

## 2017SSW049 – Fairfield - DA 446.1/2017

- Proposal:** The proposal is for the demolition of existing structures and the redevelopment of Cabravale Diggers club building, relocation of bowling greens, construction of a new hotel and basement car parking.
- Location:** Lot 51, DP 1120245, No. 1 Bartley Street, Canley Vale.
- Owner:** Cabra-Vale Ex-Active Servicemen's Club Ltd.
- Proponent:** Cityscape Planning & Projects
- Capital Investment Value:** \$116.5 million
- File No:** DA 446.1/2017
- Author:** Karl Berzins, Consultant Planner, Fairfield City Council

### SUPPORTING DOCUMENTS

<b>Attachment A</b>	Architectural, Stormwater and Landscape Plans	Pages
<b>Attachment B</b>	Statement of Environmental Effects	Pages
<b>Attachment C</b>	Acoustic Report	Pages
<b>Attachment D</b>	Traffic and Parking Assessment Report	Pages
<b>Attachment E</b>	Urban Design Study	Pages
<b>Attachment F</b>	Draft Conditions of Consent	Pages

### EXECUTIVE SUMMARY

Pursuant to Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011 the proposal is categorised as general development with a capital investment value exceeding \$30 million and therefore the development application is to be determined by the Sydney Western City Planning Panel. The Department of Planning & Environment have advised in writing that the proposal is not State Significant Development.

The proposal is for the redevelopment of the Cabravale Diggers club building, relocation of bowling greens, construction of a new hotel and basement car parking.

It is proposed to stage the development as follows:

#### STAGE 1

- Demolish unused Police building in the south-western corner of the site

- Relocate existing bowling greens to south-western corner of site
- Construct new club facilities for bowlers at western edge of existing club building

#### STAGE 2

- New basement car park (2 levels) on site of current bowling greens
- New vehicular access (in only) from Railway Parade to new basement car park
- New entry area (pedestrian and vehicle porte cochere) via Railway Parade
- New gaming lounge for club facility
- New auditorium and pre-function area
- New Karaoke and Cinema area

#### STAGE 3

- New 120 room hotel (Novatel) provided within an 8 storey building
- Roof top pool and terrace area

#### STAGE 4

- New function area for club
- New and reconfigured administration area for club
- New facade treatment to club building
- New facade treatment to decked car park

The basement car parking under the proposed hotel component of the development will be accessed by a one way driveway from Railway Parade as well as internal ramps from the existing multi-deck car parking area on the north-western portion of the site.

The development results in a total new GFA of 12048m<sup>2</sup>, which represents an 82% increase on the current GFA of 14629m<sup>2</sup>.

The development will also provide a total of 1006 parking spaces across the entire site, which is an increase of 14% from the existing total of 881 parking spaces.

The existing and proposed hours of operation for Cabra-Vale Diggers (for the club facilities and function areas only) are as follows:

9:00am - 12:00am Sunday to Thursday; and  
9:00am - 3:00am on Friday and Saturday.

No changes to the operating hours of the club component of the development are proposed as part of the development proposal. The proposed hotel accommodation component of the redevelopment will operate over a 24 hour period, 7 days per week.

No increase in the number gaming machines is proposed as part of the development.

The subject land is located on the corner of Bartley Street and Railway Parade, Canley Vale. The land is described as Lot 51, DP 1120245 and has an area of approx. 32,944m<sup>2</sup>.

The site currently accommodates a two storey club building, a multi deck car park, at grade car parking, an unused, two storey, police station and two bowling greens. There are two vehicular entrances and exits on the site, one from Bartley Street and the other from Phelps Street. The site adjoins a residential flat building on the

northern boundary, a railway line on the eastern side, a park on the southern side and medium density residential development on the western side.

The site is zoned RE2 Private Recreation pursuant to the Fairfield LEP 2013. Registered clubs are a permissible land use in the zone. An additional permitted use of hotel/motel accommodation at the Cabra-Vale Diggers Club Site is also permissible as per Schedule 1 of Fairfield LEP 2013.

On 26 July 2017 Council received an Urban Design Study (UDS) for Cabra-Vale Diggers Club redevelopment containing context and site analysis, site master plan and built form controls for a different location for the hotel component of the redevelopment. Accompanying the UDS was a draft Site Specific DCP for the subject site. In August 2017 Council received a Development Application (DA446.1/2017) for the redevelopment of the site as envisaged by the UDS.

The draft SSDCP was endorsed by Council at its Ordinary Meeting of the 12th December 2017 and placed on public exhibition concurrently with the DA from 6th December 2017 to the 12th January 2018. No submissions have been received. Council adopted the Site Specific DCP on the 13th February 2018.

This assessment of the application has considered all relevant requirements of Section 4.15 of the Act and finds that there will be no significant adverse or unreasonable impacts associated with the development.

The development proposal, will result in an insignificant environmental impact and it makes an efficient and economic use of existing land and infrastructure. It is considered that the proposal's design serves to make the site more permeable both physically and visually and this is considered to represent a significantly improved urban form outcome for the site and its environs.

The development also proposes a comprehensive facade treatment for the new sections of the club building that will in turn be integrated across a total refurbishment of the entire club building. The bulk and scale of the development is appropriately controlled through good design and results in a development that can be satisfactorily accommodated in the land use fabric of the locality.

This assessment of the application has considered all relevant requirements of Section 4.15 of the Act and finds that there will be no significant adverse or unreasonable impacts associated with the development.

The application was advertised and notified in accordance with Council's policy. No submissions or objections were received.

Pursuant to the requirements of SEPP Infrastructure 2007, concurrence has been received from Sydney Trains.

Conditions will be imposed to minimise construction impacts and ongoing use of the site for club and hotel purposes. Both Sydney Trains and Roads & Maritime Service

have provided draft conditions of development consent and their responses have been incorporated into conditions of development consent.

Accordingly, it is recommended that the application be approved subject to conditions.

## SITE DESCRIPTION AND LOCALITY

The subject land is located on the corner of Bartley Street and Railway Parade, Canley Vale. The land is described as Lot 51, DP 1120245 and has an area of approx. 32,944m<sup>2</sup>.

The site currently accommodates a two storey club building, a multi deck car park, at grade car parking, an unused, two storey, police station and two bowling greens. There are two vehicular entrances and exits on the site, one from Bartley Street and the other from Phelps Street. The site adjoins a residential flat building on the northern boundary, a railway line on the eastern side, a park on the southern side and medium density residential development on the western side.

The site slopes from the south-east corner to the north-west corner of the land with a fall of 1.5 metres at an average grade of 0.5%.

