

<b>DATE OF DETERMINATION</b>	Monday 28 May 2018
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Ninos Khoshaba, Frank Carbone
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Fairfield City Council 86 Avoca Road Wakley on 25 May 2018, opened at 12:15pm and closed at 12:30pm.

**MATTER DETERMINED (AS DESCRIBED IN SCHEDULE 1)**

**2017SSW006 – Fairfield – DA802.1/2016** at Lot 304 DP 109876 No. 449 Victoria Street Wetherill Park

**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 adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 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 motel accommodation and a neighbourhood shop servicing the Wetherill Park industrial area and broader locality. The proposal will add to employment within the Fairfield local government area and the Sydney Western City District.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 -Remediation of Land, SEPP 33 Hazardous and Offensive Development, SEPP 64 Advertising and Signage and Greater Metropolitan Regional Environmental Plan No2- Georges River Catchment
3. The proposal adequately satisfies the applicable objectives and provisions of Fairfield LEP 2013. The Panel notes that while the proposed development is not a permitted use within the IN1 General Industrial zone applying to the site, a motel is specifically permitted pursuant to Cl 2 of the LEP as an additional use on the subject site.
4. The proposed development adequately satisfies the provisions of Fairfield City wide DCP2013. The Panel notes that the parking provision proposed has been assessed by an independent traffic engineer engaged by Council and found to be adequate. It is also noted that Cl 9.8 of the DCP provide specific provisions for the subject land and adjoining site. While the proposed development departs from these provisions, the proposed design is considered appropriate having regard to limitations resulting from an earlier approval on the adjoining land.

5. The proposed development (subject to the conditions imposed) will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby buildings or the operation of the local road system.
6. The proposed development is considered to be of acceptable form and scale within the industrial setting of the site's location. In this regard the Panel also notes that there are no development standards restricting development in terms of building height or floor space ratio.
7. In consideration of conclusions 1-5 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

Nil.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Bruce McDonald
 Nicole Gurran	 Ninos Khoshaba
 Frank Carbone	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSW006 – Fairfield – DA802.1/2016
2	PROPOSED DEVELOPMENT	Construction of a Six Storey Hotel Accommodation Building containing a total of one hundred and forty one (141) rooms and Neighbourhood Shop including associated car parking and landscaping
3	STREET ADDRESS	Lot 304 DP 109876 No. 449 Victoria Street Wetherill Park
4	APPLICANT OWNER	JS Architects Pty Ltd APN Funds Management Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment >\$20million and lodgment before 1 March 2018
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 No.33 – Hazardous and Offensive Development</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No.64 – Advertising and Signage</li> <li>Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment</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: 17 May 2018</li> <li>Written submissions during public exhibition: 3</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Support - Nil</li> <li>Object – Gregory Scott registered but did not show.</li> <li>On behalf of the applicant – Michael Gheorghiu Urban Planner, Jason Capuano – Project Manager</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing meeting: 30 October 2017</li> <li>Final briefing meeting to discuss council's recommendation, 28 May 2018, 12:15pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Frank Carbone, Ninos Khoshaba</li> <li><u>Council assessment staff</u>: George Vlamis, Sunnee Cullen, Liam Hawke, Samantha Bray</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

