

RECORD OF DEFERRAL

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DEFERRAL	Wednesday, 29 September 2021
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, Ninos Khoshaba and Sera Yilmaz
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 13 September 2021.

MATTER DEFERRED

PPSSWC-175 – Fairfield City Council – DA314.1/2020 at
Lots 39 & 56, DP 235949 Southdown Road

Lot 36, DP 235949	No.'s 31-39 Border Road
Lots 2,3,4,5,6,8,9,10,11,12,13 & 16, DP 234284	No.'s 1-119 Southdown Road
Lot 92, DP 13905	No. 1680 The Horsley Drive
Lot 95 D, DP 388681	No. 1752 The Horsley Drive
Lot 7, DP 234284	No's 51-59 Southdown Road
Lots 3,6,7 & 8, DP 825571	Border Road
Lots 4 & 5, DP 825571	No.'s 52-100 Southdown Road
Lot 9, DP 825571	No.'s 2-50 Southdown Road
Lot 10, DP 825571	No.'s 91-101 Border Road
Lots 11 & 12, DP 825571	No.'s 121-139 Southdown Road
Lot 15 & 16, DP 825571	No.'s 32-40 Cotswold Road
Lot 19, DP 1022008	No. 372 Wallgrove Road
Lot 12, DP 1022008	No. 444 Wallgrove Road
Lot 13, DP 1022008	No.'s 434-442 Wallgrove Road
Lot 14, DP 1022008	No. 432 Wallgrove Road
Lot 15, DP 1022008	No. 420 Wallgrove Road
Lot 16, DP 1022008	No. 408 Wallgrove Road
Lot 17, DP 1022008	No. 396 Wallgrove Road
Lot 18, DP 1022008	No. 384 Wallgrove Road
Lot 20, DP 1022008	No. 360 Wallgrove Road
Lot 17, DP 1021839	No. 452 Wallgrove Road
Lot 9, DP 1021839	No. 1706 The Horsley Drive

Lot 8, DP 1021839	No. 1700 The Horsley Drive
Lot 7, DP 1021839	No. 1686 The Horsley Drive
Lot 10, DP 1021839	No. 1726 The Horsley Drive
Lot 12, DP 1021839	No. 1750 The Horsley Drive
Lot 1, DP 1021938	No. 1 Saxony Road, Horsley Park NSW 2175

Use of the Sydney International Equestrian Centre for the purpose of non-equestrian events (as described in Schedule 1)

REASONS FOR DEFERRAL

The panel agreed to defer the determination of the matter until required information is provided by applicant/council for the reasons below;

1. The proposal to expand this equestrian facility constructed at great public expense for the 2000 Olympics to accommodate diversified community and entertainment events offers substantial benefits including:
 - a) adding significantly to the available social, cultural and entertainment infrastructure within Fairfield local government area,
 - b) allowing for a better economic and social return from this major public investment, and
 - c) reducing bureaucratic inefficiencies whereby each non-equestrian event at present requires a fresh approval.
2. As such the proposal is consistent with the following Planning Priorities of the Western Sydney City District Plan:
 - a) Planning Priority W1 Planning for a city supported by infrastructure (and particularly the emphasis on ensuring infrastructure use is optimised)
 - b) Planning Priority W3 Providing services and social infrastructure to meet people's changing needs (particularly through better support the arts, creativity, cultural expression and innovation)
 - c) Planning Priority W4 Fostering healthy, creative, culturally rich and socially connected communities (acknowledging the potential for this facility to be used more flexibly to cater for sporting, musical, educational and creative events with a minimum regulatory burden).
 - d) Planning Priority W6 Creating and renewing great places and local centres, and respecting the District's heritage (Particularly through the opportunity to contribute to availability of social infrastructure and the opportunity to add to the 'great places' within the Western Sydney City region that are inclusive of people of all ages and abilities, with a range of authentic local experiences and opportunities for social interaction and connection.)
 - e) W11. Growing investment, business opportunities and jobs in strategic centres (The expanded use of the equestrian facility will promote investment and business activity in the sporting and cultural sectors with events and festivals being a good source of casual employment.)
3. The Panel received separate briefings from the Council and the Applicant in relation to the substantial matters seen by Council as outstanding with the assessment of the DA, being principally:
 - a) the traffic impacts of traffic arriving at or leaving larger events, particularly in relation to the intersection of Wallgrove Road and the M7 freeway; and
 - b) the potential for acoustic impacts particularly of night- time events.
4. The traffic related issues have been closely examined with reference to the traffic report supported by detailed modelling and referral to TfNSW. One issue remains for final resolution being the increase in maximum attendances being raised from 5,000 to 6,000. That increase has been referred to TfNSW and a response is yet to be received. The Panel will take that response into account when finally considering the issue of access.
5. The issue of acoustic impacts is an important one given the semi-rural character of the surrounding open landscape, and nearby residential concentrations. At the request of the Panel, the Applicant has proposed

the following restrictions to apply to the proposed use to provide mitigation of the impacts of this use in that regard:

