

Proposal: The proposal is described as:

- the demolition of three residential dwellings;
- the partial demolition of the southern side of the existing community club;
- the construction of a new southern extension incorporating restaurants, auditorium and function spaces ;
- provision of 7 bus parking spaces and 30 car parking spaces;
- building identification signage totem; and
- landscaping of the new car park and provision of a children's playground.

Location: Lot: 1 DP: 204779, Lot: 7 DP: 231805, Lot: 8 DP: 231805, Lot: 9 DP: 231805, Lot: 10 DP: 231805, Lot: 11 DP: 231805, Lot: 2 DP: 204779, Lot: 3 DP: 524205, Lot: 4 DP: 524205, Lot: 12 DP: 521803, Lot: 21 DP: 536004, Lot: B DP: 379576, Lot: 31 DP: 201418, Lot: 1 DP: 231805, Lot: 2 DP: 231805, Lot: 3 DP: 231805, Lot: 22 DP: 231805, Lot: 4 DP: 231805, Lot: 5 DP: 231805, Lot: 6 DP: 231805, Lot: 12 DP: 231805, Lot: 101 DP: 1006165, Lot: 101 DP: 1085221, Lot: 2005 DP: 1090149, No. 101 Meadows Road MT PRITCHARD

Owner: Mt Pritchard District and Community Club Ltd

Proponent: Mt Pritchard District and Community Club Ltd

Capital Investment Value: \$66,594,000

File No: DA 714.1/2014

Author: **Karl Berzins, Consultant Planner**
Fairfield City Council

SUPPORTING DOCUMENTS

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EXECUTIVE SUMMARY

Pursuant to Schedule 4A of the Environmental Planning & Assessment Act 1979 the proposal has been referred to the JRPP because the proposed development has a capital investment value of more than \$20 million.

The proposed works are as follows:

- the demolition of three residential dwellings;
- the partial demolition of the southern side of the existing community club;
- the construction of a new southern extension incorporating restaurants, auditorium and function spaces ;
- provision of 7 bus parking spaces and 30 car parking spaces;
- building identification signage totem; and
- landscaping of the new car park and provision of a children's playground.

The proposal will increase the overall building gross floor area (GFA) of the existing club by 7,359 m² as shown in Table 1 below.

	Existing	Proposed
Lower ground Floor	5,178	6,857
Ground Floor	8,173	10,755
First Floor	7,227	10,325
Total Gross floor area	20,578	27,937

The proposal involves significant upgrades to the Back of House (BOH) facilities, located on the lower ground floor, including the loading and waste handling facilities, cellar and storage facilities and staff facilities such as a staff lounge, dining area and terrace. Three additional rooms for club related uses are also proposed on this level.

The upper ground level will be modified by demolishing the existing main auditorium and replacing it with an expanded selection of restaurants on this level. The floor space will be extended to the west and the south of the existing building. Existing restaurants and bars will also be upgraded. A grand central staircase will be introduced to link the upper ground level with level 1.

The existing sports lounge, TAB and Brasserie that are located on level 1 will be removed and replaced with a new auditorium and conference centre along with three function areas and associated catering facilities. Three bridal/meeting rooms will also be added to this level along with upgraded toilet facilities and a cocktail function room.

Some enclosed plant rooms will be added to the roof level of the building.

The proposed alterations and additions will result in an increase in gross leasable area of 1997m².

External demolition works include the complete demolition of existing dwelling houses, owned by the club and located at 9 Leo Street, 12 Leo Street; and 10 Cherry Street.

The resultant vacant land will be developed to contain

- 30 additional car parking spaces;
- 7 additional bus parking spaces;
- landscaping works within the car park;

The existing external site boundary wall adjacent to these properties will be demolished to enable these sites to be included in the site's car park. A new privacy/acoustic wall will be built on the southern side of the abovementioned residential properties. As part of the proposed works, the applicant also intends to upgrade the landscaping on the southern boundary.

A children's play area (20m x 15m) is proposed to be constructed adjacent to the existing western façade of the building near the tennis courts. A totem sign is also proposed adjacent to the children's play area. The totem sign will have a ground area of approximately 9m² and will be approximately 3 m high. The totem sign structure will include a signage zone of approximately 2m² in area. The totem sign will only be visible from inside the subject land and is not visible from adjoining roads or public spaces.

