

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

SUBJECT:

Proposal: Results of Public Exhibition of the Planning Proposal for 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281)
Premises: 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281)
Applicant: Rhodes Haskew and Associates
Principals - Gary Rhodes and David Haskew
Zoning: Zone 2(a) Residential A (Fairfield LEP 1994)

FILE NUMBER: 10/03476

PREVIOUS ITEMS: Item 176 - Outcomes Committee Meeting - 8 November 2011
Item 120 - Outcomes Committee Meeting - 10 July 2012

REPORT BY: Julio Assuncao, Land Use Planner

RECOMMENDATION:

That:

1. The Planning Proposal as publicly exhibited (**Attachment E**) be adopted subject to the amendments that provide a more accurate assessment of the distance of the subject site to strategic bus corridors as outlined in the report.
 2. The draft Site Specific Development Control Plan as publicly exhibited (**Attachment F**) be adopted subject to amendments to provisions dealing with Traffic, Bicycle storage/parking and Public Art as outlined in the report.
 3. The draft amendment to the Fairfield City Wide Development Control Plan 2006 (**Attachment G**) that seeks to include a reference to the Wetherill Park Market Town Site Specific Development Control Plan be adopted.
 4. The amendment to the Fairfield City Wide Development Control Plan (**Attachment G**) is reflected in Councils draft Amendment to the draft Fairfield City Wide Development Control Plan 2012 that is being considered separately in this business paper.
 5. The amended Planning Proposal be submitted to the Department of Planning and Infrastructure for finalisation and Gazettal.
 6. A further report be prepared for Council to consider the merits of providing on street car parking along Rossetti Street (indented onto the subject site) to support the provisions of the draft Site Specific Development Control Plan that facilitate an active commercial frontage along Rossetti Street.
-

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

7. The applicant and submission authors are advised of Council's decision.

Note: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

SUPPORTING DOCUMENTS

AT-A	Landowner, Applicant and Submission Authors details - Distributed Separately	16 Pages
AT-B	Summary of Progression of the proposal	2 Pages
AT-C	Table - Summary of Public Submissions	21 Pages
AT-D	Public Submission Letters	13 Pages
AT-E	Planning Proposal - 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281) - Distributed Separately	154 Pages
AT-F	Draft Site Specific Development Control Plan - Wetherill Park Market Town - Distributed Separately	32 Pages
AT-G	Draft Amendment to Fairfield City Wide Development Control Plan - Distributed Separately	14 Pages
AT-H	Copy - Gateway Determination	4 Pages

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

Council at its Outcomes Committee meeting of 8 November 2011 resolved to prepare and submit a Planning Proposal to the Department of Planning and Infrastructure to rezone 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281) to a mixed use zoning that permits commercial and higher density residential development.

At this meeting, Council also endorsed the associated draft Site Specific Development Control Plan (SSDCP) to be publicly exhibited with the Planning Proposal subject to the requirements of the Gateway Determination issued by NSW Department of Planning and Infrastructure (DP&I).

In accordance with the conditions of the Gateway Determination issued by the DP&I and resolutions of Council, the proposal was placed on public exhibition for a minimum of 28 days between 1 August 2012 and 29 August 2012.

This report considers the results of the public exhibition of the Planning Proposal and the associated draft SSDCP.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

During the public exhibition period, a total 10 submissions were received, one of which was a petition containing 193 signatures.

It has been determined by Council Officers that the issues concerning the technical aspects of the proposal, identified by the submissions, can be adequately addressed by the provisions contained in the associated draft SSDCP. Therefore Council has sufficient basis, if it chooses, to adopt the Planning Proposal and subsequently submit it to the DP&I for finalisation and gazettal.

Attachment C of this report contains a schedule which summarises the public submissions received and provides officer comments in respect to these issues together with recommendations.

Attachment D of this report comprises the submission letters received during the public exhibition process.

Note: Details of the applicant, owner and submission authors are included as **Attachment A** to this report. This approach has been used to provide Councillors with the required ownership details so that they can determine whether they have any conflict of interest but still protect the privacy of the property owners.

BACKGROUND

The site was the subject of a previous rezoning application that was lodged with Council in 2003. However this application was not finalised due in part to the following reasons:

- Issues with the applicant not providing Council Officers with the required information to progress the matter.
- The applicant requesting changes to the submitted proposal to omit and then include a supermarket and then the inclusion of a high density residential component.
- Changes to sections of the Environmental Planning and Assessment Act 1979 that deal with the rezoning of land.

Given the above issues, Council at its 7 December 2010 meeting resolved not proceed with the 2003 rezoning application. Council advised the applicant that if they wished to proceed they needed to lodge a new application in the form of a Planning Proposal to rezone the site to allow mixed use commercial/residential development. Council also required that any Planning Proposal would need to be accompanied by a SSDCP that includes provisions to ensure the economic and orderly development of the site.

In accordance with the above requirements, in February 2011, the applicant lodged a new planning proposal accompanied by a draft SSDCP to amend the Fairfield Local Environmental Plan 1994 to rezone the subject site from 2(a) Residential A to 3(c) Local Business Centre. A brief timeline outlining the progression of the Planning Proposal is included as **Attachment B**.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

REPORT

Summary of Submission Types

The exhibition process resulted in 10 submissions being received. The table below provides details of the authors of the submissions. Further details of the submissions are contained within **Attachments C and D**.

SUBMISSION CATEGORIES RECEIVED

CATEGORY OF SUBMISSION	NAME	NUMBER OF SUBMISSIONS
Government Authority	Office of Environment and Heritage	1
Residents	Various	8 (1 of the submissions contained a petition with 193 signatures)
Staff	Place Manager – Smithfield/Wetherill Park	1

Discussion of Major Issues Raised

Summary Office of Environment and Heritage Comments

The Gateway Determination issued by the Department of Planning and Infrastructure required consultation with the Office of Environment and Heritage (OEH) prior to public exhibition as well as during public exhibition.

The nature of the OEH consultation was in relation to potential overland flow flooding issues affecting the south east corner of the subject site.

The following is a summary of the comments that were received from the OEH during both phases of consultation:

Flooding Issues

That Council:

- *Consider the flood risk for the full range of floods up to the PMF for existing and post development conditions.*
- *Ensure the proposal complies with its Chapter 11 – Flood Risk Management of the Fairfield City Wide DCP 2006;*
- *Consider a flood emergency response plan to ensure safe refuge times of flood are possible;*
- *Consider the cumulative impacts from potential full development catchment; and*

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

- Consider impact of any potential cut/fill operations on the site.

Aboriginal Cultural Heritage

The proponent needs to satisfy that it meets all of its legislative requirements in relation to Aboriginal Heritage including due diligence on the site of 13-21 Rossetti Street, Wetherill Park.

Planning Comment OEH Submission

Flooding Issues

As part of the original assessment of the proposal, Council Officers identified that any future development of the subject site will need to have regard Chapter 11 – Flood Risk Management of the Fairfield City Wide DCP 2006 as it adjoins land that is identified as affected by overland flow.

