

## COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSWC-38
DA Number	DA 435.1/2019
LGA	Fairfield City
Proposed Development	Stage 2 Redevelopment of Fairfield Showground: Construction of a new grandstand, recreational facility, installation of business identification signs and associated works and landscaping
Street Address	Lot 11 DP 1101430 Nos. 430 – 482 Smithfield Road, Prairiewood.
Applicant/Owner	Fairfield City Council
Date of DA lodgement	1 November 2019
Number of Submissions	0
Recommendation	Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Development has a capital investment value of more than \$5 million and Council is both the land owner of the site and the applicant of the application.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)</li> <li>• State Environmental Planning Policy No. 19 – Bushland in Urban Areas (SEPP 19)</li> <li>• State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>• State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)</li> <li>• Infrastructure State Environmental Planning Policy (Infrastructure) 2007</li> <li>• Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment</li> <li>• Fairfield Local Environmental Plan (LEP) 2013</li> <li>• Fairfield City-Wide Development Control Plan 2013</li> </ul>
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> <li>• Architectural, Stormwater and Landscape plans</li> <li>• Statement of Environmental Effects</li> <li>• Flora &amp; Fauna Assessment Report</li> <li>• Arboricultural Impact Assessment Report</li> <li>• Bushfire Assessment Report</li> <li>• Acoustic Report</li> <li>• Traffic Report</li> </ul>
Report prepared by	Glenn Apps – Consultant Planner

### Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

**Yes / No**

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

**Yes / No / Not Applicable**

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

**Yes / No / Not Applicable**

### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

**Yes / No / Not Applicable**

### Conditions

Have draft conditions been provided to the applicant for comment?

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

**Yes / No**

## SYDNEY WESTERN CITY PLANNING PANEL

**TO:** Sydney Western City Planning Panel – via electronic meeting

**REPORT:** SWCPP Report

**SUBJECT:** 430-482 Smithfield Road, Prairiewood

**FILE No:** DA 435.1/2019

<b>Application lodged</b>	1 November 2019
<b>Applicant</b>	Fairfield City Council
<b>Owner</b>	Fairfield City Council
<b>Application No.</b>	DA 435.1/2019
<b>Description of Land</b>	Lot 11 DP 1101430  Nos. 430 – 482 Smithfield Road, Prairiewood.
<b>Proposed Development</b>	Stage 2 redevelopment of Fairfield Showground comprising <ul style="list-style-type: none"> <li>• Earthworks and vegetation removal;</li> <li>• Construction of a three (3) storey grandstand, with a seating capacity of approximately 750 people with associated facilities;</li> <li>• An attached LED business identification sign; and</li> <li>• Site landscaping works.</li> </ul>
<b>Site Area</b>	30 hectares (approximately)
<b>Zoning</b>	Part RE1 Public Recreation and part E2 Environmental Conservation under the Fairfield LEP 2013.
<b>Heritage</b>	Yes. The land contains item I85, being an indigenous flora park in the western corner of the land.
<b>Issues</b>	Car parking, heritage, tree removal.

**Assessing Officer:** Glenn Apps (Consultant Planner)

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## SUMMARY

1. *Development Application No. 435.1/2019 was received on 1 November 2019 for the Stage 2 Redevelopment of the Fairfield Showground at 430 – 482 Smithfield Road, Prairiewood comprising a new grandstand for the international football field.*
2. *The application was publicly notified to occupants and owners of the adjoining properties for a period of 21 days between 5 December 2019 and 26 December 2019.*
3. *There are no variations to any development standards or planning controls.*
4. *The application is recommended for conditional approval subject to the conditions as provided in the attached schedule. The application is referred to the Panel as Fairfield City Council is the applicant and the proposal has a Capital Investment Value of more than \$5 million.*

## REPORT

### SUBJECT SITE AND SURROUNDING AREA

The subject land is known as Fairfield Showground and has an area of approximately 30 hectares. The site is illustrated in Figure 1 below:

*Figure 1 – Locality Plan of subject site*





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*Figure 2 – Aerial view of subject site*



The subject land is located within the suburb of Prairiewood. The primary access to the Showground is from Smithfield Road, near the southern corner of the land. Access to the Showground is also available from the roundabout at the corner of Moonlight Road and Greenfield Road.