In June 2014 a further DA was lodged for an extension to the car parking facilities associated with the club. This application (DA 403/2014) sought approval for:

- excavation and construction of a three level basement car park comprising a net increase of 303 spaces; and
- associated landscaping and entry feature embellishment works.

(DA 403/2014) has been reported to the Joint Regional Planning Panel (JRPP) to be determined concurrently with this application.

The existing club and associated improvements (Mounties) is located on an irregular parcel of land having a total area of 5.5ha. The club building is two storeys in height and contains gaming rooms, function rooms, snooker room, administrative offices, gym and restaurants.

The site has vehicular frontages to Humphries Road to the west and Meadows Road to the east. The majority of the car parking for Mounties is provided on the western side of the building. The site currently provides for 1332 car parking spaces. There is some below ground multi-deck parking in the north eastern corner of the site.

The site and surrounding properties have been occupied by residential properties and market gardening activities until the early 1980's when the central and south-eastern part of the site was redeveloped to a community club surrounded by asphalt car parking. Additional parking has been provided around the club in the last twenty years by the club purchasing adjoining residential properties, demolishing the houses and providing car parking for its patrons.

The subject site is zoned RE2 Private Recreation pursuant to the Fairfield Local Environmental Plan 2013. The proposed development is ancillary to the approved use of the site as a 'Registered Club', which is a permissible use in the RE2 zone.

The proposal complies with the requirements of Fairfield Local Environmental Plan 2013 and Fairfield City Wide Development Control Plan 2013.

The impacts of the development can be controlled by conditions of development consent.

The proposed development was notified to adjoining property owners, and placed on public exhibition from 11th December 2014 to 2nd January 2015. One submission was received. The submission does not raise any issues that warrant refusal of the application. Conditions of consent will address the adjoining residents' concerns.

The proposed development has been assessed against the relevant heads of consideration contained in Section 79C of the Environmental Planning and Assessment Act 1979 and has been found to be satisfactory. The site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of the Joint Regional Planning Panel's support.

SITE DESCRIPTION AND LOCALITY

The existing club and associated improvements (Mounties) is located on an irregular parcel of land having a total area of 5.5ha. The development site comprises of 24 lots. The club building is two storeys in height and contains gaming rooms, function rooms, snooker room, administrative offices, gym and restaurants.

The site has vehicular frontages to Humphries Road to the west and Meadows Road to the east. The majority of the car parking for Mounties is provided on the western side of the building. The site currently provides for 1199 car parking spaces. There is some below ground multi-deck parking in the north eastern corner of the site.



Figure 1 Site Location

The surrounding development comprises of single and two storey detached dwelling houses on suburban lots. The site is surrounded by a mix of low density residential uses to the south, east and west, and open space to the north. Mounties own a number

of the residential properties along the south western boundary, including the properties closest to the proposed basement works on Leo Street.

The sites topography is consistent with adjoining lands and slopes gradually to the north west with an approximate gradient of 1m vertical to 40m horizontal (i.e.2.5%) across the site.

In summary, the site and surrounding properties have been occupied by residential properties and market gardening activities until the early 1980's when the central and south-eastern part of the site was redeveloped to a community club surrounded by asphalt car parking. Additional parking has been provided around the club in the last twenty years by the club purchasing adjoining residential properties, demolishing the houses and providing car parking for its patrons.

BACKGROUND

Mounties has been operating since 1968 and has expanded into one of the largest clubs in Australia. The existing club has a wide range of community and entertainment facilities including, live entertainment, bars, restaurants and a health club. There are numerous development applications pertaining to the site. The two most recent are consents issued in 2009 and 2014.

On 22 December 2009 Fairfield City Council approved DA355/2005 which related to alterations and additions to Mt Pritchard District and Community Club, involving internal reconfiguration, the provision of a new auditorium, theatrette, demolition of three (3) existing dwellings and provision of additional car parking spaces. This consent lapsed on the 22 December 2014 as there was no substantial commencement of approved works.

DA607.1/2013 was approved in 2013 for the following development:

- Internal and external refurbishment of the western lobby
- Upgraded entry landscaping and,
- Reconfiguration of the car parking area and access isles near the western lobby including the removal of 25 car parking spaces.

Construction of this development is yet to commence.

In June 2014 a further DA was lodged for an extension to the car parking facilities associated with the club. This application (DA 403/2014) sought approval for:

- excavation and construction of a three level basement car park comprising a net increase of 303 spaces; and
- associated landscaping and entry feature embellishment works.