Council Officers anticipated that it was sufficient to include provisions in the draft SSDCP to deal with the overland flow issue as part of any future development proposals, however the Gateway determination issued by the DP&I required that a flood study be conducted as part of the rezoning and that Council consult with the OEH in respect to the flooding issues.

In order to satisfy this particular condition of the Gateway Determination, the applicant was requested by Council to conduct a flood analysis to determine the exact level overland flow affectation on the subject site which was subsequently forwarded to the OEH for comment.

The flood analysis identified that the overland flow affectation was isolated to the south east corner of the subject site.

Council is currently in the process of finalising an overland flood study that encompasses the subject site. At the time of writing this report, a peer review was currently being undertaken on Council's overland flood study.

The OEH advised that depending on the timing, Council might be able to compare the results of the two flood studies. The results of the flood studies could be used to help set the footprint of proposed development on the site, as well as for Council to set development controls in line with its City Wide DCP 2006 Chapter 11 and include controls on on-site detention.

To deal with the above issues, the draft Site Specific Development Control Plan (SSDCP) associated with the planning proposal contains the following provisions:

- The draft SSDCP references Chapter 11 – Flood Risk Management of the Fairfield City Wide DCP 2006 which was developed in accordance with the NSW Government's Floodplain Development Manual 2005 (which the OEH has had an integral role in developing).

- Chapter 14 of the draft SSDCP deals with provisions for Drainage and Stormwater Detention which requires that the siting of building elements are clear of any overland flow paths or that any overland flow paths are managed in a such away as to not adversely impact adjoining properties.

The above provisions of the draft SSDCP are considered sufficient to address the requirements of the OEH.

Aboriginal Heritage

The site has been developed as a car park associated with the adjoining centre and Council's records have not identified the site as having any items of Aboriginal Heritage. However, the draft SSDCP references Chapter 3 – Environmental Site Analysis of the Fairfield City Wide DCP 2006 which contains provisions for dealing with matters of heritage significance.

Conclusion OEH submission

It is considered that the matters raised by the OEH are adequately addressed by the provisions included in the draft SSDCP and therefore will not impact on the Planning Proposal being forwarded to the Department of Planning and Infrastructure for finalisation.

Summary Place Management Comments

The following issues were raised by Council's Smithfield and Wetherill Park Place Manager.

Planning Proposal

- *Highlighted the impact and of making sure the detailed traffic modelling analysis requested by Council's Engineers is undertaken and suggest the DCP be amended to ensure that other adjoining streets such as Thompson Street and Shakespeare Street are included in the traffic assessment requested by the DCP.*
- *Raises issues in relation to proposed activated frontage and suggests widening of Rossetti Street to provide additional car parking (indenting onto the subject site)*
- *Questions the planning assessment of distances to the nearest station along the Liverpool to Parramatta Transit Way and Prairiewood Town Centre.*
- *Safety Issues – In walking to the nearest Liverpool to Parramatta Transit Way station located on Walter Street, suggests the closer station being the one located on The Horsley Drive due to better lighting.*

Draft Site Specific DCP

- *Recommends that expanding control 9.2 Vehicle Access and Parking clause f) to include the provision of bicycle parking and storage provisions to be provided*

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

throughout the local centre near pedestrian entrances to retail areas or in the pedestrian through link to Emerson Street Reserve.

- *Advises that control 11.1 Public Art Objectives may need to be reworded as Council installed a public art mural on a large section on the existing podium fronting Emerson Street Reserve.*

Planning Comments in response to Place Management Comments:

Traffic Issues

As the result of the Place Managers comments as well as from resident authored submissions relating to traffic impacts, it is recommended that the draft SSDCP as publicly exhibited be amended so that the requirement for a SIDRA analysis is expanded to assess the level of impact of future development proposals on the operation of adjoining access streets, namely Thompson Street, Shakespeare Street, Mansfield Street and Emerson Street.

In respect to the suggestion of providing car parking along the frontage of the 13-21 Rossetti Street, to be indented on the site, is considered to have merit as it will support the proposed activated commercial frontage provisions required by the draft SSDCP.

The provision of this car parking will be in a parallel configuration with Rossetti Street and which could potentially provide nine (9) car parking spaces. Subject to further analysis, this provision of the draft SSDCP could also be applied to the adjoining centre to guide any possible future redevelopment that may occur on that site.

Council Officers anticipate that further analysis on this aspect of the draft SSDCP should be dealt with as a separate process if Council resolves to adopt the Planning Proposal and draft SSDCP.

Any future amendment to the draft SSDCP will be required to go through the formal amendment process requiring public exhibition to give persons likely to be affected by the amendment the opportunity to comment.

Assessment of distances within the Planning Proposal to strategic transport corridors

It is acknowledged that the distances of the subject site to the nearest station along the Liverpool to Parramatta Transit Way (620 metres) and the proposed Bankstown to Wetherill Park strategic bus corridor (550m) were taken at a straight line and that the distances of approximately 1100m represents a more accurate measurement when using roads and existing pedestrian footpaths.

The planning proposal will be amended to provide a more accurate assessment of the distances to the above locations. The distance of the subject site to the above transport corridors should not be seen as the only justification for the suitability of the site for higher density, in terms of public transport, as the subject site is located within 200 metres of 2 bus routes that operate along The Horsley Drive and 1 bus route that runs along Shakespeare Street. The subject site is also in close proximity to TAFE, shopping centre, open space and within walking distance of employment opportunities in the Smithfield and Wetherill Park industrial areas.

It is also important to note that persons that are able/willing to walk 1100 metres to the nearest Liverpool to Parramatta Transit Way station should be able to cover this distance in approximately 15-20 minutes whilst acknowledging that this is not ideal for the elderly or young families.

The approximate quoted distance of the subject site to Prairiewood Town Centre is for the purposes of providing context. Therefore it is considered that no amendments will be required to this aspect of the planning proposal.

Safety Issues – Route to Walter Street Station on the Liverpool to Parramatta Transit Way

It is acknowledged that Wetherill Park Reserve may not be seen as an option for people seeking to utilise the Walter Street station at night due to safety concerns resulting from the lack of lighting. As mentioned earlier in the report, the distance to Walter Street Station should not be seen as the only justification, in terms of public transport, of the subject site's suitability for higher density due to its close proximity to other public transport options.

The issue of safety of the route in general is not a planning issue that can be addressed in the assessment of this planning proposal.

Suggested Amendments to the draft SSDCP

Control 9.2 Vehicular Access and Parking Control - The submission recommends that the control in relation to bicycle parking should be reworded to clarify that the provision of such facilities be provided near entrances to local areas and or in the pedestrian through link to Emerson Street Reserve. It is considered that the draft SSDCP be amended to reflect the above recommendation.