*Figure 3 – Street view of the entry to the Showground from Smithfield Road*





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The subject land is adjoined by Fairfield Golf Course to the north, and a local park to the southwest. Low density residential development adjoins to the west, northwest and across Smithfield Road to the south.

Existing development of the Showground includes the existing grandstand with seating for approximately 700 people, function and meeting rooms, covered hardstand area used for markets and events, exhibition halls, amenities, model railway facility and various community buildings. A carpark for 745 vehicles is provided on site.

The Fairfield Showground Plan of Management includes a Master Plan for future works to ensure the facility continues to meet the needs of the community. The proposed grandstand is consistent with the Master Plan as shown below in Figure 4.

*Figure 4 – Fairfield Showground Master Plan (extract from Fairfield Showground Plan of Management)*



Various other works have been approved for the redevelopment of the Showground, comprising:

- Extension of the existing market awning structure and use for community events;

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- Construction of new sports fields including an Australian Football League (AFL) football field/cricket field, a synthetic turf soccer field and an elite turf football field and associated site landscaping and public facilities; and
- Construction of a new amenities building to service the new sports fields and associated facilities.

## DESCRIPTION OF THE PROPOSED DEVELOPMENT

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Council has lodged a development application for the Stage 2 redevelopment of Fairfield Showground comprising

- Earthworks and vegetation removal;
- Construction of a three (3) storey grandstand, with a seating capacity of approximately 750 people with associated facilities;
- An attached LED business identification sign; and
- Site landscaping works.

Each component of the DA is detailed below.

### Earthworks and vegetation removal

Four trees and a lawn area are required to be removed to accommodate the proposed development. The trees comprise 3 red ironbarks (*Eucalyptus fibrosa*), each of which is approximately 10m in height and a Chinese Elm (*Ulmus Parvifolia*) which is approximately 8m in height.

The tree removal will allow for earthworks to bench the construction site which is adjacent to the southern end of the existing grandstand.

### Grandstand

The proposed grandstand is a three storey building which will accommodate approximately 750 seated spectators.

The grandstand maintains a typical grandstand built form and is of a similar form and scale to the existing grandstand. The grandstand seating faces the eastern side, orientated to the international standard football field.

The grandstand will be integrated with the existing grandstand via a pedestrian link bridge on the first floor and second floor level.

The grandstand will have an overall maximum height of 16.76 metres (measured at the eastern edge of the skillion roof over the seating areas and a gross floor area (GFA) of 1,457m<sup>2</sup>. The ground floor is primarily located behind and under the outdoor seating with levels 1 and 2 located above and behind the outdoor seating.

Each level of the development contains the following:

Ground floor:

- Spectator seating (in the form of step seating) facing the field, including accessible seating which is accessed via the lift on level 1;
- Player amenities and change rooms;
- General public amenities;
- Canteen (accessed from the north);
- Stair and lift circulation space;
- Ticketing office and general office related area (accessed from the west); and
- Plant and services rooms.

First floor – landing level:

- A 'social room' which can be utilised for functions with associated bar, kitchen and amenities with large windows which face the field; and
- Stair and lift circulation space.

Second floor – box level:

- Six (6) VIP viewing boxes and one (1) press box;
- Bar and kitchen area;
- Stair and lift circulation space; and
- Amenities.

Materials and finishes comprise a mix of concrete, steel and timber to create visual interest with a contemporary colour palette comprising of earthy tones.

The grandstand will also incorporate lighting and a public address system for ground announcements and game timing purposes. A lighting design assessment and an acoustic assessment have been submitted to support the DA.