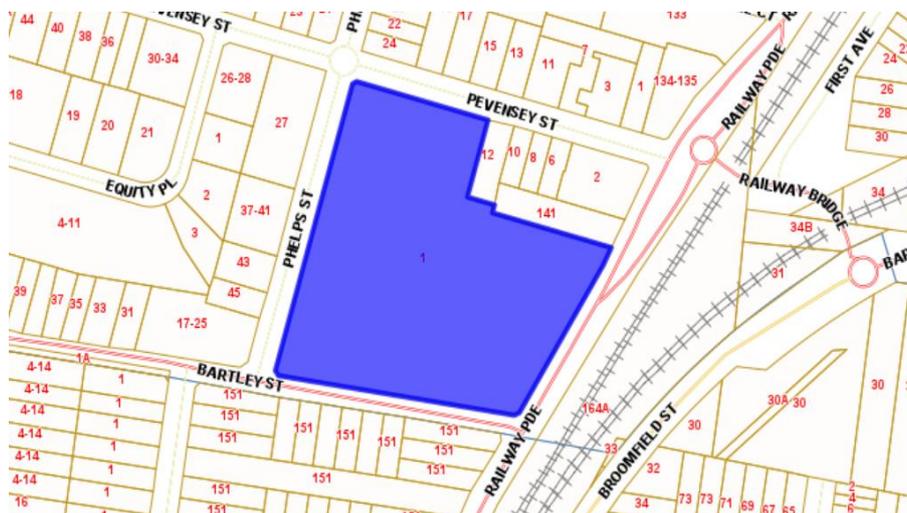


Figure 1 Site Location

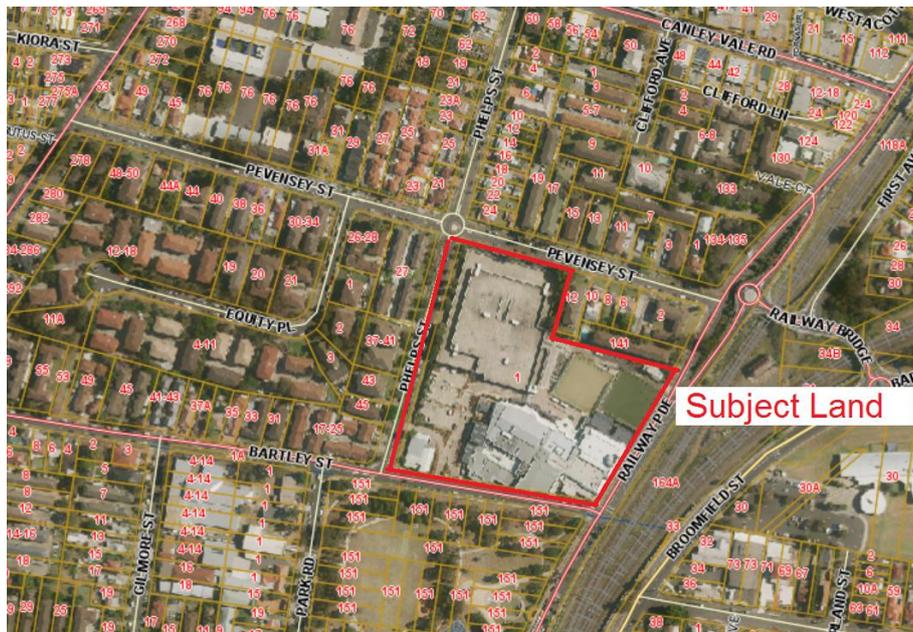


Figure 2 Aerial photograph of the subject land and surrounds

## PROPOSAL

Council is in receipt of Development Application No. 446.1/2017 proposing the redevelopment of the Cabravale Diggers club building, relocation of bowling greens, construction of a new hotel and basement car parking.

It is proposed to stage the development as follows:

### STAGE 1

- Demolish unused Police building in the south-western corner of the site
- Relocate existing bowling greens to south-western corner of site
- Construct new club facilities for bowlers at western edge of existing club building

### STAGE 2

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The development results in a total new GFA of 12048m<sup>2</sup>, which represents an 82% increase on the current GFA of 14629m<sup>2</sup>.

The development will also provide a total of 1006 parking spaces across the entire site, which is an increase of 14% from the existing total of 881 parking spaces.

The existing and proposed hours of operation for Cabra-Vale Diggers (for the club facilities and function areas only) are as follows:

9:00am - 12:00am Sunday to Thursday; and  
9:00am - 3:00am on Friday and Saturday.

No changes to the operating hours of the club component of the development are proposed as part of the development proposal. The proposed hotel accommodation component of the redevelopment will operate over a 24 hour period, 7 days per week.

No increase in the number gaming machines is proposed as part of the development.

When completed the development will generate 455-503 full time and part time jobs on site.

## **PLANNING ASSESSMENT**

The development has been assessed in accordance with the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 as follows:

### **1. Section 4.15(1)(a)(i) – Any Environmental Planning Instrument**

#### **1.1 State Environmental Planning Policy (State and Regional Development) 2011**

Pursuant to Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011 the proposal is categorised as general development with a capital investment value exceeding \$30 million and therefore the development application is to be determined by the Sydney Western City Planning Panel.

The proposal is not State Significant Development because the Department of Planning & Environment has advised the applicant as follows:

I am writing to inform you that the Department has reviewed the SEARs request and supporting documentation, including the Quantity Surveyor's report, and notes that the tourist-related component of the application (hotel) does not reach the required Capital Investment Value (CIV) of \$100 million. The tourist-related component must independently reach the required CIV of \$100 million for the development to be State significant development (SSD).

Further, the club component of the proposed development is not within the scope of an 'entertainment facility' under the *State Environmental Planning Policy (State and Regional Development) 2011* because the definition of 'entertainment facilities' in the *Fairfield Local Environmental Plan 2013* specifically excludes pubs and registered clubs.

For the above two reasons, the proposed development outlined in your SEARs request is not SSD under section 89C of the *Environmental Planning and Assessment Act 1979*.