Control 11.1.a Public Art – It is recommended that this control of the draft SSDCP be amended to reword the control to specify that any future development may need to update or expand the existing public art mural located on the podium wall fronting Rossetti Street.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

Conclusion Place Management Issues:

The issues raised by Council's Place Manager for Smithfield/Wetherill Park can be adequately addressed by the provisions included in the draft SSDCP and by the amendments proposed above.

The suggestion to provide on street car parking on Rossetti Street (indented onto the site) has merit and will be considered as a separate process that may be subject to a future amendment of the draft SSDCP should Council resolve to adopt the Planning Proposal and draft SSDCP.

The Planning Proposal will be amended to provide a more accurate assessment of the distance of the subject site to the nearest station along the Liverpool to Parramatta and the proposed Bankstown to Wetherill Park strategic bus corridor. Subject to these amendments it is considered that the matters raised by Council's Place Manager have been adequately addressed and therefore will not impact on the Planning Proposal being forwarded to the Department of Planning and Infrastructure for finalisation.

Summary of Public Submissions

In accordance with the Consultation Strategy adopted by Council at its Outcomes Committee Meeting of 8 November 2011, the proposal was advertised in the local press and properties within 100 metres of the subject site and Emerson Street Reserve. The adjoining centres of Smithfield Town Centre, Fairfield West Town Centre (Hamilton Road) and Prairiewood Stocklands were also notified. The proposal was on exhibition from 1 August 2012 to 28 August 2012.

In total eight (8) submissions were received from residents, one of which included a petition with 193 signatures of surrounding residents. All of the resident authored submissions objected to the proposal.

The issues raised by the submissions can be categorised under the following headings:

- Traffic Impacts
- Availability of Car Parking
- Visual Amenity Impacts
- Proposal is out of Character for the area
- Increase of persons to the area
- Viability of the current centre
- Impact of the proposal on property values
- Safety concerns
- Noise
- Issues not specific to the proposal or not related to planning

Planning Comments in response to Public Submissions:**Traffic Impacts**

The submissions raised concerns in respect to the increase in traffic that may occur if the proposal was fully developed as facilitated by the draft SSDCP. It is important to note that this proposal seeks to establish the framework that will guide future development over the site.

As part of the assessment of the proposal, Council's Senior Traffic Engineer determined that the traffic expected to be generated by future proposal on the site can be adequately managed. However, any future proposal will need to be accompanied by a SIDRA Analysis to determine the impacts of traffic expected to be generated. As mentioned earlier in the report, any future SIDRA Analysis for any development over the site will be expanded to determine the impacts of any proposed development of the site on the operation of adjoining access streets, namely Thompson Street, Shakespeare Street, Mansfield Street and Emerson Street.

The SIDRA analysis will include any traffic management works that may have recently been constructed such as the proposed roundabout at the intersection of Rossetti and Shakespeare Street.

The outcome of a SIDRA analysis will inform the assessment of any future development application that may be lodged for the site so as to ensure any potential traffic impacts are adequately addressed.

Availability of Car Parking

The draft SSDCP contains provisions that require that the car parking requirement for the commercial component as well as the residential component for the subject site be provided on site. The ability of any future proposal in meeting this requirement will determine if the maximum built forms as facilitated by the draft SSDCP can be achieved.

Visual Amenity Impacts

Visual appearance or impact is a highly subjective issue. It's an issue that is raised in proposals that seek to introduce a form of development that currently does not exist in the locality. This is evident in this proposal as it seeks to facilitate mixed use development on the subject site which is in a locality that is predominantly for low density housing.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

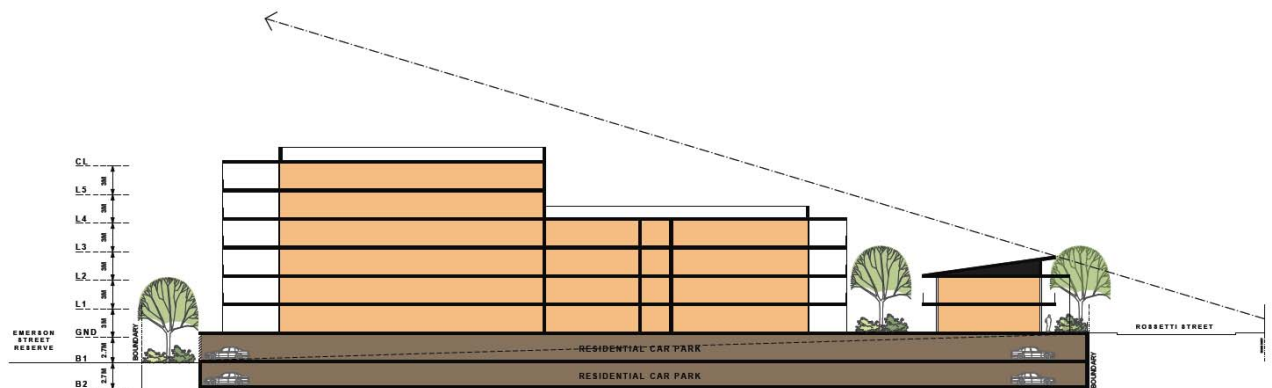
Item Number. 191

Council Officer's acknowledge the concerns from residents about the change in character in respect to the appearance of a potential development that contains 103 units. The proposed rezoning is accompanied by a draft Site Specific Development Control Plan that contains provisions that ensure any future proposal minimises any potential impacts to surrounding residents such as provisions for setbacks, building separation and aesthetics.

The draft SSDCP facilitates a 2-4-6 built form arrangement. The 2-4-6 built forms require that the building element fronting Rossetti Street is limited to 2 storeys (8 metres), in keeping with the maximum storeys of the residential properties located on the western side of Rossetti Street, and that any subsequent built forms are progressively setback up to a maximum of 6 storeys (18 metres) fronting Emerson Street Reserve.

The 2-4-6 built forms are guided by a line of sight projection to ensure that upper levels, above the 2 storey podium level, are obscured from view when viewed from the western side of Rossetti Street. The height above the footpath for the purpose of the height projection is 1.7 metres with a 20 degree plane.

Council Officers have determined that there is sufficient distance, in addition to existing/proposed landscaping, between the residential properties located on Mansfield Street and Emerson Street and the subject site which can adequately ensure that the visual impact resulting from a 2-4-6 built form is minimised. Refer to the following diagram for further details.



The draft SSDCP proposes a deep soil zone along the southern and eastern boundaries of the sites, it is anticipated that these zones would include landscaping that will further lessen the level change that can be observed by those residences. However Council Officers acknowledge that some properties located on Rossetti Street (particular those south west adjacent of the subject site) will still observe some level change. However the level of change is not considered sufficient to warrant not proceeding with the Planning Proposal.

Proposal is out of Character for the area

It is acknowledged that the locality currently consists of low density housing with a maximum height of 9 metres. The provisions of the draft SSDCP include provisions for up to 20 metres for elements of the built form fronting Emerson Street Reserve.

