

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY SOUTH WEST PLANNING PANEL

<b>DATE OF DETERMINATION</b>	11 September 2017
<b>PANEL MEMBERS</b>	Sheridan Dudley (Chair), Bruce McDonald, Nicole Gurrán, Frank Carbone and Sera Yilmaz
<b>APOLOGY</b>	None
<b>DECLARATIONS OF INTEREST</b>	Councillor Khoshaba advised that he is employed by ABC Tissue Products PTY LTD who owns ANZ Tissue Products Pty Ltd (the Applicant) for the above DA. Therefore he declared "a significant, non-pecuniary interest as he is employed by ABC Tissue Products PTY LTD and he will not participate in any of the discussions or decisions on this matter".

Public meeting held at Fairfield City Council on Monday 11 September 2017 opened at 11.20 am and closed at 11.30 am.

**MATTER DETERMINED**

Panel reference - 2016SYW198, LGA – Fairfield, DA – 572.1/2016, Address – Lot 5, DP3082 & Lot 234 DP1037039, Nos.58-62 Redfern Street, Wetherill 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**

1. The proposed development will add environmental services within the South West District by providing a specialist warehousing and distribution facility for the storage and distribution of recycled paper products in association the recycled paper production plant earlier approved in Redfern Street.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 – Remediation of Land.
3. The proposal adequately satisfies the applicable provisions and objectives of Fairfield LEP 2013 and Fairfield City Wide DCP 2013.
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the operation of the local road system or the amenity of the locality. In this regard the prominent height of the building is noted and is considered not to impose unacceptable visual impacts given its industrial function and context.
5. In consideration of conclusions 1-4 above the Panel considers 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 following amendments:

**Delete Condition 27, 28 & 29** as they have been duplicated elsewhere in the Draft Conditions.

**Condition 41 – additional sentence**

The sign shall be located no higher than 25 metres above natural ground level.

**Condition 46 is amended to read as follows:**

**Lighting** - Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

The upper half of the building shall not be illuminated at night.

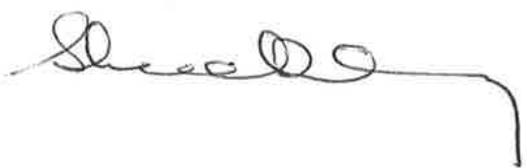
**Condition 50 is amended to read as follows:**

**External Colours of High Rack Warehouse**

The colour scheme of the external part of the building shall be amended so that the lighter colour is at the top of the building and the darker blue colour is at the base of the building. The darker colour shall not be higher than 25 metres above natural ground level. Updated elevations shall be submitted to Council specifying the colour schedule proposed and shall be approved by the Manager of Development Planning, prior to the issue of a Construction Certificate.

**New Condition - Maintenance of the External Cladding of the Building to read as follows:**

Given the visual prominence of the building, the cladding shall be maintained free of environmental discolouration.

PANEL MEMBERS	
 Sheridan Dudley	 Nicole Gurran
 Bruce McDonald	 Frank Carbone
 Sera Yilmaz	

<b>SCHEDULE 1</b>		
<b>1</b>	<b>PANEL REF – LGA – DA NO.</b>	2016SYW198 - LGA – Fairfield– DA – 572.1/2016
<b>2</b>	<b>PROPOSED DEVELOPMENT</b>	Demolition of existing factory, warehouse and office buildings and the erection of a high rack warehouse building that will be used for the storage of paper rolls and the warehousing and distribution of paper products. An additional smaller warehouse and a small mezzanine office space are also proposed.
<b>3</b>	<b>STREET ADDRESS</b>	Lot 5, DP3082 & Lot 234 DP1037039, Nos.58-62 Redfern Street, Wetherill Park
<b>4</b>	<b>APPLICANT/OWNER</b>	ANZ Tissue Products Pty Ltd
<b>5</b>	<b>TYPE OF REGIONAL DEVELOPMENT</b>	General Development over \$20 million
<b>6</b>	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<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>• Fairfield Local Environmental Plan (LEP) 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>• Fairfield City Wide Development Control Plan (DCP) 2013</li> </ul> </li> <li>• Section 94 Community Facilities Plan Planning agreements: Nil</li> <li>• <i>Environmental Planning and Assessment Regulation 2000</i>: 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>
<b>7</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report with recommended conditions, Statement of Environmental Effects, Stage 2 Environmental Site Assessment, Hazardous Building Materials Assessment, Expert Advice re bunding to contain contaminated firefighting water and Visual Impact Assessment (Envisage Consulting Pty Ltd).</li> <li>• Written submissions during public exhibition: 0</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Nil</li> <li>○ On behalf of the applicant – Nil</li> <li>○ On behalf of the council – Karl Berzins</li> </ul> </li> </ul>
<b>8</b>	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection – 9 February 2017</li> <li>• Final briefing meeting to discuss Council’s recommendation – 11 September 2017, 10.30 am to 10.50 am</li> </ul>

		<ul style="list-style-type: none"> <li>• Determination meeting – 11 September 2017</li> </ul> <p>Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Sheridan Dudley (Chair), Bruce McDonald, Nicole Gurran, Frank Carbone and Sera Yilmaz</li> <li>○ <u>Council assessment staff</u>: Karl Berzins and Sunnee Cullen</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Included with Council Assessment Report