(DA 403/2014) has been reported to the Joint Regional Planning Panel (JRPP) to be determined concurrently with this application.

PROPOSAL

The applicant proposes the following alterations to the existing club as part of this development application:

- the demolition of three residential dwellings;
- the partial demolition of the southern side of the existing community club;
- the construction of a new southern extension incorporating restaurants, auditorium and function spaces;
- provision of 7 bus parking spaces and 30 car parking spaces;
- building identification signage totem; and
- landscaping of the new car park and provision of a children's playground.

It should be noted that no additional gaming facilities are proposed as part of this DA.

The proposal will increase the overall building gross floor area (GFA) of the existing club by 7,359 m² as shown in Table 1 below.

	Existing	Proposed
Lower ground Floor	5,178	6,857
Ground Floor	8,173	10,755
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The proposal involves significant upgrades to the Back of House (BOH) facilities, located on the lower ground floor, including the loading and waste handling facilities, cellar and storage facilities and staff facilities such as a staff lounge, dining area and terrace. Three additional rooms for club related uses are also proposed on this level.

The upper ground level will be modified by demolishing the existing main auditorium and replacing it with an expanded selection of restaurants on this level. The floor space will be extended to the west and the south of the existing building. Existing restaurants and bars will also be upgraded. A grand central staircase will be introduced to link the upper ground level with level 1.

The existing sports lounge, TAB and Brasserie that are located on level 1 will be removed and replaced with a new auditorium and conference centre along with three function areas and associated catering facilities. Three bridal/meeting rooms will also be added to this level along with upgraded toilet facilities and a cocktail function room.

Some enclosed plant rooms will be added to the roof level of the building.

External demolition works include the complete demolition of existing dwelling houses located at:

- 9 Leo Street;
- 12 Leo Street; and
- 10 Cherry Street.

The resultant vacant land will be developed to contain

- 30 additional car parking spaces;
- 7 additional bus parking spaces;
- landscaping works within the car park;

The existing external site boundary wall adjacent to these properties will also be demolished to enable these sites to be included in the site's car park. A new privacy/acoustic wall will be built on the southern side of the abovementioned residential properties.

A children's play area (20m x 15m) is proposed to be constructed adjacent to the existing western façade of the building near the tennis courts. A totem sign is also proposed adjacent to the children's play area. The totem sign will have a ground area of approximately 9m² and will be approximately 3 m high. The totem sign structure will include a signage zone of approximately 2m² in area. The totem sign will only be visible from inside the subject land and is not visible from adjoining roads or public spaces.

As part of the proposed works, the applicant also intends to upgrade the landscaping as detailed in the Landscape Plans prepared by Stuart Noble and Associates.

The proposal will result in an additional 62 staff being employed on the site.

The approved hours of operation for the use of the subject premises are as follows:

Monday to Thursday: 9.00am - 3.00am.

Friday to Sunday: 9.00am - 5.00am.

The proposal seeks no changes to these hours of operation.

PLANNING ASSESSMENT

The development has been assessed in accordance with the matters for consideration under Section 23G and 79C of the Environmental Planning and Assessment Act 1979 as follows:

1. Section 23G - Joint Regional Planning Panels

Under Section 23G of the Environmental Planning and Assessment Act 1979, the functions of Council are conferred to a regional panel if stipulated under an environmental planning instrument. As the proposal is a class of development described in Schedule 4A of the EP&A Act, being a development that has a capital investment value of more than \$20 million, Part 4 of the State and Regional Development SEPP applies to the development application (DA). Under Part 4 of the SEPP the Council's consent function is exercised by the Joint Regional Planning Panel (JRPP)

2. Section 79C(1)(a)(i) – Any Environmental Planning Instrument

2.1 State Environmental Planning Policy No 55—Remediation of Land

A Stage 1 Environmental Site Assessment (ESA) has been prepared by Environmental Investigations and is included as Attachment E. The Stage 1 ESA concludes that the

site is suitable for the proposed use. Council's environmental officers agree with the report's findings that land contamination is not an issue on the site.

2.2 State Environmental Planning Policy No 64—Advertising and Signage

The proposed totem sign included in the landscaping works is classified as business identification signage as defined in the SEPP. The proposed signage is not located adjacent to any public road and does not involve any intense lighting or moving parts. The totem sign will only be visible from inside the subject land and is not visible from adjoining roads or public spaces. As such the signage will not cause a visual distraction to vehicular traffic and is generally consistent with the criteria outlined in Schedule 1 of the SEPP.