Council has a prepared a draft Residential Development Strategy 2009 (RDS) which seeks to guide the implementation of the residential zones within Fairfield City, the draft RDS is limited to the areas of the city that are located east of the Cumberland Highway, however the principles of the RDS are considered applicable in the assessment of this proposal. The draft RDS adopted a centres and corridors based planning approach as outlined in the Sydney Metropolitan Strategy 2005 which looks at increasing densities surrounding and in local centres as well as near public transport corridors.

In addition to the principles of the draft RDS, the Planning Proposal has also been assessed for consistency against the directions contained in Metropolitan Plan for Sydney 2036 which supersedes the Metropolitan Strategy 2005. On this basis it is envisaged by Council Officers that any future RDS, that may be developed for the parts of Fairfield City west of the Cumberland Highway, will incorporate a similar approach.

In terms of accessibility the subject site is located close to open space, schools, shopping centre, TAFE, churches and employment opportunities located in the Wetherill Park/Smithfield industrial estate.

In addition the subject site does not share any boundary with existing low density residential development. The subject site is bounded by Emerson Street Reserve to the east, the existing Wetherill Park Market Town to the North and a place of worship to the south. The nearest residential properties are located on the western side of Rossetti Street.

It is on this basis the high density component proposed on the subject site was considered to have merit.

Increase of persons to the area

The proposal is consistent with the centres and corridors planning approach as outlined in the Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to the meet the changing demographics of the area in general. Which include an ageing population and increase of single person households.

Viability of the current centre

The issue of additional floor space was analysed in detail as part of the assessment of the proposal. The application originally requested the provision of up to 4000sqm of additional floor space. The applicant was advised that this amount of floor space could not be supported. The applicant subsequently revised the proposal to provide an additional 1500sqm of retail floor space. A peer review of the applicant's Economic Impact Assessment was also undertaken which concluded that an additional 1500sqm of retail floor space could be supported on the site and it was on this basis that Council supported this component of the proposal.

Impact of the proposal on property values

Property values are not a matter for consideration in the assessment of this planning proposal however such concerns are noted.

It is important to note that the existing 3(c) zoning that is applicable to the Wetherill Park Market Town Shopping Centre site permits shop top housing to be developed under the Fairfield Local Environmental Plan 1994. This proposal is seeking the same 3(c) zoning as applicable to the adjoining centre.

At the present time, if a development application was to be lodged for the redevelopment of the existing Wetherill Park Market Town shopping centre the assessment would be based entirely on merit as there are currently no development controls applicable in relation to height and floor space ratio.

The purpose of the draft SSDCP attached to this Planning Proposal is to provide a clear indication to the community of what may be built on the subject site.

Safety concerns

Council Officers acknowledge that there has been anti social behaviour occurring in the locality. Some of it being attributed to persons frequenting the centre after hours and persons that use the Council skate park located within Emerson Street Reserve.

In October 2009, Council commissioned Community Safety Audit report in order to identify and address the issues that plagued the centre and the immediate locality. The audit was undertaken using Crime Prevention Through Environmental Design (CPTED) principles.

Although anti social behaviour cannot be predicted, the proposal is accompanied by a draft Site Specific Development Plan (SSDCP) that includes provisions requiring that any future Development Application that may be lodged to develop the site be accompanied by a CPTED Assessment.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

It can be argued that the residential component of any proposed development would increase passive surveillance overlooking Emerson Street Reserve and the general surrounds.

Noise

Concerns in respect to noise generation have been raised in the submissions. The draft SSDCP requires that any proposed development on the subject site be accompanied by an Acoustic – Noise and Vibration Assessment to ensure that any future proposal addresses any potential noise impacts.

Issues not specific to the proposal or not related to planning

Some of the issues raised in the submissions were either not related to the particular proposal or not relevant to planning issues. A brief list of these issues is listed below:

- Quality of tenants on the adjoining centre
- Noise generated from the existing place of worship located near the subject site
- Timing of the public exhibition period close to local government elections
- Technical detail of the exhibition material
- Types of tenants that will live in any future proposal
- Increase of unemployment in the area
- Suitability of apartment living for future generations
- Issues associated with heavy vehicle traffic on The Horsley Drive

Conclusion Public Submissions:

It is acknowledged that the proposal caused angst amongst some members of the local community as it is proposing to facilitate a built form that is not consistent with the existing character of the locality. It is considered by Council Officers that the draft SSDCP includes provisions that can adequately deal with the technical aspects raised in the submissions and therefore will not impact on the Planning Proposal being forwarded to the Department of Planning and Infrastructure for finalisation and gazettal.

Some of the issues raised in the submissions cannot be dealt with as part of the planning process as they are either not planning related or deal with other issues not related to this proposal but have been detailed in **Attachment C**.

GATEWAY DETERMINATION PROCESS

The Gateway Determination (**Attachment H**) permitted the draft LEP Amendment to proceed to public exhibition subject to a number of conditions which have now all been met.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

The gateway determination has provided Council until February 2013 to finalise this proposal and is therefore still on target should Council resolve to adopt the proposal following on from public exhibition.

OPTIONS AVAILABLE TO COUNCIL

The following are some options available to Council when considering this matter:

- a. Reject the Planning Proposal as the result of issues raised in the submissions. This option is not recommended as Council Officers have determined that the issues dealing with the technical aspects of the proposal can be adequately addressed by the provisions of the draft SSDCP. This option will not resolve the issues with the current zoning of the subject site which does not reflect its current use as a car park associated with the adjoining Local Centre and is considered to be poor economic use of land.
- b. Adopt the Planning Proposal subject to the draft Site Specific Development Control Plan being amended to remove the residential component therefore limiting any development on the site to 1500 sqm of retail floor space and car parking associated with the centre. Although this option facilitates the development of 1500 sqm of retail floorspace and formalises the zoning of the site it is considered that it does not represent the best economic use of land and does not address the Metropolitan Strategy for Sydney 2036 objectives which promote increased housing density near existing centres and therefore is not recommended.
- c. Adopt the Planning Proposal subject to the draft Site Specific Development Control Plan being amended to reduce the scale of the residential development, therefore limiting the amount of residential units that can be accommodated on the subject site. It is the opinion of Council Officers that the provisions contained within the draft SSDCP can adequately address the impact of the proposed built forms that may be developed on the subject site to not warrant a reduced built form.
- d. Adopt the Planning Proposal as publicly exhibited incorporating 1500sqm of retail floorspace with the associated draft Site Specific Development Control Plan which makes provisions to facilitate up to 103 residential units on the subject site subject to the amendments outlined in the report. The proposal is accompanied by a SSDCP that contains provisions that ensure the orderly development of the site and is consistent with the principles of the draft Fairfield RDS 2009 and the directions of the Metropolitan Plan for Sydney 2036 which take a centres and corridors based approach that identify areas within and surrounding existing centres for higher density residential development. It is this option that is recommended by Council Officers as it represents the best economic use of land.