**Operation of the grandstand**

The new grandstand will provide formalised seating for spectators for higher level sporting events held on the elite field. It will also provide facilities and amenities for the players.

For one event held on the elite field, Council anticipates there will be a maximum of 5,000 people i.e. 2,000 in the grandstands (new and existing), VIP boxes and other rooms, and 3,000 around the edge of the field.

The hours of operation of the grandstand will be between 9am-10pm Monday to Sunday. The target for the number of elite field bookings (with subsequent grandstand use) over the first 24 months is one per month. When major community events are being held on site such, the elite field will not be used. However, for events that attract smaller numbers (under 500 people), multiple events may take place at the Showground. For example, the Saturday markets are able to operate simultaneously with a NSW League game.



### **LED signage**

The southern elevation of the proposed grandstand will be provided with a 6.8m wide by 4.5m high LED screen which will display game day and other Showground related information. No advertising will occur on the screen.

The sign will operate during the Showground's operational hours (generally 9am -10pm).

### **Landscaping**

The site surrounding the new grandstand will be landscaped with a combination of feature paving on around the northern and western sides of the development with soft landscape elements to the south. Replacement of the removed Eucalyptus fibrosa with 9 new Eucalyptus fibrosa is proposed.

The Chinese Elm is to be transplanted elsewhere within the showgrounds, recognising the aesthetic and amenity value of that tree given its shape and vigour.

### **HISTORY**

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<b>Date</b>	<b>Action</b>
23/10/2018	Pre Development Application Advisory meetings held with Council.
1/11/2019	The Development Application was lodged.
22/11/2019	The Development Application was referred to internal departments and external agencies for review.
5/12/2019 to 26/12/2019	Application placed on public notification for 21 days.  The notification did not generate any submissions.
19/12/2019	Application was deferred to enable additional traffic modelling to address matters raised by Transport for NSW.
4/2/2020	Additional traffic modelling and revised Traffic Impact Assessment received.
24/2/2020	JRPP briefing held
25/5/2020	Final comments received from Transport for NSW.
29/5/2020	Application referred to JRPP for determination following completion of assessment.

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## APPLICANTS SUPPORTING STATEMENT

The application has been supported by the following reports:

DOCUMENT	PREPARED BY	DATED
<b>Plans</b>		
Architectural Plans	Conybeare Morrison	23 October 2019
Survey Plan	Fairfield City Council	26 September 2019
Civil Design	Northrop	21 October 2019
Landscape Plan	Context Landscape Design	23 October 2019
<b>Reports</b>		
Statement of Environmental Effects	DFP Planning Consultants	October 2019
Combined Preliminary and Detailed Site Investigation	Alliance Geotechnical	27 June 2019
Geotechnical Investigation	Alliance Geotechnical	28 June 2019
Flora and Fauna Assessment	Narla Environmental	September 2019
Arboricultural Impact Assessment	Arboreport	13 September 2019
Transport Impact Statement	GTA Consultants	30 September 2019
Bushfire Assessment Report	Australian Bushfire Consulting Services	14 August 2018
Noise Impact Assessment	Resonate Consultants	25 October 2019
Access Assessment Report	BCA Logic	24 October 2019
BCA Assessment	BCA Logic	24 October 2019
Lighting Design Statement	Northrop	4 October 2019
Cost Estimate	Mitchell Brandtman	1 August 2019
Flood Assessment Report	WMA Water	28 August 2019
Aboriginal Cultural Due Diligence	MDCA Consulting Archaeologists	19 March 2019
Waste Management Plan	Fairfield City Council	3 October 2019

## CONTACT WITH RELEVANT PARTIES

The assessment of the Development Application and preparation of this report has been undertaken by an external planning consultant in conjunction with Council's Development Assessment officer.

A site inspection was carried out by the consulting planner on 23 October 2018 and on 24 February 2019.

