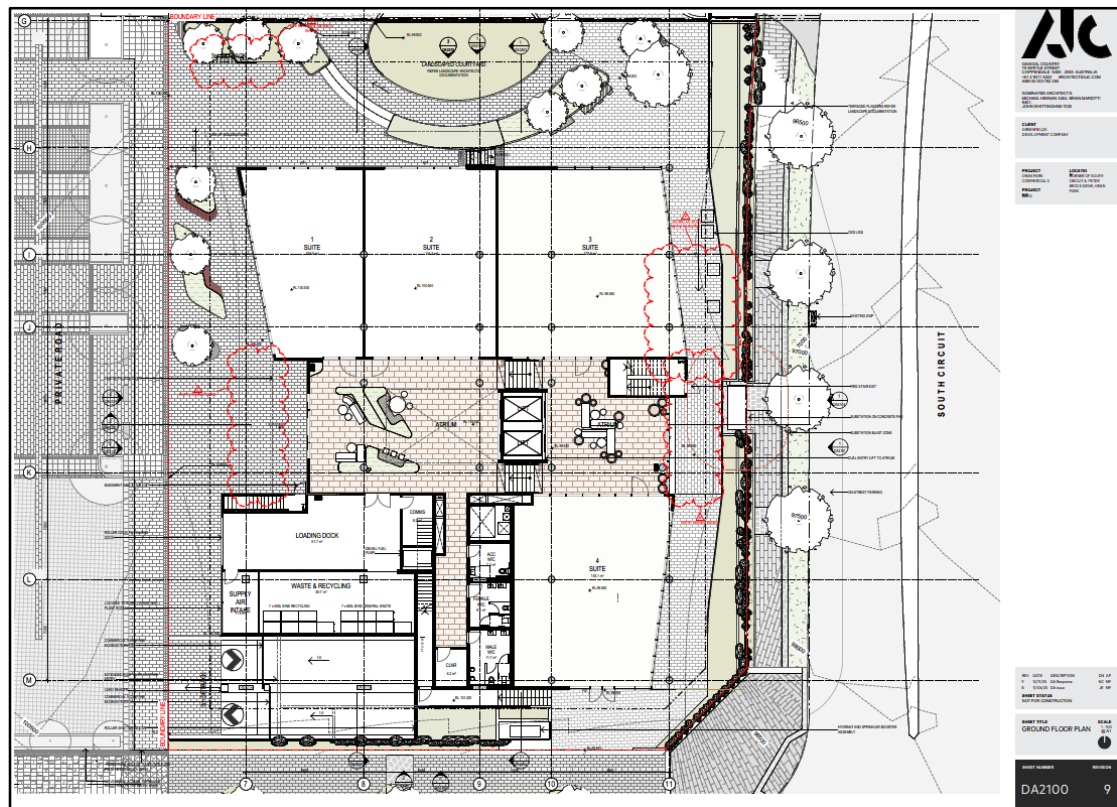


Figure 6 - Ground floor plan of the proposed development.

