

<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**

2017SSW047 – Fairfield – 266.1/2017 AT 29 Chifley Street, Smithfield (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 specialist waste management and resource recovery facilities to the Sydney Western District.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies, including State Environmental Planning Policy No 55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007 and Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment.
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 riparian systems, the operation of the local road system or premises in the locality.
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 the following amendments.

- Condition 10 to be amended to read as follows:

##### **10. Stormwater Isolation Valve and NSW Fire Brigade Notification**

1. Prior to the issue of an Occupation Certificate (Interim or Final), evidence is to be provided to the Principal Certifying Authority and Fairfield City Council, that the stormwater system that the premises utilises includes a stormwater isolation valve.

2. Prior to the issue of an Occupation Certificate (Interim or Final), evidence is to be provided to the Principal Certifying Authority and Fairfield City Council that the NSW Fire Brigade has been notified of the exact location and operational procedures of the stormwater isolation valve(s).
- Condition 9 to be amended to remove the reference to the Construction Certificate, so that the wording of the first sentence begins "Prior to the issue of an Occupation Certificate".

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSW047 – Fairfield – 266.1/2017
2	PROPOSED DEVELOPMENT	Fit out and use of an existing industrial building as a mattress deconstruction facility and the formation of additional car parking spaces.
3	STREET ADDRESS	29 Chifley Street, Smithfield
4	APPLICANT OWNER	TIC Pty Ltd Mr N A Finocchiaro
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
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 33 – Hazardous and Offensive Development</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Infrastructure) 2007</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>: Clause 32 of Schedule 3.</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: one (1)</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>On behalf of the applicant – Jeremy Farrell</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing meeting on 11 September 2017</li> <li>Final briefing meeting to discuss council's recommendation, 15 December 2017, 1:25 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>: 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