OUTCOMES COMMITTEE

Meeting Date 13 November 2012

Item Number. 191

CONCLUSION

Council Officers have determined that the issues raised in the submissions can be adequately addressed by the provisions included in the draft SSDCP. It is acknowledged that the proposal seeks to introduce built forms in an area that is characterised by low density forms of housing. However the proposal is consistent with the principles and directions outline in the draft Fairfield RDS 2009 and the directions contained in the Metropolitan Plan for Sydney 2036 which identify areas near local centres and public transport as areas where additional density can be accommodated. It is on this basis that the proposal has merit and it is recommended that Council adopt the Planning Proposal and draft SSDCP (subject to the amendments in this report) to be submitted to the DP&I for finalisation and gazettal.

The report also outlines the potential for the provision of car parking along Rossetti Street (to be indented onto the site) to support the activated commercial frontage provisions contained in the draft SSDCP. It is recommended that this issue be considered as a separate process.

Julio Assuncao
Land Use Planner

Authorisation:
Manager Strategic Land Use Planning
Executive Manager Environmental Standards

Outcomes Committee - 13 November 2012

File Name: **OUT131112_10.DOC**

***** END OF ITEM 191 *****

Attachment A

**Place Holder for Attachment A –
Landowner, applicant and
submission author details**

**Distributed separately to
Councillors**

Attachment B

Chronology of progression of Planning Proposal

- February 2011- Planning Proposal submitted to rezone subject site for commercial residential purposes
- April 2011 - The applicant submitted supporting economic advice justifying an increase of up to 4000sqm of commercial floor space.
- June 2011 - Council Officer's advised the applicant that a case had not been made justifying the increase in floor space as well as raising concerns in respect to the amount of traffic likely to be generated from 4000sqm of commercial floor space.
- September 2011 - A report was prepared for the consideration of Council that recommended a Planning Proposal be prepared that sought to rezone the subject site to part 2(b) High Density Residential and part 3(c) Local Centre to formalise a part of the existing centre that was located on land zoned for residential purposes. This report concluded that the site had merit for a higher form of residential development but the applicant had not put forward a compelling case for an increase in commercial floorspace.
- September 2011 - After issues identified in the applicant's ability to justify 4000sqm of commercial floor space, the applicant advised Council that the proposal would be amended to seek 1500sqm of commercial floor space instead of 4000sqm.
- September 2011 - A supplementary report was prepared for the consideration of Council in which recommended that the 1500sqm of additional commercial floorspace sought by the applicant be subject to a peer reviewed.
- October 2011 - A peer review was undertaken by Council's economic consultant who concluded that the 1500sqm adequately satisfied the five relevant evaluation criteria outlined in Council's Commercial Centres/Activities Policy 2006.
- November 2011- Council considered a report and endorsed that a Planning Proposal be prepared and submitted to the DP&I to rezone the subject site from 2(a) Residential A to 3(c) Local Business Centre under the Fairfield Local Environmental Plan 1994 and that upon receiving authorisation from the DP&I that the Planning Proposal be publicly exhibited concurrently with the associated draft SSDCP.
- February 2012 - The DP&I issued a Gateway Determination with conditions requiring amongst other matters a flood study to determine any affectations over the site in addition to urban design advice in respect to the relationship of future building elements interface with Emerson Street Reserve.
- April 2012 - The applicant submitted a flood study in accordance with the conditions of the gateway determination issued by the DP&I.

Attachment B

- May 2012 - A meeting between Council officers and the applicant's urban designer was convened to discuss an amendment to the draft SSDCP in order to comply with the requirements of the Gateway Determination in respect to an urban design treatment of the interface of the site and Emerson Street reserve.
- July 2012 – The amendments to the draft SSDCP to provide a better interface between the subject site and Emerson Street Reserve meant that the existing driveway along the eastern boundary could no longer be utilised. The applicant advised that significant modification was required to the existing bowling alley which would compromise the viability of that use.
- July 2012 – Council at its July 2012 Outcomes Committee meeting endorsed an amendment to the draft SSDCP. The amendment was in regards to the eastern driveway no longer being utilised as the result of a redesign of the built forms stemming from the urban design advice.
- July 2012 – Concurrence was received from the Office of Environment and Heritage for public exhibition to occur (as the result of a condition of the Gateway Determination)
- August 2012 – Public Exhibition of the Planning Proposal and draft Site Specific DCP (1 August 2012 – 29 August 2012).

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
(Resident 1 including petition with 193 signatures from surrounding residents)	Objects to the Proposal Increased traffic volumes negatively impact the safety within the vicinity of the proposal. The existing area has attracted a high volume of young families due to the close vicinity of William Simpson Primary School, our communities safety should be a priority. We are currently disadvantaged by a higher than average traffic volume due to the Welherill Park Market Town Shopping Centre and the Seven Day Adventist Church.	Objection Noted It is noted that traffic in the area is a concern. The proposal is accompanied by a draft Site Specific Development Control Plan (SSDCP) includes provisions that any future Development Application needs to be accompanied by Traffic and Parking Impact Report. The relevant section is reproduced below: <i>Traffic and Parking Impact Report including:</i> A Sdra (Signalised and Unsignalised Intersection Design and Research Aid) Analysis to assess the impact of the proposed development on the operation of Rossett Street and at the intersection of Rossett Street/Horsley Drive. <i>The study shall be undertaken for existing conditions and for post developed conditions, to ascertain the level of service on the operation of Rossett Street and at the intersection of Rossett Street/Horsley Drive.</i> <i>Information related to the layout of the proposed car parking areas, type of vehicle proposed to service the development and provision of truck sweep path diagram.</i> As part of the rezoning proposal, Council's Traffic Section have determined that the traffic expected to be generated from any future proposal can be adequately managed, subject to further details at the Development Application stage.	Objection to the proposal has been noted in the report. Council Officer's consider that there are sufficient provisions within the draft Site Specific Development Control Plan to address traffic concerns that may arise as the result of future development proposals. The draft Site Specific Development Control Plan will be amended to ensure that any traffic studies take into account peak traffic impacts from other access roads and land uses surrounding the subject site.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	The current plan to build 103 residential units is not beneficial to the existing community. Due to the high level of working young families, a site that may be an advantage to the current culture, such as a long day care, should be considered.	The concern in relation to the proposal facilitating development of 103 units is noted. The intent of this proposal is to provide a framework in which to facilitate future orderly development on the site and is not a plan to build 103 units. Such a proposal would be the subject of a future development application. It is important to note that a future development application will need to comply with all the provisions included in the draft Site Specific Development Control Plan, such as car parking, building setbacks etc. The proposed rezoning of the site will not impact on the use of the site for land uses such as childcare centres etc. Council can only provide the framework that permits uses such as childcare centres etc. Whether such a use is developed on the site is a matter for the land owner. It is acknowledged that the Wetherill Park locality does not currently permit the development of any form of High Density Residential. The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Objection Noted

