

<b>DATE OF DETERMINATION</b>	Friday, 15 December 2017
<b>PANEL MEMBERS</b>	Bruce McDonald (Acting Chair), Peter Brennan, Ninos Khoshaba and Frank Carbone
<b>APOLOGIES</b>	Geoff Roberts and Nicole Gurran
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Fairfield City Council on Friday, 15 December 2017, opened at 3:00 pm and closed at 3:35 pm.

#### **MATTER DETERMINED**

2016SYW025 – Fairfield – 643.1.2015 AT Lot 90A, DP 17288, No. 1650 The Horsley Drive, Horsley Park (AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

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

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

1. The proposed development will provide additional social facilities servicing the needs of the diverse community in the rapidly expanding Sydney Western City District and the Fairfield local government area.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including State Environmental Planning Policy No 55 – Remediation of Land and State Environmental Planning Policy (Infrastructure) 2007.
3. The proposal adequately satisfies the applicable provisions and objectives of Fairfield Local Environment Plan 2013 and Fairfield Citywide Development Control Plan 2013.
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments, including the rural character of the locality, the local ecology or riparian systems, the operation of the local road system or the amenity of nearby existing residential premises.
5. In consideration of conclusions 1-4 above it is considered the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

#### **CONDITIONS**





The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Condition 49 to be amended by adding the following sentence to the end of the condition: “The abovementioned plans shall be amended to conform with the conditions of Development Consent and specifically in regard to the operation of the assembly hall and the hours of operation of the premises.”

- Condition 38 to be amended by adding the following sentence to the end of the condition: “The landscaping plan shall be amended to provide additional landscaping on the southern edge of the overflow carparking area to assist in screening the development from the adjoining residential development to the south. Also, additional trees are to be provided in the formal carparking areas to provide more canopy cover in the carparks. Where possible, advanced specimens should be used.”
- Condition 43 to be amended by adding the following sentence to the end of the condition: “In regards to Weddings, Baptisms and Funerals, in the table above, these activities shall not be undertaken after 9:00 pm.”
- Condition 52 to be amended to correct a typographical error: the reference to “permanent vegetation” to be changed to “remnant vegetation”.
- A new condition to be added as follows:

#### 56. Southern and Eastern Fences

Security fencing with a maximum height of 2.1 metres shall be provided to the Southern and Eastern boundaries. These fences shall be black, plastic coated, wire mesh.

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Peter Brennan
 Ninos Khoshaba	 Frank Carbone

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW025 – Fairfield – 643.1.2015
2	PROPOSED DEVELOPMENT	The construction of a building for the purpose of a place of public worship and an assembly hall for church based activities. The development application includes the demolition of the two (2) metal outbuildings and the retention of an existing dwelling house on the Horsley Drive frontage.
3	STREET ADDRESS	Lot 90A, DP 17288, No. 1650 The Horsley Drive, Horsley Park
4	APPLICANT OWNER	George Paniker, Trustee (Bethel Mar Thoma Church Sydney Inc) Bethel Mar Thoma Church Sydney Inc
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>Fairfield Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Fairfield Citywide Development Control Plan 2013</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 1 December 2017</li> <li>Written submissions during public exhibition: two (2)</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Object – John Flood and Gabriel Gobbo</li> <li>On behalf of the applicant – Geoff Deane</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection on 15 December 2017</li> <li>Final briefing meeting to discuss council's recommendation, 15 December 2017, 1:05 pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Bruce McDonald (Acting Chair), Peter Brennan, Ninos Khoshaba and Frank Carbone</li> <li><u>Council assessment staff</u>: George Vlamis, Karl Berzins, Robert Walker, Liam Hawke, Hayley Tasdarian, Sunnee Cullen</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report