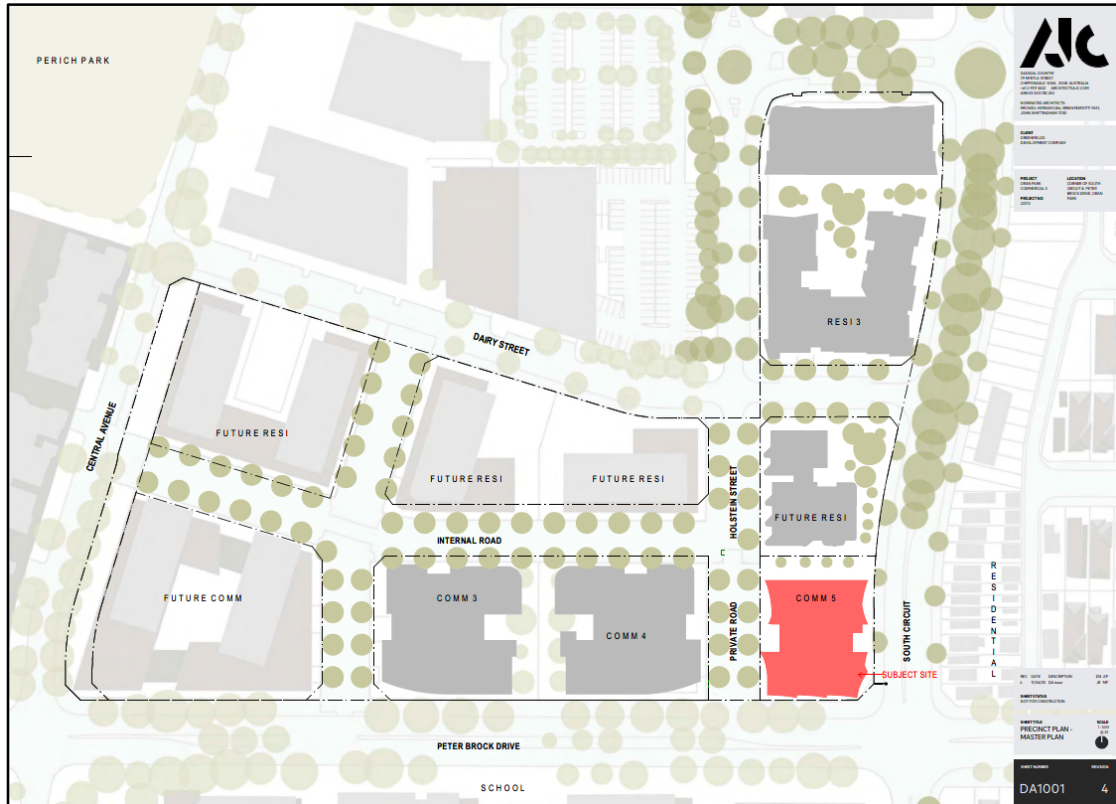


Figure 7 – Proposed development (coloured in red) and surrounding developments (approved and proposed).



Figure 8 – A perspective of the development from the corner of Peter Brock Drive and South Circuit.

ASSESSMENT

Environmental Planning and Assessment Act 1979 - Section 4.15(1)

In determining a DA, the consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the DA:

(a)(i) the provisions of any environmental planning instrument

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Planning Systems) 2021.
- State Environmental Planning Policy (Precincts - Western Parkland City) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Sustainable Buildings) 2022.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies development that is State significant development, infrastructure and critical infrastructure and regionally significant development.

The Panel is the consent authority for this DA as the EDC of the development is \$40,681,367. The EDC threshold for Council to determine the DA is \$30 million pursuant to Schedule 6 of the Planning Systems SEPP.

State Environmental Planning Policy (Precincts - Western Parkland City) 2021 (Precincts SEPP)

The Precincts SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area.

Site Zoning

The site is zoned B2 Local Centre pursuant to Appendix 2, Section 2.2 of the Precincts SEPP.

Development Characterisation

The development is characterised as a 'commercial premises', which will facilitate the use of individual tenancies for either 'business premises', 'office premises' or 'retail premises'.

Permissibility

The development, for the purpose of a '*commercial premises*', is permitted with consent in the zones in which it is proposed pursuant to the land use table in Appendix 2 of the Precincts SEPP.

Planning Controls

An assessment table in which the development is considered against the Western Parkland City SEPP's planning controls is provided as an attachment to this report.

Proposed Contravention – Building Height

The applicant requests the contravention of the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 24m above finished ground level (see **Figure 6** below). However, the development proposes a maximum height of 30.005m above finished ground level.

The contravention is sought as a result of the 4m diagonal cross fall over the site, which results in the lift overrun, roof top services and part of the upper level 6 penetrating above the maximum building height.

