

DATE OF DETERMINATION	7 October 2020
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli, Ninos Khoshaba and Dai Lee
APOLOGIES	Frank Carbone
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 22 September 2020.

MATTER DETERMINED

PPSSWC-12 – Fairfield – DA300.1/2019 at 74-76 Seville Street, Fairfield East – Use of existing industrial premises (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report.

The panel notes that in addressing issues raised by the Panel following the initial briefing session, changes were made to the application during the assessment process to address the issues of concern raised by the public, including the relocation of noise generating activities within the existing buildings, the incorporation of gully pit stormwater treatments into the stormwater system, and the revision of the traffic management arrangements for the site. The conditions restrict the operator from marketing sales from the property.

The result is a development which is acceptable and sufficiently responsive to the applicable instruments and controls as set out in the staff assessment report.

CONDITIONS






The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Acoustic amenity impacts
- Air quality impacts
- Odour amenity impacts
- The potential for the discharge of pollutants into Burns Creek affecting ecosystems and fauna inhabiting it
- Car debris being stored on the street

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Louise Camenzuli	 Ninos Khoshaba
 Dai Lee	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-12 – Fairfield – DA300.1/2019
2	PROPOSED DEVELOPMENT	Use of the subject premises for the purpose of a waste transfer station for used motor vehicles and resource recovery facility of recovered vehicle body parts and associated signage
3	STREET ADDRESS	Lot: 10 DP: 1090834 No.74-76 Seville Street Fairfield East
4	APPLICANT/OWNER	Applicant: Vidhya Ramesh (Hamptons Property Services) Owner: Hassani Investments Pty Ltd and Hussain Group Investments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Fairfield LEP 2013 State Environmental Planning Policy No 55 – Remediation of Land Draft environmental planning instruments: Nil Development control plans: Nil Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 21 September 2020 Written submissions during public exhibition: 4 Total number of unique submissions received by way of objection: 4
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Monday, 24 February 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Ninos Khoshaba and Dai Lee <u>Council assessment staff</u>: George Vlamis, Sunnee Cullen, Liam Hawke, Jason Liang, Hayley Tasdarian, Geraldine Pham Site inspection: Monday, 24 February 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Ninos Khoshaba and Dai Lee <u>Council assessment staff</u>: George Vlamis, Sunnee Cullen, Liam Hawke, Jason Liang, Hayley Tasdarian, Geraldine Pham Final briefing to discuss council's recommendation: Monday, 28 September 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Ninos Khoshaba and Dai Lee <u>Council assessment staff</u>: Liam Hawke and Geraldine Pham
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report