## INTERNAL REFERRALS

### Development Engineer

The development application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

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### Community Health

The development application was referred to Council's Community Health Officer for comment who has reviewed the relevant environmental reports and advised that the development proposal is satisfactory and therefore can be supported. Conditions of consent have been recommended including the fitout of food premises.

### Place Manager

The development application was referred to Council's Manager, Parks Place and Economic Development who has advised that the proposed development can be supported subject to recommended conditions of consent to the effect that:

- only major event is to be carried out at any one time; and
- major events are not to be carried out concurrent with any other event including markets, festivals or community events.

### Traffic Engineer

The development application was referred to Council's Coordinator Traffic for comment who has advised that the proposed development will not create any adverse impacts on the adjoining road network and does not cause any issues relating to parking demand.

Carparking for 745 vehicles is provided on site which will increase to 752 spaces under works approved as part of Stage 1 of the Showground redevelopment. The carparking is found to be sufficient on the basis that major events will not coincide with other events at the showground.

### Tree Preservation Officer

The development application was referred to Council's Tree Preservation Officer for comment. That officer has carried out an inspection of the 3 *Eucalyptus fibrosa* proposed for removal and notes those trees will be replaced with 9 *Eucalyptus fibrosa* in close proximity to the proposed removals.

No objections are raised by the Tree Preservation Officer to the tree removal and recommended replacement plantings.

### Heritage

The subject land contains a heritage item (I85) known as the indigenous flora park. The proposed development is situated approximately 300m from that item as shown in Figure 4 below.

The subject proposal will have no impact or influence on the heritage item as a result of that separation.



Figure 5 – Overlay of Heritage map from Fairfield LEP 2013



Council's Heritage Advisor has reviewed the Aboriginal Cultural Due Diligence report which was prepared by MDCA and dated 19 March 2018. The Heritage Advisor has raised concerns that the report was prepared in relation to previous stages of development and it is unclear whether the subject works have been the subject of an Aboriginal Heritage assessment.

The Aboriginal Cultural Due Diligence report notes that the entirety of the subject land was inspected on 29 January 2018 in conjunction with the Cultural Heritage Officer of the Deerubbin Local Aboriginal Land Council. That report continues to state that *"field observations and knowledge of historical land use were considered adequate to characterised [sic] the Aboriginal archaeological sensitivity and potential of the subject land"*.

Specifically, the Aboriginal Cultural Due Diligence report states:

*"The southern and central portions of the subject land have been heavily disturbed by the construction and use of these areas as a trotting track and markets and associated buildings and other structures. The southern portion comprises a large car park and a cleared training yard, which historical images show was stripped of original topsoil. The central portion of the subject land is characterized by a large oval racetrack, two grandstands, a function centre, large sheltered car park and other infrastructure related to the recreational use of the showground. This portion of the subject land has undergone heavy disturbance, completely re-contouring the existing ground for the racetrack including the large bund wall around the track and raised areas around the grandstands. Exposures here and in recreational areas around it show exposed orange clay subsoil with ironstone gravels and blue metal gravel as*

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well as other introduced debris. Services, lighting, and drainage infrastructure has also heavily impacted this area." (Emphasis added)

The comprehensive study of the Showground land did locate 2 previously unrecorded sites which may contain stone artefacts in the northern area of the land. Those sites are approximately 330m from the site of the new grandstand and not an area that will be disturbed as part of the subject proposal.

Notwithstanding the concerns raised by the Heritage Advisor, the Aboriginal Cultural Due Diligence report has adequately assessed that part of the land that is the subject of the proposed development.

## EXTERNAL REFERRALS

### Transport for NSW (TfNSW)

The development application was referred to RMS on 29 November 2019.

TfNSW responded on 19 December 2019 that additional information be provided, including SIDRA modelling.

A revised Traffic Impact Assessment and SIDRA modelling was provided to TfNSW on 4 February 2020.

TfNSW responded on 25 May 2020 that no objections were raised to the proposal on the basis that Council implements measures to ensure the safety and operation of the intersection of Smithfield Road and Showground entrance during events.