## **1.2 Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment.**

The general principles of the Deemed SEPP – Georges River Catchment are as follows:-

- “(a) the aims, objectives and planning principles of this plan,*
- (b) the likely effect of the proposed plan, development or activity on adjacent or downstream local government areas,*
- (c) the cumulative impact of the proposed development or activity on the Georges River or its tributaries,*
- (d) any relevant plans of management including any River and Water Management Plans approved by the Minister for Environment and the Minister for Land and Water Conservation and best practice guidelines approved by the Department of Urban Affairs and Planning (all of which are available from the respective offices of those Departments),*
- (e) the Georges River Catchment Regional Planning Strategy (prepared by, and available from the offices of, the Department of Urban Affairs and Planning),*
- (f) all relevant State Government policies, manuals and guidelines of which the council, consent authority, public authority or person has notice,*
- (g) whether there are any feasible alternatives to the development or other proposal concerned.”*

The proposed development is considered to satisfy the above principles in the following manner:-

- the proposed development is not inconsistent with the aims, objectives and planning principles of the deemed SEPP; and
- the stormwater system for the proposed development will not permit export of sediment from the site and into the Georges River catchment, thus reducing the impacts on the Georges River and its tributaries.

## **1.3 State Environmental Planning Policy No 55—Remediation of Land**

The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land. In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

The Planning Guidelines that operate in conjunction with SEPP 55 provide a table (Table 1) that identifies various land uses and activities that may cause contamination. The subject site does not currently accommodate such activities and is not known to have accommodated those land uses identified at Table 1 of the Guidelines. Accordingly, it is considered that there is a very low likelihood of previous contamination.

Further, the development proposal does not seek to change the land use, which therefore reduces the risk or hazard arising from any potential contamination.

Accordingly, the development is not considered to cause any inconsistency with the provisions of this planning instrument.

#### **1.4 State Environmental Planning Policy No 64—Advertising and Signage**

One building identification sign is proposed on the upper storeys of the proposed hotel on the wall facing the railway line. This SEPP applies because the proposed signage is considered to be a "business identification signage" that is visible from a public place. Assessment has revealed that the proposal is considered to satisfy the objectives of Clause 3 (1) (a) of SEPP 64 and the assessment criteria specified in Schedule 1 of the SEPP.

#### **1.5 State Environmental Planning Policy (Infrastructure) 2007**

Pursuant to Clause 104 of the SEPP the development application, being defined as a traffic generating development, was referred to RMS for their comment.

The RMS required the applicant to redesign the proposal to provide a slip lane along the Railway Parade frontage of the subject land. The applicant has complied with the RMS request and the RMS has not objected to the revised plans prepared by the applicant.

The RMS has provided conditions of development consent in the event that the application is approved.

Pursuant to Clause 86 of the SEPP, the proposal also triggers referral to Sydney Trains given its proximity (< 25 metres) to the railway line. Sydney Trains also has to give concurrence to the proposal. Sydney Trains requested more detailed information from the applicant as follows;

- Geotechnical and Structural report/drawings (for the proposed hotel and basement levels).
- Construction methodology with details pertaining to structural support during excavation.
- Cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor (with horizontal and depth RL measurements).

- Detailed Survey Plan showing the relationship of the proposed development with respect to RailCorp's land and infrastructure.

The applicant supplied this information in April of this year and Sydney Trains has now issued concurrence and provided draft conditions of development consent in regard to their concerns in the event that the application is approved.

### **1.6 Fairfield Local Environmental Plan (LEP) 2013**

The site is zoned RE2 Private Recreation pursuant to the Fairfield LEP 2013. Registered clubs are a permissible land use in the zone.

The objectives of the RE2 Private Recreation 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 proposal is consistent with these objectives.

In January 2014 Council received a Planning Proposal for an additional permitted use of hotel/motel accommodation at the Cabra-Vale Diggers Club Site.

The Planning Proposal was placed on public exhibition between 14 May and 11 June 2014. Council adopted the proposed changes to FLEP 2013 and the Planning Proposal was gazetted on 16 January 2015.

As a result of the LEP amendment the Fairfield City Wide Development Control Plan (FCWDPC 2013) was amended to include a Site Specific Development Control Plan SSDCP entitled Section 10.11 Controls for the "Cabra-Vale Diggers site (hotel or motel accommodation)". The SSDCP showed a building envelope for the hotel on the corner of Bartley Street and Phelps Street.

On 26 July 2017 Council received an Urban Design Study (UDS) for Cabra-Vale Diggers Club redevelopment containing context and site analysis, a site master plan and built form controls for a different location for the hotel component of the redevelopment. Accompanying the UDS was a draft SSDCP for the subject site. In August 2017 Council received a Development Application for the redevelopment of the site as envisaged by the UDS.

The draft SSDCP was endorsed by Council at its Ordinary Meeting of the 12th December 2017 and placed on public exhibition concurrently with the DA from 6th December 2017 to the 12th January 2018. No submissions have been received. Council adopted the SSDCP on the 13th February 2018.

The club redevelopment contains a 60 seat cinema on Level 1. Cinemas are defined as an entertainment facility in FLEP 2013 and are not permitted in the RE2 – Private Recreation zone. In the circumstances of this case, the cinema will be used by patrons of the club and is considered to be an ancillary use and therefore able to be approved.

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

- **1.6.1 Building Height**

There is no maximum building height ascribed to the site by the LEP.

Notwithstanding the above the proposal will result in a significant increase in building height, primarily associated with the new hotel element which will have a maximum building height of 36.7m.

Council adopted the SSDCP on the 13th February 2018. A detailed urban design study was submitted as part of amending the DCP to facilitate the proposal. The urban design study concluded that development is able to provide an appropriate contextual fit with the established urban character, whilst providing a prominent 'marker' that will create a sense of place for the local area whilst at the same time maintaining an appropriate transition to the surrounding area.

Accordingly, it is considered that the development provides a built height that is appropriate for the site and its locality.

- **1.6.2 Floor Space Ratio**

There is no floor space ratio ascribed to the site by the LEP.

It should be noted the proposal does seek to provide a significant increase in building gross floor area (GFA) on the site which will create an FSR of 0.81:1.

The adjoining land to the north has a floor space ratio of 0.8:1 ascribed by the LEP. It is concluded that that the proposal has a floor space ratio that is consistent with the maximum FSR of 0.8:1 as allowed on adjacent lands within the vicinity of the site.

- **1.6.3 Heritage Conservation**

The subject land does not contain an item of heritage significance. The closest item of environmental heritage is a bandstand located in the adjoining Cabravale Memorial Park. The bandstand has an octagonal plan, a corrugated roof, is supported on eight brick columns and is accompanied by marble plaques with inscriptions that provide a memorial of soldiers killed on active service in World War 1.

The bandstand's heritage significance is derived from its role as a record of a major historical event having a profound influence on the development and social life of the area. It is also only one of its type in the City of Fairfield.