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Rossett Street currently experiences a high level of noise and disturbances due to the Weihenil Park Market Town shopping Centre and the Seven Day Adventist Church. The decision to continue with the rezoning plan will significantly increase this current issue. A chaotic living environment will be promoted which will negatively affect residents lifestyle, stress levels and over all wellbeing.	It is acknowledged that the intensification of land has the potential to introduce noise impacts and as a result the draft Site Specific Development Control Plan includes provisions requiring an Acoustic – Noise and vibration assessment to be submitted with any Development Application for the development of land. This will ensure that any development will be required to address any issues arising from noise. Noise issues associated with the existing Seven Day Adventist Church are not relevant to the assessment of this proposal. If specific issues complaints are made they can be investigated by Council's Enforcement Team. Visual appearance or impact is a highly subjective issue. It's an issue that is raised in proposals that seek to introduce a form of development that currently does not exist in the locality. This is evident in this proposal as it seeks to facilitate mixed use development on the subject site which is in a locality that is predominantly for low density housing. Council Officer's acknowledge the concerns from residents about the change resulting from the potential development that contains 103 units. The proposed rezoning is accompanied by a draft Site Specific Development Control Plan that contains provisions that ensure any future proposal minimises any potential impacts to surrounding residents such as provisions for setbacks, building separation and aesthetics.	The issue raised in the submission is not relevant to this planning proposal, therefore will not form part of the consideration in the assessment of this proposal.
Resident 2	- Has been living in the current residence located on Emerson Street and has seen the centre adjoining the subject site deteriorate. - Adding another commercial property and residences will not add substantial value to the existing shopping centre as it will be adding more problems to the existing issues of the current centre. - Since the Commonwealth Bank Branch left the centre, there has been a high turnover of tenants. - The high turnover of tenants and closures has	These issues that are raised in the submission are not specifically relating to planning proposal but are noted. Council acknowledges that there has been anti social behaviour occurring in the locality. Some of it being attributed to persons frequenting the centre after hours and persons that use the Council skate park located within Emerson Street Reserve. In October 2009, Council commissioned Community Safety Audit report in order to identify and address the issues that plagued the centre and the immediate locality. The audit was undertaken using Crime Prevention Through Environmental	No Change recommended as there are provisions contained within the draft SSDCP that can adequately deal with the planning issues raised in the submission. The other issues that have been raised in the submission do not

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	resulted in reduced pedestrian traffic which contributes to antisocial behaviour. - The centre has struggled to attract high quality tenants - The centre should be updated to reflect current trends, whilst acknowledging that some improvements have been made. - The landlord needs to spend more money updating the existing centre prior to attract good quality tenants.	Design (CPTED) principles. The subject proposal is accompanied by a draft Site Specific Development Plan (SSDCP) that includes provisions requiring that any future Development Application that may be lodged to develop the site be accompanied by a CPTED Assessment (subject to the rezoning proposal being supported). The objectives of the relevant section of the draft SSDCP are reproduced below: - To ensure that new development contributes to a safe urban environment for users of the site, adjoining and surrounding landowners and the wider community. - To ensure that new development contributes to the creation of a physical environment that encourages a sense of safety for its users. - To reduce the opportunity for crime to occur within and around the subject site. - To ensure that new development is consistent with principals of Crime Prevention through Environmental Design (CPTED)	deal with planning issues and therefore cannot be addressed as part of the assessment of this proposal.

Attachment C

Attachment C – Summary of Public Submissions

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	- Concerned about the vacancy rates of any additional commercial floorspace.	The issue of additional floor space was analysed in detail as part of the assessment of the proposal. The application originally requested the provision of up to 4000sqm of additional floor space. The applicant was advised that this amount of floor space could not be supported. The applicant subsequently revised the proposal to provide an additional 1500sqm of retail floor space. A peer review of the applicant's Economic Impact Assessment was also undertaken which concluded that an additional 1500sqm of retail floor space could be supported on the site and it was on this basis that Council supported the commercial component of the proposal.	No change recommended as the proposed additional 1500sqm of retail floor space is supported by Council's Economic consultant
	- The rear access laneway is currently underutilised, this area should be maximised as outdoor seating for restaurants with an outlook onto Emerson Street Reserve.	The built form of the existing centre is not the subject of this proposal; however, it is acknowledged that the current laneway that runs along the western boundary of the existing centre is underutilised as it does not provide an active frontage to Emerson Street Reserve. The rear access laneway is currently used as a loading dock for those premises that back onto it.	No change recommended as although the issues raised in the submission have merit, they are not subject to the assessment of this application.
	- The area is quite sought after by young families as it is near a school, TAFE and parks nearby.	The proposal initially proposed to utilise this access laneway as an additional driveway for any development on the subject site. However the applicant advised that this proposal would have required modification to the existing structure which would affect the viability of the existing bowling alley operation. As a result the use of this access way is no longer proposed and therefore the proposal does not restrict any future proposals to provide an active frontage to Emerson Street Reserve subject to suitable loading arrangements being provided to these premises.	Points raised in the submission have been noted.
	It is the opinion of Council Officers that the points raised in the submission can also be applied to the suitability of the site for increased densities.		

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	- Suggests that the area should remain 2(a) Residential or alternatively build small duplexes which would be a better option as it will boost extra business for the centre.	The site had previously had an approval to build up 28 Units in the form of medium density development. This approval was never commenced, instead the site was developed as a car park associated with the existing centre which reflects the current development on the site. In addition, this type of development will also increase dwelling mix in the locality, while potentially providing more housing choice for to deal with the anticipated change of demographics generally. Accordingly, if the height of the residential buildings in this centre is limited to one or two storeys, it will potentially 'sterilise' the centre from future higher density if it is identified by the second stage of the Fairfield RDS. In planning terms the current 2(a) Residential A zoning (under the Fairfield Local Environmental Plan 1994) is not indicative of the development that is currently on the subject site. A 3(c) Local Centre zone will formalise the uses currently on the site.	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
Resident 3	- Expresses complete opposition to the proposed rezoning of the land adjoining the Wetherill Park Market Town site.	Objection to the proposal is noted.	Objection to the proposal has been noted in the report.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	- Raises concerns about the heights proposed as these can be the subject of future amendments.	The NSW Planning system has provisions that allow planning instruments to be amended. This proposal itself seeks to make an amendment to the existing planning instruments and it is acknowledged that other amendments can be proposed in the future. This is the case for this site and any other sites in the local government area. Although Council cannot comment on future amendments that may or may not occur, it is important to note that the any future amendments such as additional height will need to take into account other factors such as car parking, traffic, visual amenity which may limit any additional height. This proposal seeks to implement a framework that facilitates the orderly development of the site and any development application will need to satisfy all the provisions of the draft Site Specific Development Control Plan which may or may not result in a future proposal being able to achieve the maximum controls specified in the draft Site Specific Development Control Plan.	The issue raised in the submission is not a matter for consideration in the assessment of this proposal.
	- Comments in respect to the timing of this proposal and the local government election.	The timing of the public exhibition of this proposal is not a planning matter and does not inform the assessment of the proposal.	The issue raised in the submission is not a planning matter for consideration in the assessment of this proposal.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Wetherill Park is a beautiful area of Sydney that does not need to be ruined by high rise buildings.	It is acknowledged that the Wetherill Park locality does not currently permit the development of any form of High Density Residential. The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
Resident 4	Raises concerns about the traffic to be generated from the proposal as there is already heavy traffic on The Horsley Drive and Rossett Street.	Concerns relating to traffic are noted. Refer to Council Officer comments responding to traffic concerns raised by Resident 1. The issues with Heavy Vehicle Traffic utilising the Horsley Drive since the imposition of weight limit as the result of the downgrading of this section of The Horsley Drive to a regional road are noted but it is not a matter for consideration in the assessment of this proposal.	Council Officer's consider that there are sufficient provisions within the draft Site Specific Development Control Plan to address traffic concerns that may arise as the result of future development proposals. The draft Site Specific Development Control Plan will be amended to ensure that any traffic studies take into account peak traffic impacts from