### Police

The development application was referred to the Crime Prevention Officer of the Fairfield City Police Area Command who responded to Council on 12 December 2019.

In summary, the proposal has been calculated as having a Low/Medium crime risk and no objection has been raised subject to standard CPTED measures being implemented such as CCTV, use of locks to doors and windows, maintenance of landscaping and the early removal of graffiti.

## PLANNING COMMENTS

### **The provisions of any Environmental Planning Instruments (EP& A Act s4.15 (1)(a)(i))**

#### State Environmental Planning Policies

The proposed development is affected by the following State Environmental Planning Policies:

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

A report has been provided by a quantity surveyor and construction cost analyst, who has determined the approximate value of the development to be \$9,080,279.

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As the capital investment value of the proposed development will be greater than \$5 million and it is a Council related project, it meets the criteria for Regionally Significant Development (RSD). Accordingly, the DA will be determined by the *Sydney Western City Planning Panel*.

### (b) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Clause 7 of SEPP 55 requires Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The matters listed within Clause 7 have been considered in the assessment of the development application as per the following table:

Figure 6 – SEPP 55 Compliance Table

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

A *Combined Stage 1 Preliminary and Stage 2 Detailed Site Investigation* was undertaken by Alliance Geotechnical. The assessment has determined that the site is suitable for the proposed development.

The potential for contamination has been considered and further investigation or remediation is not required. It is therefore considered that the site is suitable for the proposed development.



(c) **State Environmental Planning Policy No. 19 – Bushland in Urban Areas (SEPP 19)**

The grandstand development site is located upon land zoned *RE1 Public Recreation* under the Fairfield Local Environmental Plan 2013, therefore consent is required for any bushland disturbance pursuant to Clause 6 of SEPP19.

Four trees are proposed to be removed to accommodate the proposed development, including 3 native trees (*Eucalyptus fibrosa*) and 1 exotic tree. The Flora and Fauna Assessment prepared by Narla Environmental concludes that the proposed development will impact upon an already fragmented and degraded patch of Shale Gravel Transition Forest. Those impacts are able to be mitigated through appropriate replacement planting using 9 replacement *Eucalyptus fibrosa*.

The proposal is found to have an acceptable level of impact.

(d) **State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)**

The proposal includes signage in the form of an LED ‘digital game-info display screen’ which will be attached to the southern elevation of the proposed grandstand as shown on the architectural drawings (Sheets A201 and A902).

The screen will be visible to users of the Showground, particularly spectators outside the grandstand. Although the sign is setback approximately 160m to Smithfield Road, dappled views to Smithfield Road are likely. The screen will display ‘gameday’ and Showground use related information. General advertising is not proposed to be displayed on the screen.

The screen is deemed to be “*business identification sign*” which is permissible within the RE1 zone and is required to comply with the aims of clause 3(1) of SEPP 64 and the assessment criteria in Schedule 1 to the SEPP.

An assessment of the proposed signage against these objectives and assessment criteria is provided at page 14 of the Statement of Environmental Effects and demonstrates that the signage is consistent with Clause 3 of SEPP 64.

(e) **Infrastructure State Environmental Planning Policy (Infrastructure) 2007**

The provisions of the Infrastructure SEPP (ISEPP) 2007 have been considered in the assessment of the development application.

*Clause 104 – Traffic generating developments*

Smithfield Road is not a ‘classified road’ for the purposes of the ISEPP. The subject land also does not have access to a classified road or to road that connects to classified road within 90 metres.

Clause 104 and Schedule 3 of the ISEPP provides thresholds for when certain development is traffic generating and requires notice to be given to the RMS, particularly when a development generates 200 or more vehicles per hour.

The Traffic Impact Assessment prepared by GTA Consultants indicates a worst case scenario of up to 2,215 additional movements per hour (two-way) during major events i.e. up to 5,000 visitors to the site with all grandstands (existing and proposed) and edge of field seating in use.