The applicant has advised as follows:

- *There would be no overshadowing of the bandstand or proximate war memorial. Public enjoyment of those items (particularly on ANZAC Day etc.) would therefore not be diminished. Further, there would be no physical impact on the bandstand which can result from overshadowing (i.e. damp to masonry); and*

- *Although the development surrounding the adjacent park has no identified significance, it does retain a consistent low scale which maintains an appreciation of the open setting of the park and composite heritage item. The proposed development has been sympathetically modulated into forms of varying height which step down towards the park. This would ensure that the new mass is dispersed around the subject site and maximises the open space around the park and heritage item.*

- *The Bandstand does not enjoy any significant vistas as at present despite the sympathetic setting of the park. Views from the item comprise residential development, late twentieth century structures associated with the park and the train line. The construction of the proposed development would therefore not obscure any significant views.*

- *Further, the bandstand is located over 90m to the south of any of the proposed works being undertaken on the Cabra-Vale Diggers site. This is demonstrated at Figure 14, which depicts both the bandstand and subject site and demonstrates that the club is at the very edge or periphery of the bandstands viewshed.*

The applicant's arguments are supported and it is considered that the proposal will not have a detrimental impact upon the item of environmental heritage.

FIG 12: HERITAGE LEP MAP

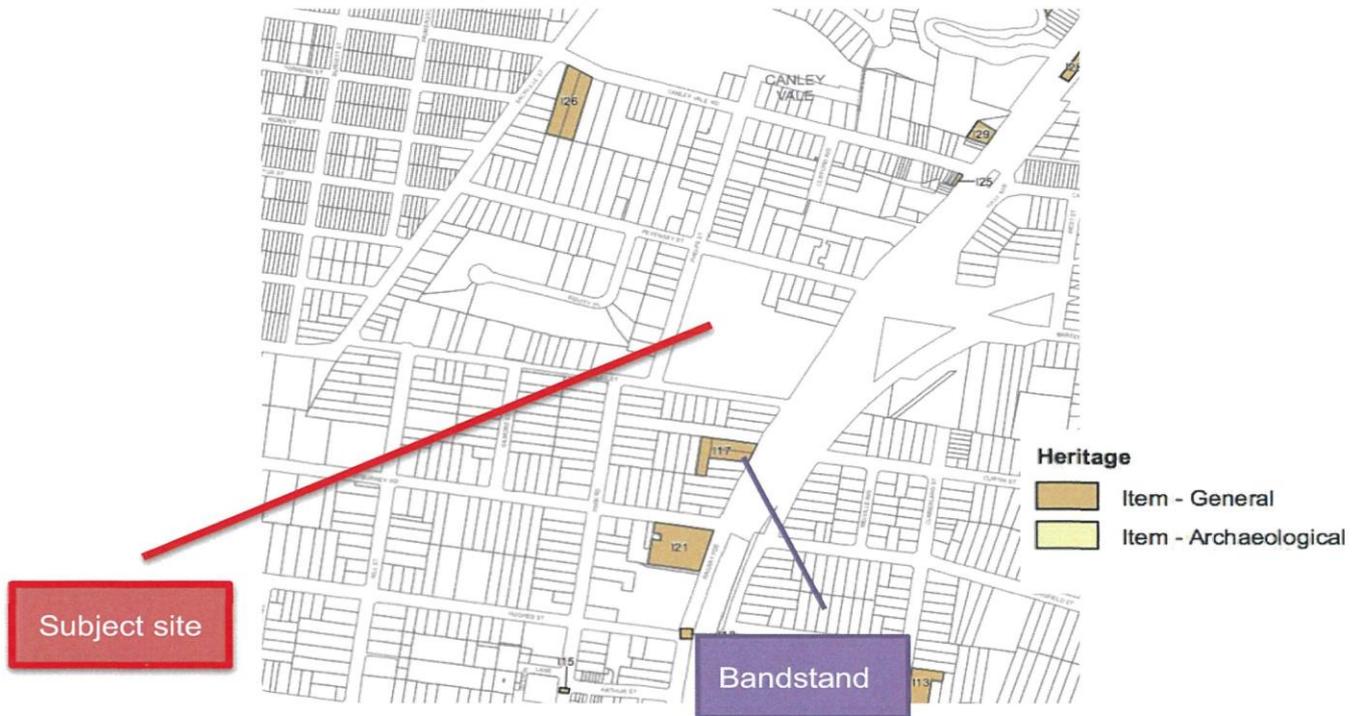


FIG 13: BANDSTAND



- **1.6.4 Acid Sulphate Soils**

A geotechnical study has been undertaken and accompanies the development application. This report concludes that the site is not affected by actual or potential Acid Sulphate Soils.

- **1.6.5 Earthworks**

The objective of Clause 6.2 of the LEP is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The applicant has provided additional information in regard to the proposal's impact on the adjoining railway line as per Sydney Trains' request.

Sydney Trains have advised Council on the 19<sup>th</sup> July 2018 that they issuing concurrence to the proposal on the basis that any consent contains their draft conditions of consent for the site.

Given the above, it is considered that the proposed earthworks will not have any detrimental impact upon the environment of the site or broader area.

The excavation of the basement car park levels will trigger special conditions of consent relating to the preparation of a Dilapidation Report for residential properties adjoining the site in the vicinity of the proposed excavations.

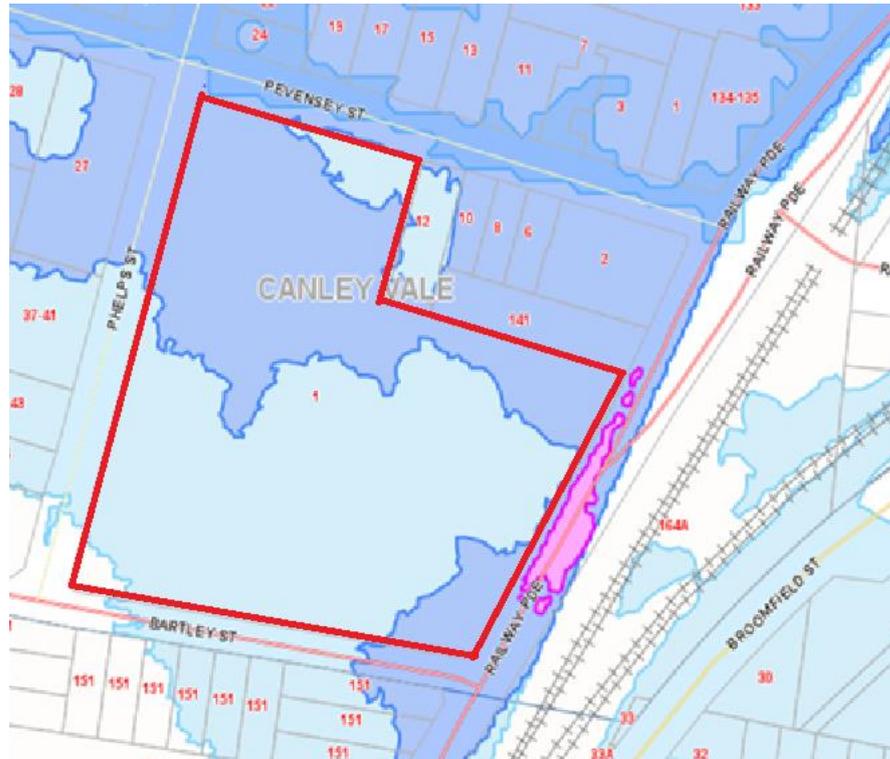
A condition will be required to address the issue of support and protection for neighbouring buildings.