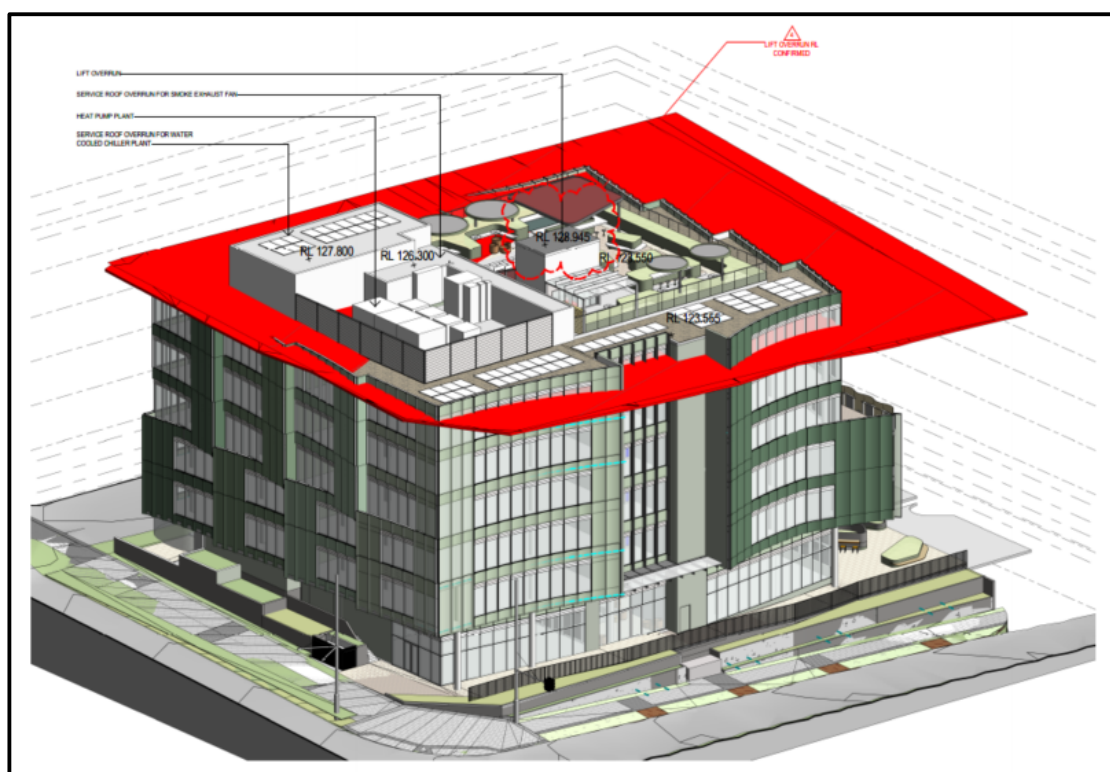


Figure 9 - Photomontage of the proposed built form. The building height plane / standard (shown in red) and the extent of the variation (above the red highlighted area).

Contravention Assessment

Pursuant to Appendix 2, Section 4.6(3) of the Precincts SEPP, the applicant has requested to contravene the development standard. In summary, the applicant's request provides the following grounds for the contravention:

- *The proposal is consistent with the objectives of the zone and the objectives of the height control.*
- *The proposed building height and scale are consistent with the adopted long-term masterplan for the Town Centre endorsed under the DCP.*

- *The breach of the height limit does not have any environmental impacts on the surrounding Town Centre.*
- *The lift wells, condenser areas and skylights have been centrally located within the roof area to ensure they are not visible from the street level.*
- *Requiring strict compliance would not result in an enhanced urban design or environmental outcome.*

A copy of the applicant's request is provided as an attachment to this report.

Pursuant to Appendix 2, Section 4.6(3) of the Precincts SEPP, Council staff are satisfied that:

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The development standard contravention is supported for the following reasons:

- The development is consistent with the objectives of the development standard:
 - (a) *To preserve the amenity of adjoining development in terms of solar access to dwellings, private open space and bulk and scale.*

Comment: The proposed commercial development has been designed to form part of the coordinated master plan for the Town Centre with consideration of surrounding developments (existing, approved and projected) within the Oran Park Town Centre and providing consistency in building height and scale and preserving solar access.