- Agreement to conditions 26 and 27 proposed by Council which restrict the hours of use of Hacking Arena to daytime and require adherence to the operational scenario parameters set out in the acoustic report.
- A maximum attendance of 6,000 persons (amended) and intersection capacity conditions and multiple events conditions (deleted). Note that this capacity was made clear in the amendments made to the application on 28 July 2021, and the additional modelled event contained within the amended Traffic Impact Assessment now provides greater certainty that this event capacity creates no traffic network issues.
- A limit of 20 calendar days per year on which non-equestrian events with live music may be conducted past 10pm

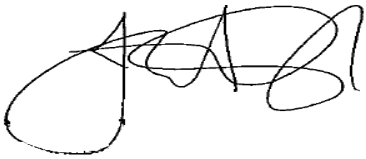
While the Panel sees those operational matters as likely to resolve the acoustic concern, it would seem that, to facilitate their practical implementation, a clear set of practical operational protocols in a management plan should be identified by the consultant acoustic engineer, as the 'operational scenario parameters' contained at section 7.2 of the acoustic report are not sufficiently clear for the organisers of an event untrained in acoustic engineering to know how they are to be achieved. The acoustic engineer should be asked to express how the identified parameters at a practical level are to be achieved, and how compliance may be monitored. It seems that the management plan ought to allow for testing at the first event (or events) with the management plan to be updated with the benefit of that testing.

A final determination of the DA will issue once TfNSW has been allowed a reasonable time to respond to the proposed attendance numbers of 6,000 (and any response taken into account in the final recommended conditions) and once the additional acoustic advice described above is available.

The decision to defer the matter was unanimous.

The Panel expects revised information as referred to above be submitted to Council within 7 days from the date of this deferral record. Council is requested to forward a copy of the Applicant's response and any comments from the assessment staff upon receipt of revised information and as soon as practicable.

When this information has been received, the panel will determine the matter electronically.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Louise Camenzuli	 Ninos Khoshaba
 Sera Yilmaz	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-175 – Fairfield City Council - DA314.1/2020
2	PROPOSED DEVELOPMENT	Use of the Sydney International Equestrian Centre for the purpose of non-equestrian events
3	STREET ADDRESS	Lots 39 & 56, DP 235949 Southdown Road Lot 36, DP 235949 No.'s 31-39 Border Road Lots 2,3,4,5,6,8,9,10,11,12,13 & 16, DP 234284 No.'s 1-119 Southdown Road Lot 92, DP 13905 No. 1680 The Horsley Drive Lot 95 D, DP 388681 No. 1752 The Horsley Drive Lot 7, DP 234284 No's 51-59 Southdown Road Lots 3,6,7 & 8, DP 825571 Border Road Lots 4 & 5, DP 825571 No.'s 52-100 Southdown Road Lot 9, DP 825571 No.'s 2-50 Southdown Road Lot 10, DP 825571 No.'s 91-101 Border Road Lots 11 & 12, DP 825571 No.'s 121-139 Southdown Road Lot 15 & 16, DP 825571 No.'s 32-40 Cotswold Road Lot 19, DP 1022008 No. 372 Wallgrove Road Lot 12, DP 1022008 No. 444 Wallgrove Road Lot 13, DP 1022008 No.'s 434-442 Wallgrove Road Lot 14, DP 1022008 No. 432 Wallgrove Road Lot 15, DP 1022008 No. 420 Wallgrove Road Lot 16, DP 1022008 No. 408 Wallgrove Road Lot 17, DP 1022008 No. 396 Wallgrove Road Lot 18, DP 1022008 No. 384 Wallgrove Road Lot 20, DP 1022008 No. 360 Wallgrove Road Lot 17, DP 1021839 No. 452 Wallgrove Road Lot 9, DP 1021839 No. 1706 The Horsley Drive Lot 8, DP 1021839 No. 1700 The Horsley Drive Lot 7, DP 1021839 No. 1686 The Horsley Drive Lot 10, DP 1021839 No. 1726 The Horsley Drive Lot 12, DP 1021839 No. 1750 The Horsley Drive Lot 1, DP 1021938 No. 1 Saxony Road, Horsley Park NSW 2175
4	APPLICANT/OWNER	Applicant: NSW Office of Sport Owner: Western Sydney Parklands Trust
5	TYPE OF REGIONAL DEVELOPMENT	Crown development referred under section 4.33 of the EP&A Act
6	RELEVANT MANDATORY CONSIDERATIONS	Environmental planning instruments:

		○ State Environmental Planning Policy (Western Sydney Parklands) 2009 ○ Western Sydney Parklands Plan of Management 2030 • Draft environmental planning instruments: 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	• Council assessment report: 13 September 2021 • Applicant submission received: 16 September 2021 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Applicant Briefing: 20 September 2021 ○ <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Ninos Khoshaba and Sera Yilmax ○ <u>Applicant representatives</u>: Brendon Clendenning Creative Planning Solutions, Aonya Constantinou CPS, Mark Fulcher Office of Sport and Hayden Dimitrovski Traffic <u>Note</u>: Applicant briefing was requested to provide the Panel with clarification and to respond to issues • Final briefing to discuss council's recommendation: 20 September 2021 ○ <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Ninos Khoshaba and Sera Yilmax ○ <u>Council assessment staff</u>: Liam Hawke, Jeyda Kokden, Sunnee Cullen
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report