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 it is extremely unlikely that any relics will be discovered / disturbed.

- **1.6.6 Flooding**

The subject site is identified as being flood prone as shown below:



The subject site is affected by overland flooding as described in the flood impact assessment report prepared by Molino Stewart dated 17 November 2016. As noted in the flood report, the proposed development does not increase the flood levels around the subject site. There is an increase of about 100mm in the flood depth in the existing car park within the subject site. The velocity depth product in the inundated car park area is calculated as a maximum of  $0.2 \text{ m}^2/\text{s}$  which is considered acceptable. The access driveway from the existing car park towards the Pevensy Street is to be constructed at existing ground levels to mitigate any flood increase within the subject site. This aspect can be covered as a condition of development consent.

It is a requirement of the Fairfield LEP 2013 that all finished floor levels and all entry ramps into basement car parks be at least 0.5m AHO above the 1 in 100 average exceedance probability (AEP) flood level. The development achieves this outcome.

Stormwater drainage from the subject site is proposed to be connected to existing drainage system and directed to the street drainage system.

## **2. Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instruments**

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

## **3. Section 79C(1)(a)(iii) – Any Development Control Plan**

The relevant sections of the Fairfield City Wide Development Control Plan (DCP) 2013, together with an assessment of the development against the

controls contained within the DCP are discussed in the following section of this report.

### 3.1. Chapter 10.11 Controls for the Cabra-Vale Diggers site

The most pertinent section of the DCP is Chapter 10.11 Controls for the Cabra-Vale Diggers site. The objectives of the controls in Chapter 10.11 are as follows:

- a) *To ensure that the location and siting of the proposed hotel/motel at the subject site has regard for compatibility with neighbourhood character;*
- b) *To minimise adverse impact on neighbourhood amenity;*
- c) *To ensure the acoustic design of new development takes into account adjoining developments and implements appropriate sound attenuation measures to mitigate any conflict between the existing and the proposed development;*
- d) *That setbacks proposed by the development are appropriate and are in context with the existing adjoining residences;*
- e) *The development be sited in a location that is compatible with surrounding uses through appropriate setback and building envelope controls.*

The DCP also contains a site plan as shown below:



The proposal mirrors the controls in the DCP and therefore complies with the objectives. The proposal complies with the setback, building height, design

principals , landscaping, acoustic and visual privacy controls contained within the DCP. Conditions of consent can be imposed to ensure that acoustic impacts of the proposal are minimised. The environmental and more specifically, the acoustic impacts of the proposal are discussed in a following section of this report.

### **3.2. Chapter 11 Flood Risk Management**

As indicated previously the subject land is affected by overland flooding and hence Chapter 11 of the DCP is relevant to the determination of this application. The objectives of Chapter 11 are as follows:

- a. To minimise the potential impact of development and other activity upon the aesthetic, recreational and ecological value of the waterway corridors.
- b. Increase public awareness of the hazard and extent of land affected by all potential floods, including floods greater than the 100 year average recurrence interval (ARI) flood and to ensure essential services and land uses are planned in recognition of all potential floods.
- c. Inform the community of Council's controls and policy for the use and development of flood prone land.
- d. Reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods.
- e. Provide detailed controls for the assessment of applications lodged in accordance with the Environmental Planning and Assessment Act 1979 on land affected by potential floods.
- f. Provide different guidelines, for the use and development of land subject to all potential floods in the floodplain, which reflect the probability of the flood occurring and the potential hazard within different areas.
- g. Apply a "merit-based approach" to all development decisions which takes account of social, economic and ecological considerations.
- h. To control development and other activity within each of the individual floodplains within the LGA having regard to the characteristics and level of information available for each of the floodplains, in particular the availability of FRMS's and FRMP's prepared in accordance with the FDM and its predecessor.

The Flood Impact Assessment prepared by the applicant's consultant is thorough and includes an assessment of:

- Achievement of required floor levels above flood level and freeboard
- Suitable flood compatible building components
- Structural soundness
- Car parking protection from inundation
- Flood evacuation

In summary, the proposed development is able to be constructed to be compatible with all of the requirements of the Fairfield City Wide Development Control Plan 2013 as they relate to flooding.

### 3.3. Chapter 12 Car Parking, Vehicle and Access Management

The club currently provides a total of 881 car parking spaces on the site. There are 795 spaces in the multistorey car park as well as 86 car parking spaces at grade with access from Bartley Street.

The proposal will result in the removal of all car parking spaces on the site apart from the 795 car parking spaces in the multi-deck car park.

The development proposes an additional 211 parking spaces to be created across two (2) levels of basement car parking under the proposed hotel. These spaces will be linked to the existing multi-deck car park.

The total number of post development car parking spaces on-site will be 1006.

The Fairfield Citywide DCP (2013), 12.1 Car Parking Rates, states the following regarding licensed clubs:

- 1 space per 5m<sup>2</sup> gross leasable area or 1 space per 6 seats (whichever is the greater) of entertainment/recreation area plus 1 space per 5m<sup>2</sup> gross leasable area of bar/lounge/gaming area, plus a compilation of the requirements for each of the specific activities the club incorporates (e.g. restaurant, recreation facility, place of public entertainment).

However, the DCP also mandates a traffic and parking report be undertaken, as the DCP recognises the differences between venues. This is common practice for any club which requires the parking requirements to be determined based on surveys and this is especially the case where the development is an expansion. This approach results in an appropriate floor space per parking space rate for the registered club being surveyed. Such an approach is also consistent with the Roads and Maritime Service's Guide to Traffic Generating Development.

The applicant's traffic consultant has provided a parking demand analysis that is summarised in the following table.

Chart 1: Existing Parking Demand - Friday



The outcome from the data above is that the existing club car park is underutilised, with a minimum of 321 spaces being free during the Friday PM Peak hour.