The application has been supported with shadow diagrams that demonstrate that adjoining residential development adjacent to South Circuit to the east will not be impacted by overshadowing, with the proposed development still enabling those adjacent residences to receive two (2) hours of solar access to living areas and areas of private open space.

The proposed development and the overall bulk and scale of the building is consistent with the masterplan adopted for the Oran Park Town Centre. In addition, the proposed building height is consistent with existing, approved and proposed built forms within the Town Centre and therefore is consistent with the envisioned overall character of the area.

Further to the above, a number of developments have been approved within the Town Centre, which have exceeded the maximum building height development standard prescribed under Section 4.3 of the Precincts SEPP. These developments have successfully demonstrated that, despite a height contravention, they will add positively to the character of the Oran Park Town Centre. Some nearby examples are provided below.

DA/2023/263/1 (see **Figure 10** below) – Construction of Stage 3B of the Oran Park Podium involving the construction of a six-storey hotel building with ground floor retail tenancies, basement car parking, streetscape embellishment along Podium Way and

other associated works. This DA was approved with a maximum building height of 26.2m.



Figure 10 – Eastern elevation of the approved hotel development.

DA/2023/556/1 (see **Figure 11** below) – Staged construction of two, six storey commercial buildings comprising of three levels of basement car parking and associated site works. This DA was approved with a maximum building height of 29.16m for commercial building 3 and 29.36m for commercial building 4.

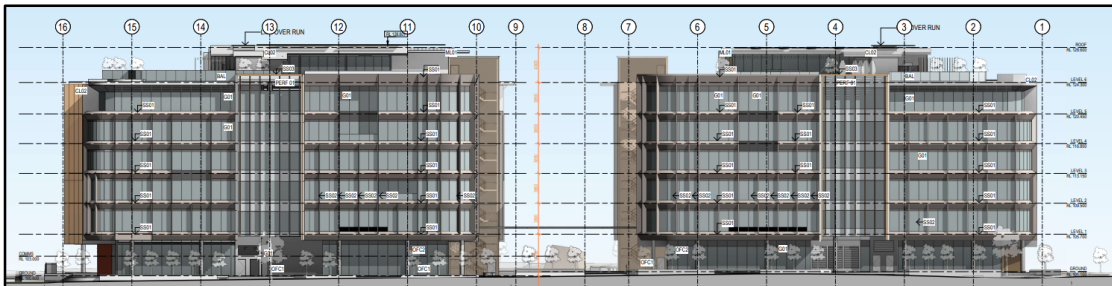


Figure 11 – Northern elevation of the approved development. This development is located on the southwestern end of the parent lot.

DA/2023/265/1 (see **Figure 12** below) – Construction of two, seven storey residential flat buildings over two levels of basement car parking and associated site works including landscaping and engineering works. This development approved a maximum building height of 25.8m.



Figure 12 – Western and eastern elevations of the approved development. This development is located directly north of the subject site.

DA/2024/569/1 (see **Figure 13** below) – Construction of an 8 to 10 storey seniors housing development comprising 196 independent living units and 14 assisted living apartments, ground floor commercial uses, onsite facilities and common areas, landscaping and two levels of basement car parking. This development approved a maximum building height of 37.89m.



Figure 13 – Eastern elevation of the approved development. This development is approved on the northern end of Civic Way.

- (b) *To provide for a range of residential building heights in appropriate locations that provide a high-quality urban form.*

Comment: Whilst the site is zoned B2 and a residential development is not sought, the proposed development contributes to the variation in building height within the town centre. As identified in the figures above, several town centre developments of varying height have already obtained development consent and have commenced construction.

As per the envisaged masterplan for the precinct, a combination of commercial and residential built form is proposed, with residential development proposed along the length of Dairy Street and commercial development along the southern side along Peter Brock Drive.