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	The amount of parking required to accommodate 103 residential units, especially on street parking.	The draft Site Specific Development Control Plan includes provisions that require that all the required car parking for the residential and commercial component be provided on site. The draft SSDCP also includes a provision that requires that any car parking provision that is contained on the subject site that is associated with the existing centre must be retained in any redevelopment of the subject site. The ability of any proposal achieving the built forms facilitated by the draft SSDCP will be impacted by the ability of any future proposal achieving those provisions dealing with car parking. Concerns in respect to property values are noted although property values are not a planning matter that can be taken into consideration as part of this planning proposal. It is important to note that the existing 3(c) zoning that is applicable to the Wetherill Park Market Town Shopping Centre site permits shop top housing to be developed under the Fairfield Local Environmental Plan 1994. This proposal is seeking the same 3(c) zoning as applicable to the adjoining centre. At the present time, if a development application was to be lodged for the redevelopment of the existing Wetherill Park Market Town shopping centre the assessment would be	other access roads and land uses surrounding the subject site. Issues relating to Heavy Vehicle Traffic are an enforcement issue of road rules and not a planning matter that can be considered in the assessment of this proposal. No Change recommended as the car parking provisions contained within the draft SSDCP can adequately deal with the issues raised in the submission.
	What kind of effect such a proposal will have on land values.	Concerns in respect to property values are noted although property values are not a planning matter that can be taken into consideration as part of this planning proposal. It is important to note that the existing 3(c) zoning that is applicable to the Wetherill Park Market Town Shopping Centre site permits shop top housing to be developed under the Fairfield Local Environmental Plan 1994. This proposal is seeking the same 3(c) zoning as applicable to the adjoining centre. At the present time, if a development application was to be lodged for the redevelopment of the existing Wetherill Park Market Town shopping centre the assessment would be	The issue raised in the submission is not a planning matter for consideration in the assessment of this proposal.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	The area is for low density housing and has been for the last 25 years.	based entirely on merit as there are currently no development controls applicable in relation to height and floor space ratio. The purpose of the draft SSDCP attached to this Planning Proposal is to provide a clear indication to the community of what may be built on the subject site. The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
Resident 5	Expresses strong opposition to the proposal specifically to the proposal making provisions for up to 103 residential units.	Objection to the proposal is noted.	Objection to the proposal has been noted in the report.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Such a proposal would increase the traffic and noise of an already Rossett Street. This will add to traffic already generated by school buses transporting children to the bowling alley which in addition to the activities of the Seven Day Adventist Hall makes exiting driveways fronting Rossett Street difficult.	Concerns in respect to traffic are noted. Refer to Council Officer comments responding to traffic concerns and noise concerns raised by Resident 1.	Council Officer's consider that there are sufficient provisions within the draft Site Specific Development Control Plan to address traffic concerns that may arise as the result of future development proposals.
			The draft Site Specific Development Control Plan will be amended to ensure that any traffic studies take into account peak traffic impacts from other access roads and land uses surrounding the subject site.
			The issue in relation to noise raised in the submission is not relevant to this planning proposal, therefore will not form part of the consideration in the assessment of this proposal.
	Building units in the area will significantly increase the amount of people living in the area, creating a ghetto like environment to the small community.	There is no evidence that the proposal will create a ghetto like environment. Many areas have high density development without the creation of ghettos.	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft
		The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan	

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
		for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 %of new housing within walking catchment of centres	Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
Resident 6	- Strongly against the proposal. - Owns two properties in close proximity to the subject site and may consider selling both houses as a result of the proposal. - Reasons for the objection are: ▪ the area is not currently zoned for this type of building. ▪ size and nature of the development ▪ negative impact on the area ▪ noise pollution ▪ traffic congestion	Objection to the proposal is noted.	Objection to the proposal has been noted in the report.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Units should be located in areas where they already exist.	The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
	Uncertainty in respect to the types of persons that will be living in the units	This concern is noted, although the issue of future tenants of any development future development of the site is not a planning matter that can be taken into consideration as part of this planning proposal.	The issue raised in the submission is not a planning matter for consideration in the assessment of this proposal.
	- Size and nature of the development - the area is not currently zoned for this type of building.	This issue is addressed in the body of the report	Refer to Council report.
	Raises concerns on how the proposal may affect the area, specifically as the area is home to young families and elderly residents.	It is considered that the planning proposal facilitates the provision of a diverse housing mix in the locality that is able to meet the changing demographics in the area which may benefit the elderly and young families which has the potential to benefit the elderly and young families.	Concerns have been noted.
	The proposal would put additional strain on existing facilities.	The proposal provides the framework in which the subject site can be developed for higher density residential. Any future proposals to develop the subject site for the high density residential will be required to pay the relevant developer contribution fees which ultimately fund the provision of services in the locality such as upgrades to community facilities.	Concerns have been noted.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	- The proposals effect on house prices.	Concerns in respect to property values are noted although property values are not a planning matter that can be taken into consideration as part of this planning proposal. Refer to issues raised by Resident 4.	Recommendation The issue raised in the submission is not a planning matter for consideration in the assessment of this proposal.
Resident 7	- Objects to the residential component of the proposal	Objection to the proposal is noted.	Objection to the proposal has been noted in the report.
	- Does not necessarily oppose the expansion of the centre, but feels it is unnecessary given recent developments for example the expansion of Stocklands	The applicant initially requested an increase of 4000sqm of commercial floor space on the subject site. Council advised the applicant that any increase in commercial floor space was required to be justified by an economic impact statement that took into account recent developments in the locality (such as the expansion of stocklands and the commercial development at Hamilton Road, Fairfield West). As the result of the economic analysis and subsequent peer review of the proposal, it was determined that an additional 1500sqm of commercial floor space could be justified for the site. The draft SSDCP has provisions that limit the increase of floor space to 1500sqm.	No change recommended as the proposed additional 1500sqm of retail floor space is supported by Council's Economic consultant