Utilising the above data it is reasonable to deduce given that the existing floor space of the club is 14,629m<sup>2</sup>, then an appropriate parking rate of 1 space / 26 m<sup>2</sup> GFA is applicable to the site (14,629/560). Such a rate according to the applicant's traffic consultant is within the typical range of large clubs based on other studies.

The proposed club extensions have a gross floor area (GFA) of 12048 m<sup>2</sup> which create a parking demand of 463 spaces (12048/26). The applicant's traffic consultant has stated that "*although the club is expanding in terms of GFA the number of gaming machines is not increasing in number and the membership is not expected to increase. Therefore the expected increase in parking demand is not expected to have a linear relationship with the increase in GFA. For this reason, it is proposed that a reduction factor of 10% be applied in the circumstances of this case.*"

Such an approach would reduce the parking demand for the club expansion from 463 spaces to 417 car parking spaces

The proposed hotel also creates a parking demand. The DCP controls in this regard are 1 space per 5m<sup>2</sup> gross leasable area bar/lounge/dining area/restaurant/function room plus 1 space per 40m<sup>2</sup> gross leasable area office/administration area plus 1 space per 3 bedrooms accommodation (if applicable). Applying this control results in the hotel requiring the provision of 40 on-site car parking spaces.

Therefore the total car parking demand of the proposal is 457 (417 +40).

As indicated previously the total number of car parking spaces to be provided on the site is 1006. The parking demand is 560 (current) + 457 (proposed) resulting in a total car parking space demand of 1017.

The proponent will be providing 99% of the car parking demand on site. Given the mathematical assumptions in the methodology this is a satisfactory outcome.

The Disability (Access to Premises - Buildings) Standards 2010 requires disabled parking for Class 9b Buildings to be provided at a rate of 1 space / 50 spaces. Application of this rate to the total parking capacity of 1006 parking spaces that are proposed results in a requirement for a total of 21 disabled spaces.

In response, the development provides a minimum of 22 disabled spaces within the basement car park and therefore fully complies with Disability (Access to Premises - Buildings) Standards 2010. The disabled spaces are designed in accordance with AS 2890.6 (2009), having a minimum width of 2.4 metres, length of 5.4 metres and are situated adjacent to a 2.4 metre wide shared area.

Council's DCP does not provide a rate for the provision of bicycle parking. The site currently provides 10 bicycle parking spaces in the form of Class C bicycle racks.

The proposal will increase this bicycle parking provision to 20 bicycle parking spaces, which is in line with the increase of GFA being nearly doubled. The bicycle parking provision is therefore considered acceptable.

The development will retain the existing separated access driveway on Phelps Street, which serves the existing multi storey parking facility. The development does however propose changes to the main car park entry / exit driveway on Bartley Street and the service access on Railway Parade as well as provision of an additional entry / exit driveway to serve the existing car park, basement car park and hotel loading dock on Pevensey Street, a separated entry/ exit driveway to service the proposed porte cochere on Railway Parade and an entry driveway to the existing loading dock and proposed coach drop off area for the bowling greens on Phelps St.

All vehicular accesses have been tested using swept path analysis for the largest vehicle, being a 899 vehicle for access to the car parks, and a 14.5m coach for access to the service areas and the port cochere. The swept path analyses are provided in the applicant's traffic report and demonstrate suitable access and manoeuvring is provided for all vehicles and servicing of the site.

## **4. Section 4.15 – The Likely Impacts of the Development**

### **4.1 Environmental Impacts**

#### **4.1.1 Impacts on the natural environment**

The subject land is located within an established residential area with a large park to the south of the site. The subject land has been cleared of remnant vegetation for over forty years and has undergone significant site works as part of previous development over many decades. Accordingly, the site accommodates no natural or ecological features of any significance. Six (6) trees will be removed on the eastern boundary that adjoins 12 Pevensey St, however these trees are not considered to have any significant ecological values. Additional landscaping will be provided around the proposed hotel in the north-eastern corner of the site. Details of the proposed landscaping are provided in the landscape plans.

The subject land is not identified as a “Sensitive Area” on Fairfield City Council’s Natural Resource Biodiversity Map. The subject land has no biodiversity value and is not part of any wildlife corridor. The impact of the proposal on the natural environment will be minimal and in fact the proposed landscaping will increase the biodiversity on the site.

The site is flood prone however these risks are categorised as low or medium flood risks and the hazards associated with flooding on the site have been addressed through the design of the proposal as well as the imposition of conditions of development consent.

The proposal has been designed to incorporate sustainability measures as follows:

#### ***Energy Efficiency & CO2 Emissions***

- The design and construction of the new development will comply with the energy efficiency requirements of the NCC SCA Section J, including for building fabric, glazing and building services generally. Smart, low-energy mechanical air- conditioning & ventilation systems and automatic lighting control systems will be implemented
- The lighting will be control by a sophisticated electronic lighting control system with integration to the access control system that will support the reduction of energy usage by motion/occupant sensors in hotel rooms.

#### ***Construction & Materials***

- The head contractor will implement a construction environmental management plan in accordance with NSW government requirements
- The project will target to achieve high levels of construction waste recycling
- The project will target to increase the use of building materials with a lower environmental impact (e.g. utilise where practicable products with higher levels of recycled content, products with high durability, eco-certification etc.)

#### ***Water Efficiency and Recycling***

- Low-flow water efficient hydraulic fittings (taps, toilets, showers, urinals etc.) will be utilised for amenities
- The potential use of recycled rainwater will be investigated for non-potable water usage such as landscape or bowling green irrigation, wash-down and the like
- Water sub-meters will be included to monitor major water uses as appropriate

#### ***Indoor Environment Quality***

- Good levels of mechanical ventilation (fresh air quantities) will be maintained
- Low emission Volatile Organic Compound and formaldehyde products will be utilised where appropriate to improve indoor air quality
- Internal space temperatures will be maintained at comfortable

#### ***Transport***

- The existing site has excellent public transport links close to major bus & train routes
- Provision of shuttle bus services will be investigated to help reduce private vehicle congestion
- Staff/visitor bicycle parking spaces will be provided where appropriate.

In summary, the proposal will have a negligible impact on the natural environment.

#### **4.1.2 Noise Impacts**

The subject land is exposed to noise impacts and vibration from the nearby rail line. Railway Parade and Bartley Street are collector roads and convey a considerable amount of traffic and thus the background noise levels experienced

at the site are higher than a standard residential site. Some of the proposed activities on the site will generate noise impacts.