- (c) *To facilitate higher density neighbourhood and town centres while minimising impacts on adjacent residential areas.*

Comment: The height contravention does not facilitate additional floor area for the development, but noting the significant crossfall across the site, ensures that the envisaged built form and density for the site is achieved without compromising amenity to adjoining residential areas. The location and design of the commercial building has taken into consideration overshadowing of existing residential areas to the east opposite the site on South Circuit.

- (d) *To provide appropriate height controls for commercial and industrial development.*

Comment: The proposed building height is consistent with approved commercial height within the Town Centre, which envisages commercial development between 6 and 7 storeys as per the DCP. The proposed building height contravention is considered necessary to support the lift overrun, which facilitates access to the landscaped communal rooftop area, solar panels and plant and service areas, which are essential for building operation.

Owing to the topography of the site, which results in the upper portions of the eastern and northern roofline slightly breaching the maximum height, the central rooftop

elements which extend above the permissible maximum height is generally not perceptible from pedestrian view at ground level, with the rooftop lift wells, roof top servicing infrastructure and skylights centralized and setback from the building edge and are not visible from the street level.

B2 Local Centre

To provide a range of retail, business, entertainment and community uses which serve the needs of people who live in, work in and visit the local area.

Comment: The proposed commercial building will contribute to expanding the range of business suites and office area within the Town Centre within proximity to adjoining residential areas. The development provides flexibility in new commercial areas with varying areas between 109.5m² and 257.9m², with different floor area configurations. The new commercial floor and lettable area as a result of the proposed development will assist in enabling a greater range of businesses to operate within the Town Centre, subsequently serving the needs of the people who work, live and visit the local area.

To encourage employment opportunities in accessible locations.

Comment: The commercial development is located on the south-eastern periphery of the Town Centre, which is bound by walkable streets connecting pedestrian footpaths and share paths to adjoining residential areas. In addition, the site is accessible by vehicles, with frontages to both Peter Brock Drive, a major sub-arterial road to the South and South Circuit to the east, which connect with the broader road network to the Town Centre and extending access to the broader Local Government Area.

To maximise public transport patronage and encourage walking and cycling.

Comment: The site is located within the Town Centre, which is serviced by walkable streets with a network of pedestrian paths and share paths connecting to adjoining residential areas, which facilitates easy access by both pedestrians and cyclists. In addition, the site is in close proximity to existing bus stops along Peter Brock Drive and South Circuit and the planned future Oran Park Train Station to the west. The proposed development supports and encourages walking and cycling, providing bike storage and end of trip facilities within the basement. Thus, the development will add to the level of pedestrian activity within and around the development site and around the Oran Park Town Centre, contributing to the vitality of the area.

To ensure that residential development does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses.

Comment: This objective is not relevant as the development is for commercial purposes only.

To ensure that residential development does not preclude the provision of active uses at street level.

Comment: This objective is not relevant as the development is for commercial purposes only.

To provide for land uses of a higher order and density within the Local Centre Zone than are permitted within the Neighbourhood Centre Zone or the Mixed-Use Zone.

Comment: The proposed development will contribute a further 7,703m² of commercial floor area, with 5,862m² lettable area at its maximum storey height as envisaged by the DCP. In combination with the site's location within the Town Centre and proximity to adjoining residential areas, the proposed land use and built form maximises urban density and is considered the highest order landuse within the B2 Local Centre Zone.

To provide for residential development that contributes to the vitality of the local centre.

Comment: This objective is not relevant as the development is for commercial purposes only.

That said, the development has been reviewed by Council's Design Review Panel and internal Urban Design Advisor, both of whom are supportive of the scheme, subject to the imposition of recommended conditions of consent.

Consequently, it is recommended that the Panel support this proposed contravention to the Western Parkland City SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

The Resilience and Hazards SEPP regulates hazardous and offensive development and aims to ensure that the consent authority has sufficient information to assess whether or not development is hazardous or offensive. The Resilience and Hazards SEPP also provides a Statewide planning approach to the remediation of contaminated land.