2.3 Fairfield Local Environmental Plan (LEP) 2013

The subject site is zoned RE2 Private Recreation pursuant to the Fairfield Local Environmental Plan 2013. The proposed development being alterations and additions to the approved use of the site as a 'Registered Club', is a permissible use in the RE2 zone.

The objectives of the RE2 zone are as follows:

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The proposed development complies with the first two zone objectives. The third objective is not relevant to the proposal.

Fairfield LEP 2013 contains a number of clauses that are relevant to the assessment of the proposal:

2.4.1 Clause 4.3 – Height of Building

No height standard applies to the site.

2.4.2 Clause 4.5 – Floor space ratio

No FSR standard applies to the site.

2.4.3 Clause 5.9 - Preservation of trees or vegetation

This clause provides that the removal of certain trees requires the consent of Council. The proposal involves the removal of three trees within the current parking area adjoining the southern side of the existing club building, the removal of one tree at No.10 Cherry Street and the removal of another tree at No 12 Leo Street.

The applicant proposes to compensate the removal of these five trees by planting sixteen trees adjoining the southern boundary of the site. The removal of existing trees is supported in the circumstances of this case as the proposed landscaping, especially the planting of sixteen trees will be satisfactory compensation for their removal.

2.4.4 Clause 6.2 – Earthworks

Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposed excavations will be undertaken on land that is already sealed. The impact of the excavations on the drainage pattern and soil stability in the locality will be negligible. Conditions can be applied so that in the event of heavy rains any dewatering of the excavation does not result in receiving waters being subject to high levels of suspended sediment from the dewatering process. The excavation will be appropriately stabilised during the construction period. When construction of the building additions has been completed any remaining void will be backfilled and landscaped or sealed.

The soil to be excavated is a clay rich soil common to Wianamatta Shales found in the locality. The lower layers of excavation will be shale.

The excavation to provide the lower ground floor level and service vehicle access ramps will have a maximum depth of four metres. The excavations will be located approximately 25 metres from the dwelling houses to the south of the land to be developed. Given the maximum depth of excavation and distance to the nearest dwelling houses no special conditions are required with respect to the issue of support and protection for neighbouring buildings.

All excavated material will be removed from the site to a yet to be determined EPA licensed and approved location. This can be covered by a condition of development consent.

Given the history of land use on the site and the excavation being undertaken on an existing car park there it is extremely unlikely that any relics will be disturbed.

3. Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instruments

There are no draft Environmental Planning Instruments applying to the subject land

4. Section 79C(1)(a)(iii) – Any Development Control Plan

4.1 Fairfield City Wide Development Control Plan (DCP) 2013

Chapter 12 of the DCP which deals with parking and access is relevant to the proposal.

There are currently 1,332 car parking spaces provided on the site. There are 1031 “at grade” car parking spaces and 301 spaces in an existing basement car park adjoining the northern side of the club. In 2013 approval of DA 607.1/2012 resulted in a loss of 25 car parking spaces leaving a total of 1307 car spaces when the porte cochere works approved in DA 607.1/2013 are completed. These works are yet to commence.

If the JRPP approves DA 403.1/2014 for the underground and reconfigured ground level car park, then the total car parking spaces on site will increase to 1610.

The proposal for the alterations and additions to the club (DA714.1/2014) will result in the provision of an additional 30 car parking spaces and 7 bus spaces on the land where it is proposed to demolish three dwelling houses. Thus when all the proposed developments have been completed there will be a total of 1647 car parking spaces on the site.

Car parking for registered clubs and community facilities is calculated at a rate of 1 space per 5m² gross leasable area or 1 space per 6 seats (whichever is the greater) of entertainment/recreation area plus 1 space per 5m² gross leasable area of bar/lounge/gaming area, plus a compilation of the requirements for each of the specific activities the club incorporates (eg. restaurant, recreation facility, place of public entertainment).

The proposed alterations and additions will result in an increase in gross leasable area of 1997m². Applying the DCP controls requires the provision of an additional 400 car parking spaces which would result in a total of 1707 spaces being provided on the site. The applicant has proposed to provide 1647 car parking spaces on the site resulting in a shortfall of 60 car parking spaces. The proposed development does not achieve compliance with the development controls contained in Chapter 12 of Council's City Wide Development Control Plan 2013.