The acoustic report accompanying the development application contains the following analysis:

#### ***Impact From The Rail Line And Other Noise Sources***

The nearest residence (apartment block at 141 Railway Parade) to the proposed development is 5 metres away. The facade of Apartment Block at 141 Railway Parade is exposed to similar noise levels as the proposed hotel rooms. Any new air conditioning and mechanical plant will need to be acoustically treated to achieve the criteria of the NSW INP noise criteria. This can occur as part of subsequent design stages and recommendations for materials and construction techniques to be implemented at those subsequent stages are provided with this provided as part of the acoustic assessment.

**Comment:** This issue can be covered as a condition of development consent.

#### ***Impact of Noise From The Auditorium***

The noise levels within an auditorium can be as high as 95dB(A) from during a loud performance and enthusiastic audience participation. It is recommended that the effective composite sound insulation value of the building elements enclosing the auditorium shall be Rw55 or higher to achieve the INP night criteria of 45dB LAeq,15min.

**Comment:** This issue can be covered as a condition of development consent.

#### ***Impact of Noise From The Swimming Pool***

Based on the proposed building design, and the location of the pool, it is estimated that the noise level at the boundary of the nearest residence at 141 Railway Parade is 47dB LAeq, 15min which is below the INP Evening Criteria of 50dB LAeq,15min for the nearest residential boundary. During the late evening and night periods, the noise levels are predicted to be as follows and accordingly that the noise level at the boundary of the nearest residence at 141 Railway Parade is 43dB LAeq,15min which is below the INP Night Criteria of 45dB LAeq,15min for the nearest residential boundary.

Signs should be displayed at the pool area to remind patrons about the need to minimise noise when they are in the pool area and to be considerate of the neighbours.

**Comment:** This issue can be covered as a condition of development consent.

#### ***Impact of Noise From The Bowling Greens***

The new bowling greens will be located at the corner of Phelps and Bartley Street. The sport of lawn bowling is a relatively low noise sporting activity where most of the vicinity would be the traffic noise from Bartley Road.

**Comment:** The activity of bowling principally occurs in the day time and is not likely to be a noise nuisance in the locality.

#### ***Impact of Noise From The Outdoor Gaming Area***

The outdoor gaming area located at the northern boundary interface with the neighbouring residents at 141 Railway Parade.

A sign should be displayed to remind patrons about the need to minimise noise when they are in the Outdoor Gaming Areas and to be considerate of the neighbours.

Based on the proposed building design, and the location of the outdoor gaming area and the anticipated noise of the gaming machines, it is estimated that the noise level at the boundary of the nearest residence at 141 Railway St is 45dB L<sub>Aeq</sub>, 15 min which is below the INP Evening Criteria of 50dB L<sub>Aeq</sub>, 15 min for the nearest residential boundary.

**Comment:** This issue can be covered as a condition of development consent.

#### ***impact of Noise From The New Service Road***

The introduction of the one way New Service Road from Railway Parade to Pevensy Street has been estimated to cause a traffic movement of 66 vehicles during the peak hour period of 7.15 to 8.15pm on a Friday night.

It is recommended that a 2.4metre high solid noise barrier (9mm CFC or similar) be erected at the boundary of the proposed development and the neighbouring residential properties. This would allow unrestricted use of the service road and meet the INP criteria for the development.

**Comment:** This issue can be covered as a condition of development consent.

In summary, standard conditions of consent will be imposed to ensure that potential construction noise and operational complies with the NSW Industrial Noise Policy. The potential for noise impacts upon occupation of the development can be managed through appropriate conditions of consent and in conjunction with appropriate management initiatives by the club and hotel operator.

#### **4.1.3 Water Pollution**

The provision of an onsite stormwater collection system that drains to the street drainage system meets Council requirements.

All construction impacts relating to water pollution can be addressed by conditions of development consent.

#### **4.1.4 Traffic Impacts**

The applicant's traffic consultant, Traffix, have undertaken a traffic and parking analysis of the site.

The expected net increase in traffic generation of the proposed development will be 304 veh/hr (191 in, 113 out) above existing conditions. The total trip generation from the full development will therefore be in the region of 646 veh/hr (402 in, 244 out) during the site PM peak hour. These trips will be distributed over the three (3) car park accesses.

Traffix have prepared a SIDRA model to analyse the performance of key road intersections in the vicinity of the site having regard to the proposed traffic increases.

The model shows that that all intersections in the vicinity of the site operate satisfactorily under the existing 'base case' scenario and the future scenario, with a level of service A to C during both peak periods, with minimal increases in the average delay and no changes in the level of service at any of the intersections.

The traffic report was referred to the RMS as per the requirements of SEPP Infrastructure 2007. RMS have raised no objection to the proposal subject to the imposition of a standard condition.

Therefore it can be stated that the proposed development will have minimal impacts on key intersections in the locality, which will continue to operate as presently occurs.

The provision of parking on the site is satisfactory as discussed in the DCP section of this report. All traffic and parking issues can be covered as conditions of development consent.

#### **4.1.5 Impacts on the Built Environment**

In terms of built density and massing the development proposal has a floor space ratio of 0.81:1. As indicated previously the site has no floor space standards specified in the LEP. The maximum floor space permitted on the adjoining land to north is 0.8:1. Therefore the proposed floor space is commensurate with existing development standards in the locality.

The hotel tower will be 36.7 m high and therefore provide a signature building for the Cabramatta environs. It should be noted however that the hotel tower will be far enough removed from the Cabramatta town centre and the adjacent park to the south of the site to ensure that it does not visually dominate those spaces. The hotel has also been designed so that the mass of the hotel is broken into several small components that sit on a podium base. This design approach lessens the bulkiness of the building and visually presents the hotel development as a group of smaller buildings rather than one large building.

All new parking is provided in basement areas, which mitigates adverse visual impact, whilst the ground levels will provide a new active public domain space within the precinct that will be embellished with new landscaping.

The existing club has an entrance that is internalised on the site with access at ground level from near the multi-level car park. The proposed development seeks redress this poor urban design outcome by providing a new and visually prominent entry area and street address to Railway Parade. The central elements of this new entry area include the port cochere inclusive of its large sheltered awning and the clubs memorial garden that provides a visually dominant landscaped feature and a public gathering space.

The development also provides substantial open glazed areas to the Railway Parade frontage as part of both the club and both podium levels of the hotel that will overlook that street environment and provides passive surveillance of those areas.

It is considered that the proposal's design response therefore serves to make the site more permeable both physically and visually and this is considered to represent a significantly improved urban form outcome for the site and its environs.

The development also proposes a comprehensive facade treatment for the new sections of the club building that will in turn be integrated across a total refurbishment of the entire club building.