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Accordingly, clause 104(3) requires written notice of the application to be provided to TfNSW and Council to take into consideration any response to the notice that is received from TfNSW within 21 days of the notice.

TfNSW responded on 25 May 2020 that no objections were raised to the proposal on the basis that Council implements measures to ensure the safety and operation of the intersection of Smithfield Road and Showground entrance during events.

### (e) **State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

The Vegetation SEPP regulates clearing that is not linked to development requiring consent.

The proposal involves the removal of 3 eucalypt trees. This does not exceed the biodiversity offsets scheme threshold. Therefore, the proposed vegetation removal is considered acceptable.

### Regional Environmental Plans

The proposed development is affected by the following Regional Environmental Plan:

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

The subject site is identified as being located within the area affected by the Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment. The proposed development raises no issues as no impact on the catchment is envisaged.

### Local Environmental Plans

#### **Fairfield LEP 2013**

The Fairfield LEP 2013 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the Fairfield LEP 2013 and the objectives of the *RE1 Public Recreation* zone applicable to the land where the proposed development is to be carried out.

The objectives of the *RE1 Public Recreation* zone are:

- To enable land to be used for public open space or recreational purposes;
- To provide a range of recreational settings and activities and compatible land uses; and
- To protect and enhance the natural environment for recreational purposes.

The proposed development is consistent with the zone objectives in that it furthers the opportunities and activities made available to the public at the Showground.

The proposed development is a “*recreation area (major)*” which is defined as:

*“a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks”*

*Recreation facilities (major)* are permissible with development consent in the *RE1 Public Recreation* zone.

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The relevant matters to be considered under the Fairfield LEP 2013 for the proposed development are summarised below.

*Figure 7 – Fairfield LEP 2013 Compliance Table*

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
4.1 Minimum subdivision lot size	N/A	The proposed development does not seek the creation of new lots.
4.3 Height of Buildings	N/A	No maximum building height is prescribed for the land.
4.4 Floor Space Ratio	N/A	No maximum FSR is prescribed for the land.
4.6 Exceptions to development standards	N/A	The proposed development does not require consideration of any exceedance of a development standard.
5.10 Heritage Conservation	N/A	<p>The land contains heritage item number I85, being the indigenous flora park. The proposed development is situated approximately 300m from that item and is considered to have no impact or influence on the heritage item.</p> <p>The proposed development does not impact on aboriginal heritage.</p>
6.1 Acid Sulphate Soils	N/A	The land is not mapped as being affected by acid sulphate soils.
6.2 Earthworks	Yes	<p>The DA seeks consent for earthworks.</p> <p>The required earthworks are reasonable in the context of the development and the land area of the Showground.</p>
6.3 Flood Planning	Yes	<p>The Flood Assessment carried out by WMA Water concludes that:</p> <ul style="list-style-type: none"> <li>i. The proposed grandstand would not cause an increase in peak flood levels or hazard outside the site;</li> <li>ii. The proposed grandstand is outside of the mainstream PMF extent and is subject to limited shallow overland flow affectation;</li> <li>iii. Local runoff around the site can be adequately managed with appropriate stormwater and civil</li> </ul>



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		design without the application of flood related development controls (set out in the Fairfield Citywide Development Control Plan 2013).
6.5 Terrestrial Biodiversity	Yes	The Showground contains land that is mapped as “biodiversity” however the location of the proposed works is outside of those areas.
6.6 Riparian Land and Watercourse	Yes	The Showground contains land that is mapped as “riparian area” however the location of the proposed works is outside of those areas.
6.9 Essential Services	Yes	All necessary essential services are provided to the land.

### The provisions of any draft Environmental Planning Instruments (EP& A Act s4.15 (1)(a)(ii))

#### Draft State Environmental Planning Policy (Environment)

The draft SEPP relates to the protection and management of our natural environment with the aim of simplifying the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. The changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

The draft policy will repeal the above existing SEPPs and certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

SEPP 19 and the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment are the only relevant instruments of those to be repealed by the draft SEPP and have previously been discussed in this report.