The applicant's traffic consultant has based their report on parking provision upon surveys which is the recommended approach outlined in the RMS's Guide to Traffic Generating Developments.

The surveys undertaken on a Friday and Saturday night in November 2014 are summarised as follows:

Percentage of Spaces Occupied				
	Club Car Park		On-street Parking*	
	Friday	Saturday	Friday	Saturday
5.00pm	33.2%	30.0%	10.9%	6.5%
6.00pm	40.6%	34.1%	9.8%	5.4%
7.00pm	57.0%	38.1%	10.9%	9.8%
8.00pm	69.6%	47.9%	9.8%	10.9%
9.00pm	77.8%	51.6%	37.0%	14.1%
10.00pm	78.5%	52.6%	37.0%	14.1%
11.00pm	70.6%	47.9%	26.1%	14.1%

* On a normal Friday night in November some 30 to 40 cars are parked on public roads in the vicinity of the club.

The survey figures show that when under normal operating conditions the car park is 80 % full when peak visitation occurs on a Friday night. In other words even when there is peak visitation there are 266 surplus car parking spaces available on site.

Given the survey information above and the provision of 1647 car parking spaces when the site is developed, it is considered that there is ample onsite parking. There is sufficient justification for the variation sought regarding the development controls relating to parking in Council's DCP.

The traffic survey undertaken by applicant's consultant shows that the traffic movements on Friday night (6.00-7.00pm) are relatively balanced on the two road frontages as shown below:

	Meadows	Humphries
IN	226	280
OUT	171	194
TOTAL:	397	474

The applicant's traffic consultant has anticipated that the proposal will increase traffic movements by 15% and also equal out the numbers of patrons using both frontages with the result that the projected movements will be as follows:

	Meadows	Humphries
IN	282	300
OUT	200	220
TOTAL:	482	520

Council's engineers have advised that the above assumptions are reasonable. Given these projections both Humphries and Meadows Road will continue to operate satisfactorily. The additional 130 vehicles per hour will not have any perceptible impact on the operation of intersections in the area.

5. Section 79C(1)(a)(iv) – The Regulations

Subject to the imposition of conditions of consent, Council's Building Surveyor has raised no objection to the proposed development regarding fire safety considerations as prescribed under the Environmental Planning and Assessment Regulation 2000.

6. Section 79C(1)(b) – The Likely Impacts of the Development

6.1 Environmental Impacts

6.1.1 Noise

There is a mix of low density residential use to the south, east and west and open space to the north of the site.

The applicant's acoustic consultant has provided a report (See Attachment D) which addresses the three principal noise sources being:

- Patron vehicle noise
- Service vehicles and loading dock noise
- Operational noise from outdoor dining terraces

The acoustic consultant has stated that any increase in car park traffic will be insufficient to cause significant impacts. Council officers agree with this statement.

The new loading dock to be constructed on the southern portion of the site will be located within 35 metres of adjoining residences.

- It will be enclosed and located below ground level, and is not expected to significantly impact on adjoining residences. It will, however, need to be assessed for any required noise treatment.
- Noise from trucks using the loading dock ramp will be addressed by a three metre high acoustic barrier on the southern boundary.
- Waste collection will occur inside the enclosed loading dock and is not expected to significantly impact on adjoining residences.

These recommendations by the acoustic consultant are noted and conditions of consent can be applied to ensure compliance with the acoustic report.

The proposal includes the construction of outdoor terraced areas. The use of these areas, particularly at night, has the potential to impact the residential receptors that neighbour the site. It is noted that the terraces have been designed, where possible, to angle away from the nearest residential receptors. This will reduce the likelihood of acoustic impact on surrounding residences. In addition to this design feature, noise from the outdoor terraces as well as general noise from patrons arriving and leaving the premises is proposed to be controlled by an operational noise management plan (Refer to Attachment G).

The operational noise management plan contains sections that deal with:

- Floor Management and Security Supervision
- Club/Community Contact
- Signage
- Staffing

The amenity impact of the existing club is currently managed in accordance with the provisions of an operational noise management plan. Council has not received any recent complaints from adjoining residents in regard to noise pollution from the club.