The proposed hotel tower will be setback a minimum of 25 metres from the southern wall of the adjoining four storey residential flat building adjoining the site on its northern boundary. This setback more than complies with SEPP 65 Apartment Design Principals.

The windows of the hotel will be angled with respect to the adjoining residential flat building thereby minimising overlooking and loss of privacy in general. There are no hotel balconies facing the adjoining residential flat building.

In addition the development also proposes a new facade system, represented as a landscaped climbing screen, to the street elevations of the existing decked car park. This will enhance the appearance of this element within the streetscape.

The implementation of these new facade treatments to both the club building and the decked car park will significantly enhance the visual impact of the existing development and the quality of the streetscape and built environment from that currently presented by existing development on site.

It is considered that the proposed development is unlikely to result in any adverse visual privacy and overshadowing impacts of any adjoining residential properties, having regard to the siting of the buildings and the spatial separation between the proposed buildings and surrounding residential properties.

## **4.2 Social and Economic Impacts**

Cabramatta is an important tourist destination in Sydney's rapidly increasing food and cultural tourism economy. There is currently a lack of short-term stay accommodation opportunities within the Cabramatta town centre.

The provision of new tourist accommodation on the subject land which is within easy walking distance of the Cabramatta town centre would provide a significantly positive impact upon the local economy.

A detailed economic impact assessment has been undertaken and accompanies the development application. This assessment concludes that the development will have the following economic impacts:

FACTOR	IMPACT
<b>Economic Investment</b>	<ul style="list-style-type: none"> <li>• Estimated construction cost of \$121m- 138m.</li> <li>• Construction would generate a further \$154m- \$174m of activity in production induced effects;</li> <li>• A further \$115m-\$130m in consumption induced effects; and</li> <li>• Total economic activity of \$401m- \$456m.</li> </ul>
<b>Construction Jobs</b>	<ul style="list-style-type: none"> <li>• 285-324 job years generated directly in construction; and</li> </ul>
<b>Salary contribution</b>	<ul style="list-style-type: none"> <li>• The combined salaries of all the workers on site will be approximately \$25.m- \$26.8m every year; and</li> <li>• These salaries will stimulate further demand for goods and services in the locality.</li> </ul>
<b>Retail expenditure</b>	<ul style="list-style-type: none"> <li>• Workers and tourists on site will generate \$9m - \$9.2m of additional retail spend every year in the locality.</li> </ul>
<b>Industry value added</b>	<ul style="list-style-type: none"> <li>• The proposed mixed uses in the building will contribute \$35.7m - \$38.1m every year to the Canley Vale and the surrounding regional economy.</li> </ul>
<b>Investment stimulus</b>	<ul style="list-style-type: none"> <li>• Significant property investment decisions are generally viewed as a strong positive commitment for the local area;</li> <li>• The direct investment proposed by the development would, through a wide range of</li> </ul>

The development proposal is consistent with broader economic strategies currently being pursued for the region and LGA and therefore can be considered to provide positive economic impacts to the local and regional economy.

The development proposal is accompanied by a detailed social impact assessment, which concludes that the development is likely to generate a number of positive benefits for the local community. These include:

- *Increased local economic activity and employment opportunities in adjoining centres;*
- *Enhanced choice and new services provided;*
- *Revitalisation of the site; and*
- *Providing flow-on benefits to other nearby businesses and services.*

An Operational Plan of Management can be required as a condition of consent which will require the Club to manage environmental and social impacts associated with the continued sale of liquor on the site and use of existing poker machines currently provided.

It should be noted that no additional poker machines are proposed as part of this development proposal. The social impacts of the proposal are considered to be manageable.

#### **4.3 The Suitability of the Site for the Development**

The subject site is located within an existing urban area that is well serviced by infrastructure necessary to support the use. Apart from being affected by overland flooding the site has no constraints to the proposed development. The flooding impacts on the site and on adjoining properties have been minimised by design and controlled by conditions of development consent.

The site already accommodates a club building and bowling greens. The expansion of the club and the hotel component of the development can be constructed and operated without a detrimental impact on surrounding land uses.

The site is considered suitable for the proposed use.

#### **4.4 Any submissions made**

The proposal was advertised in the local newspaper and local residents were notified of the proposal as per Council's notification policy in the Fairfield City Wide DCP 2013. No submissions were received.

#### **4.5 The Public Interest**

The proposal is in the public interest as it will provide:-

- New tourism accommodation and conference facility to promote and facilitate local tourism associated with cultural identity of the locality;
- Improved built environment outcome through landmark built form and new integrated elevation treatments to existing club building and decked car park which will provide a high level of amenity for future patrons without impacting unreasonably on nearby properties;
- Significant new and ongoing employment and economic opportunities for local area; and
- Efficient utilisation of existing urban infrastructure

#### **4.6 Fixed Contribution Levies**

The proposed development is exempt from Council's Section 7.11 Contributions Plan.

The proposal however is not exempt from Council's Section 7.12 Contributions Plan.

The proposed development has an estimated construction cost of \$116,500,000. In accordance with Fairfield City Council's adopted s7.12 Contribution Plan this requires payment of a development contribution of \$1,165,000.

## **CONCLUSION**

The development seeks approval to major alterations and additions to the existing club facility plus the development of a new 120 room hotel and associated facilities. The development takes advantage of the site's excellent proximity to regional transport linkages and the cultural tourism destination of Cabramatta.

The proposed development is a permissible land use under the provisions of Fairfield LEP 2013. The proposal was referred to the appropriate State Government agencies and their response has been incorporated into conditions of development consent.

The development proposal, will result in insignificant environmental impact and it makes an efficient and economic use of existing land and

infrastructure. It is considered that the proposal's design serves to make the site more permeable both physically and visually and this is considered to represent a significantly improved urban form outcome for the site and its environs.

The development also proposes a comprehensive facade treatment for the new sections of the club building that will in turn be integrated across a total refurbishment of the entire club building. The bulk and scale of the development is appropriately controlled through good design and results in a development that can be satisfactorily accommodated in the land use fabric of the locality.

Conditions will be imposed to minimise construction impacts and ongoing use of the site for club and hotel purposes.

This assessment of the application has considered all relevant requirements of Section 4.15 of the Act and finds that there will be no significant adverse or unreasonable impacts associated with the development.

Accordingly, it is recommended that the application be approved subject to conditions

## **RECOMMENDATION**

That:

1. That development application No. 446.1/2017 for the demolition of existing structures and the redevelopment of Cabravale Diggers club building, relocation of bowling greens, construction of a new hotel and basement car parking be approved subject to conditions as outlined in Attachment F of this report.