Contaminated Land

Section 4.6 of the Resilience and Hazards SEPP requires the consent authority to consider if the site is contaminated. If the site is contaminated, the consent authority must be satisfied that it is suitable in its contaminated state for the development. If the site requires remediation, the consent authority must be satisfied that it will be remediated before the land is used for the development. Furthermore, the consent authority must consider a preliminary contamination investigation in certain circumstances.

The subject site was not identified as containing any Area of Environmental Concern (AEC) during the initial rezoning of the Oran Park Precinct as noted in Figure 28 of the Oran Park Development Control Plan (Oran Park DCP). A review of historical aerial photography and a recent site inspection indicates that there is no evidence of potentially contaminating activities having occurred at the site.

A standard contingency condition is recommended that requires any contamination found during site works to be managed with development consent obtained for remediation if required. Subject to the imposition of recommended conditions of consent, the site is suitable for the proposed development, with regards to contamination.

State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)

The development is considered satisfactory in terms of Chapter 3 of the Sustainable Buildings SEPP in that:

- the development has been designed to enable the sustainability measures listed in Section 3.2,
- the embodied emissions attributable to the development have been quantified,
- the applicant has provided evidence that the development will incorporate the infrastructure necessary for the development to not use on-site fossil fuels after 1 January 2035,
- the applicant has submitted a NABERS commitment agreement that demonstrates the development is capable of achieving the standards for energy and water use specified in the Sustainable Buildings SEPP, and
- the applicant has detailed the method under Section J of the Building Code of Australia that will be used to demonstrate the development is capable of achieving the standards for energy use specified in the Sustainable Buildings SEPP.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)

The development is satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP. There will be no unreasonable adverse impacts upon the Hawkesbury-Nepean Catchment as a result of the development.

(a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

There are no draft environmental planning instruments that are applicable to the development.

(a)(iii) the provisions of any development control plan

The development control plans that apply to the development are:

- Camden Development Control Plan 2019.
- Oran Park Development Control Plan 2007, as amended

Oran Park Development Control Plan 2007, as amended

An assessment table in which the development is considered against the Oran Park DCP is provided as an attachment to this report. The application is generally compliant with the DCP.

Camden Development Control Plan 2019 (Camden DCP)

An assessment table in which the development is considered against the Camden DCP is provided as an attachment to this report.

(a)(iia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

The site falls within land that is subject to the Oran Park Urban Release Area Voluntary Planning Agreement (VPA), signed in September 2011. The Oran Park VPA provides for infrastructure and associated facilities within the Oran Park Town project, in lieu of payments under the Oran Park & Turner Road Precinct Contributions Plan. The majority of the core infrastructure, services and facilities required for the Town Centre have been provided. Additional monetary contributions and/or delivery of essential services and infrastructure are therefore not required for the subject development.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The *Environmental Planning and Assessment Regulation, 2021* prescribes several matters that are addressed in the conditions attached to this report.

(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

As demonstrated by the assessment, the development is unlikely to have any unreasonable adverse impacts on either the natural or built environments, or the social and economic conditions in the locality. All other likely impacts have been assessed in other sections of this report.

(c) the suitability of the site for the development

As demonstrated by the assessment, the site is considered to be suitable for the development.

(d) any submissions made in accordance with this Act or the regulations

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 5 to 18 September 2025 and no submissions were received.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the assessment, the development is consistent with the public interest.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

RECOMMENDATION

That the Panel:

- i. support the applicant's request pursuant to Appendix 2, Section 4.6(3) of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 to contravene the height of buildings development standard in Section 4.3 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021, and
- ii. approve DA/2025/432/1 for the construction of a six-storey commercial building, including a three-level basement car park, landscaping and associated works at 62 Central Avenue, Oran Park subject to the conditions attached to this report for the following reasons:
 1. The Panel has considered the written request to contravene State Environmental Planning Policy (Precincts - Western Parkland City) 2021 in relation to the height of buildings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 4.3 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 is unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.
 2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Precincts - Western Parkland City) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.
 3. The development is consistent with the objectives of the Oran Park Development Control Plan 2007 and Camden Development Control Plan 2019.
 4. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
 5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
 6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.