Notwithstanding the absence of noise complaints it is prudent from Council's perspective to retain the potential to review the operation of the outdoor terraces and their impact on adjoining residential amenity. To that end a reviewable condition will be imposed to permit use of the outdoor terraces till midnight for period of twelve months. Such a condition is permissible in accordance with Section 80A (10B) of the Environmental Planning and Assessment Act, 1979. Council may review the condition at any time. Upon the condition being reviewed the operating hours may be varied in accordance with the recommendations of the review. The purpose of the reviewable condition is to enable the operating hours of the outdoor terraces to be reviewed should they be subject to complaints regarding noise or other disorderly or antisocial behaviour.

It should also be noted that vehicular ingress/egress from the site on the Meadows Road frontage is currently restricted by condition of consent so that no ingress/egress from this frontage can occur after midnight and before 8.30 am. This condition will be imposed on this application.

6.1.2 Water Pollution

A Stormwater Management Plan (SMP) has been prepared for the site. The SMP indicates that there is a net increase in hardstand area of approximately 317m² due to the reclamation of the three adjoining properties to the south. This land will be predominantly used for staff parking.

This increase in hardstand area will result in an approximate increase in surface run off of approximately 22l/s. The stormwater runoff from this additional area will continue to be directed toward three council stormwater drains, as detailed in the stormwater plans. Council engineers have examined the plans and have no objection to the storm water solution for the site. The details of the stormwater management can be addressed through conditions of development consent.

6.1.3 Air Pollution

The proposed development is not likely to cause air pollution once operational. Appropriate dust suppression methods during the construction phase are not outlined within the Statement of Environmental Effects (SEE). This aspect is recommended to be covered by a condition of development consent that requires a Construction Management Plan.

6.1.4 Context and Setting

The demolition of the three dwelling houses on the southern boundary of the site and the use of the land for parking and landscaping has the potential to detrimentally affect the amenity of the neighbours to the south. The applicant was requested to address this issue and have provided a response as shown in Attachment H. The following is an excerpt from their letter:

“For many years, the Club has approached Council for various proposals and expansions to the Club building and facilities. Accordingly, to facilitate this growth, the club has been actively purchasing land parcels located in the nearby and adjoining streets with the intention of using this land to expand the facilities. This was typically done by Clubs in all areas to ensure their ongoing futures and growth potential. This was concurrent with the then Fairfield 1994 LEP where Clubs were permissible under the 2(a) Residential zone.

In 2011, as part of the state’s LEP reform to standardise building codes amongst all local authorities, a new Draft Fairfield LEP 2011 was proposed which re-zoned the Club’s site to RE2 - Private Recreation. This zone is suitable for the existing Mounties Club which was defined under the draft LEP as ‘Recreation Facilities (indoor)’. However the adjoining land was zoned R2 – Low Density Residential - which did not include Clubs/Recreation Facilities (indoor) as permissible uses.

During the extensive exhibition and consultation process for the new LEP, Councils acknowledged the acquisitions made by clubs of surrounding parcels of land and

determined that any parcels that the Clubs had acquired which were immediately adjoining their own boundaries would also be zoned RE2 - Private Recreation, enabling the Club's to expand and use this land for Club purposes. During the exhibition period of the new Draft Fairfield LEP, Mounties also engaged Urbis to act on their behalf and request approval for rezoning of other 'Mounties owned' parcels of land to RE2, which were not adjacent to their boundaries, however, this was refused.

Since this time it has and always has been Council's policy that Club's had a right to assume use of adjoining properties which are zoned RE2 for Club purposes. Properties located at Nos. 9 and 12 Leo Street and No 10 Cherry Street are zoned RE2."

The applicant has advised that the parking and use of the land in question is to be 'back of house' rather than public space. The coaster parking bays and other car parking provision is considered by the Club to be low use or club use only which limited the amount of vehicular noise. These spaces are also located 3.14 metres away from the boundary and the club proposes to have landscaping proposed between the fence and the landscaping. Furthermore the club has advised that:

"We assumed the treatment of this boundary fencing would be in line with the previously approved DA which stipulated the need for a 3.0m high wall (1.8 high masonry - but could use a product which has an acoustic performance if required? And 1.2m clear acrylic at the top). This fence was also to be 600mm off the boundary line onto the clubs land, giving the resident an additional 600mm of buffer?"

The applicant's position above is supported and it is recommended that a condition be imposed requiring a 3 metre high wall along the boundary of the new southern car parking area with the top 1.2 metres of the wall being constructed of perspex. The 600mm wall setback is also supported.

The club building extensions are appropriately located with sufficient setback to residential properties. The scale of the alterations and additions is commensurate with existing scale and bulk of the club.