### The provisions of any Development Control Plans (EP& A Act s4.15 (1)(a)(iii))

The proposed development is satisfactory when considered against the objectives and provisions of the Fairfield Citywide DCP 2013 (“**FCDCP**”).

There are no controls in the FCDCP specific to the Showground or to public recreation zones.

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The FCDP does contain provisions for matters such as environmental management, flooding and car parking. The proposed development does not offend or breach any provisions or objectives of the FCDP.

As indicated in the assessment table provided at **Attachment 4**, the proposed development complies with the provisions of the FCDP and is considered acceptable from an environmental planning view point.

**Any planning agreement that has been entered into under part 7.4, or any draft planning agreement that a developer has offered to enter into under part 7.4, (EP& A Act s4.15(1)(a)(iia))**

There is no planning agreement or draft planning agreement associated with the subject Development Application.

**The provisions of the Regulations (EP& A Act s4.15 (1)(iv))**

The proposed development raises no concerns as to the relevant matters arising from the EP&A Regulations 2000.

**The Likely Environmental, Social or Economic Impacts (EP& A Act s4.15 (1)(b))**

It is considered that the proposed development will have no significant adverse environmental impacts. The part of the Showground that is the subject of the proposed development is not within an area of terrestrial biodiversity or riparian land. The development has been demonstrated not to impact on flood behaviour.

The proposed grandstand and its use will not impact on parking or traffic. An upgrade to Smithfield Road has received Federal funding, including the installation of traffic lights at the main showground entrance.

The proposed development is not anticipated to create adverse social or economic impacts in the locality.

The proposed development will contribute to the opportunities for the Fairfield Showground to provide high tier sporting fixtures and other community events which will benefit the local community.

**The suitability of the site for the development (EP&A Act s4.15 (1)(c))**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

**Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))**

Advertised (newspaper) ☒

Mail ☒

Not Required ☐

In accordance with Council's Notification Policy requirements contained within Appendix B to the FCDP, the proposal was publicly exhibited for a period of 21 days between 5 December 2019 and 26 December 2019. No submissions were received in respect of the proposal .

## SYDNEY WESTERN CITY PLANNING PANEL

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### The public interest (EP& A Act s4.15(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users.

In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

### SECTION 7.11 (FORMERLY S94) CONTRIBUTION TOWARDS PROVISION OR IMPROVEMENT OF AMENITIES OR SERVICES

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This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- (1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:
  - (a) the dedication of land free of cost, or*
  - (b) the payment of a monetary contribution, or both.**
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.'*

#### Comments:

The proposed development does not generate the payment of contributions.



## **CONCLUSION**

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The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, Fairfield LEP and Fairfield DCP and is considered to be satisfactory for approval subject to conditions.

The proposed development is appropriately located within the RE1 Public Recreation zone under the relevant provisions of Fairfield LEP 2013. The proposal is consistent with all statutory and non-statutory controls applying to the development.

Having regard to the assessment of the proposal from a merit perspective, the Panel should be satisfied that the development has been responsibly formulated.

There are no non-compliances with Council's controls. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, and the development may be approved subject to conditions.

## **RECOMMENDATION**

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- 1. That Development Application No. 435.1/2019 for the Stage 2 redevelopment of Fairfield Showground comprising earthworks and vegetation removal, construction of a three (3) storey grandstand, with a seating capacity of approximately 750 people with associated facilities, an attached LED business identification sign and site landscaping works on land at Lot 11 DP 1101430, Nos. 430 – 482 Smithfield Road, Prairiewood be approved subject to the conditions set out at Attachment 1.**

## **ATTACHMENTS**

1. Draft Notice of Determination
2. Architectural Plans
3. FLEP 2013 Compliance Table
4. FCDCP 2013 Compliance Table