6.1.5 Building and Site Design

The proposed development will increase the building area and height and increase the size and scale of the existing building in the south and west corners of the building. The proposal will increase the building height from the existing level (RL 49.723 m) to RL 54.88 m at the roof of the proposed auditorium on level one, an increase in overall building height of 5.157 m.

The large size of the site provides a significant barrier between the building mass of the club, located in the centre of the site, and the surrounding urban area. This has the effect of reducing the impact of the building on the surrounding receivers.

The proposal will overshadow two adjoining residential properties to the south in mid-winter after midday. This level of overshadowing does not warrant refusal of the application.

6.1.6 Landscaping

Landscaping will be provided on the southern boundary of the site as well as in the new children's play area. The landscaping is of a high standard. The landscaping component of the development is supported.

6.1.7 Traffic and Parking

Council's Traffic Engineers have examined the proposal and have no objection to the proposal on traffic or parking grounds. Recommended conditions have been provided by Council's Traffic Engineers regarding the safe use of the underground car park.

The issue of traffic generation and parking on the site was previously covered in Section 4.1 of this report.

6.1.8 Social and Economic Impacts.

The proposal will provide increased access to function rooms and will cater for weddings, engagements and other social activities for the local and regional community. The proposal does not involve any increase in gaming machine numbers on the site.

7. Section 79C(1)(c) – The Suitability of the Site for the Development

The site has been used as a registered club for decades. The Council has recognised the use of the land for the purposes of a club as being suitable and have recently rezoned the site in 2013 to reflect this usage. The proposal does not result in any significant impacts that cannot be ameliorated by conditions of development consent.

8. Section 79C(1)(d) – Any Submissions made in relation to the Development

In accordance with Council's City Wide DCP, the proposed development was notified to adjoining property owners, and placed on public exhibition from 11th December 2014 to 2nd January 2015. One submission was received.

The respondent raised the following concerns:

- The existing restrictions on the opening and closing of the gates on Meadows Road remain.
- There are no changes to the direction of vehicular movements on the Meadows Road driveway opposite our house.
- The construction hours do not commence too early.
- If there are any alterations to the existing landscaping please ensure that our privacy is maintained.

The above concerns are acknowledged. A condition of consent will be imposed ensuring that existing restrictions on the opening and closing of the gates on Meadows Road remain. The proposal will not affect the northern most driveway in Meadows Road and as a result the status quo will remain for the concerned resident.

The submission does not raise any issues that warrant refusal of the application. Conditions of consent will address the adjoining residents' concerns.

9. Section 79C(1)(e) – The Public Interest

The proposal is an orderly development of the land with impacts that can be controlled by conditions of development consent. The proposal will update the visual appearance of the site as well as providing more facilities for club members and the local community.

10. Section 94 Contributions

The proposed development has an estimated construction cost of \$66,594,000. In accordance with Fairfield City Councils adopted s94A contribution plan this requires payment of a development contribution of \$665,940.00. A condition of development consent has been imposed which specifies this amount is payable.

CONCLUSION

The proposed development seeks approval for:

- the demolition of three residential dwellings;
- the partial demolition of the southern side of the existing community club;
- the construction of a new southern extension incorporating restaurants, auditorium and function spaces ;
- provision of 7 bus parking spaces and 30 car parking spaces;
- building identification signage totem; and
- landscaping of the new car park and provision of a children's playground.

Assessment of the application has shown that the development can be accommodated on the site with significant environmental or social impacts. Conditions of development consent have been proposed which will ensure the effective operation of the club with minimal impact on the adjoining residential development. The proposed development has been assessed against the relevant heads of consideration contained in Section 79C of the Environmental Planning and Assessment Act 1979 and has been found to be satisfactory. The site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of the Joint Regional Planning Panel's support.

Accordingly, it is recommended that the application be approved subject to conditions outlined in Attachment J of this report.

RECOMMENDATION

- That development application No.741.1/2014 for:
 - the demolition of three residential dwellings;
 - the partial demolition of the southern side of the existing community club;
 - the construction of a new southern extension incorporating restaurants,

- auditorium and function spaces ;
- provision of 7 bus parking spaces and 30 car parking spaces;
- building identification signage totem; and
- landscaping of the new car park and provision of a children's playground

at No. 101 Meadows Road MT PRITCHARD be approved subject to conditions as outlined in Attachment J of this report.

2. Those that made submissions are advised of the determination.