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Development of with a maximum height of 20 metres is out of character for the area.	The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to the meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
	Comments in respect to the stepped built form, specifically in regards to the visibility of buildings from Rossett Street and other surrounding streets.	The provisions contained in the draft SSDCP - 5.2 Building Envelopes Control (f) relating to the height projection from Rossett Street at a 20 degree plane at a height of 1.7 metres and not at the level of the footpath at the western side of Rossett Street.	No Change recommended as the provisions contained within the draft SSDCP can adequately deal with the issues raised in the submission.
	Raises concerns in regards to the appearance of unit blocks	The provisions contained in the draft SSDCP – Aesthetics require that new development to provide a high quality architectural expression to incorporate building facades which define and enhance the public domain.	No Change recommended as the provisions contained within the draft SSDCP can adequately deal with the issues raised in the submission.
	Comments on the proposals reference to the Liverpool to Parramatta Transit Way in respect to walking distances.	It is acknowledged that the distances of the subject site to the nearest station along the Liverpool to Parramatta Transit Way (620 metres) and the proposed Bankstown to Wertheim Park strategic bus corridor (550m) were taken at a straight line and that the distances of approximately 1100m represents a more accurate measurement when using roads and existing pedestrian footpaths.	It is recommended that the planning proposal be amended to reflect a more accurate distance of the subject site to the strategic bus

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
		The planning proposal will be amended to provide a more accurate assessment of the distances to the above locations. The distance of the subject site to the above transport corridors should not be seen as the only justification for the suitability of the site for higher density, in terms of public transport, as the subject site is located within 200 metres of 2 bus routes that operate along The Horsley Drive and 1 bus route that runs along Shakespeare Street. The subject site is also in close proximity to TAFE, shopping centre, open space and within walking distance of employment opportunities in the Smithfield and Wetherill Park industrial areas. It is also important to note that persons that are able/willing to walk 1100 metres to the nearest Liverpool to Parramatta Transit Way station should be able to cover this distance in 15-20 minutes whilst acknowledging that this is not ideal for the elderly or young families. Council's Senior Traffic Engineer utilises the Roads and Traffic Authority Guide for traffic generating developments in order to provide an assessment of the expected traffic generation from any future development that may be facilitated by the draft SSDCP. It is important to note that any future application to develop the site will be required to provide a Siora analysis to determine the level of impact of traffic expected to be generated from the proposal.	
	Comment in respect to the number of vehicle trips appear to be understated.		Council Officers consider that there are sufficient provisions within the draft Site Specific Development Control Plan to address traffic concerns that may arise as the result of future development proposals. The draft Site Specific Development Control Plan will be amended to ensure that any traffic studies take into account peak traffic impacts from other access roads and land uses surrounding the

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Supports the non-utilisation of the additional access point of the Horsley Drive as this may have conflicted with the use of this driveway as a loading zone for the shops that backed onto the driveway. Disagrees with traffic comments and states that peak traffic has increased since the completion of the M7.	The proposal initially proposed to utilise this access laneway as an additional driveway for any development on the subject site. However the applicant advised that this proposal would have required modification to the existing structure which would affect the viability of the existing bowling alley operation. As a result the use of this access way is no longer proposed and therefore the proposal does not restrict any future proposals to provide an active frontage to Emerson Street Reserve subject to suitable loading arrangements being provided to these premises. Comments in respect to the reduction of traffic on the Horsley Drive being attributed to the M7 are in relation to Council Officer's assessment of the applicant's submitted economic impact statement. These figures were based on traffic data from 2002-2008. This discussion was not in relation to traffic expected to be generated from the proposal but in relation to the justification for increased commercial floorspace. The draft SSDCP contains provisions that require that any future application to develop the subject site be accompanied by a SIDRA Analysis that will ensure that the level of traffic impact will be acceptable. The provisions of the draft SSDCP reference the State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings which guides the development of Residential Flat Buildings within NSW. It is important to note that the provision of the code that requires that at least 70% of dwellings to have at least 3 hours of solar access between 9-3pm in mid winter is a minimum that any future development needs to provide and not the maximum.	No change recommended as there will be change to the use of the access laneway as part of this proposal.
	Comments in respect to the solar access. The submission states that at least 30% of the units will not receive any sunshine whatsoever. Whilst others receive maybe up to 3 hours a day and how this may impact on the quality of life of residents.		No Change recommended as the provisions contained within the draft SSDCP can adequately deal with the issues raised in the submission

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Concerned about clothes drying facilities. Specially concerned about the visual impacts of clothes lines. The use of dryers is not in keeping with a green environment and may also be impacted by the introduction of the Carbon Tax.	The provisions of the draft SSDCP reference the State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings which guides the development of Residential Flat Buildings within NSW. The above code requires that balconies are adequately screened to ensure the privacy of the residents and minimise visual impacts on the public domain.	No Change recommended as the provisions contained within the draft SSDCP can adequately deal with the issues raised in the submission
	Comments on the suitability of apartment living.	The issue of the suitability of apartment living is a matter of housing choice and/or affordability. It is not a planning issue that form part of the assessment of this proposal.	Issues relating to the carbon tax are not planning issues that form the assessment of this proposal.
	- It was on the basis of the 2(a) Residential A zoning of the residents purchased their homes. It is unfair that Council can make amendments to the zonings. - Comments on the location of high density buildings and how these should be located near railway stations and only to these areas.	The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Comments in respect to the public exhibition material and suggests that the material should have been simplified as the area is a multicultural area with limited knowledge of planning proposals.	It is acknowledged that the Fairfield contains residents from a variety of different backgrounds and that planning proposals are not in the domain of resident's day to day life. The NSW Legislative Planning is a complex system and in this respect it is important to note that Council Officers were available for contact and discuss the proposal during the exhibition period.	The concerns raised in the submission have been noted.
Resident 8	Objects to the proposal	Objection noted.	Objection to the proposal has been noted in the report
	Objection relating to impacts on the local neighbourhood		
	This would result a significant increase in density in Fossetti Street development density.	The current proposal is in line with the NSW Government's Metropolitan Plan for Sydney 2036. Refer to Council Officer comments responding to issues raised by Resident 3.	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
	This will negatively affect the neighbourhood's Amenity significantly. Amenity impacts on adjacent residential area.	The draft SSDCP contains provisions that seek to minimise the impacts to the amenity of the existing residences in close distance to the subject site such as setbacks, landscaping and aesthetics.	Council Officer's consider that there are sufficient provisions within the draft Site Specific Development Control Plan to address amenity concerns that may arise as the result of future development proposals.

Attachment C – Summary of Public Submissions

Attachment C

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Loss of opportunity to use the area for purposes that would bring greater community benefit.	As mentioned earlier in response to resident 1, the proposed rezoning of the site will not impact on the use of the site for land uses such as childcare centres etc. Council can only provide the framework that permits uses such as childcare centres etc. Whether such a use is developed on the site is a matter for the land owner.	Comment noted.
	We would like to promote and preserve Wetherill park community. There were so many wonderful amenities in Wetherill Park that make an environment pleasant and friendly either indoors or outdoors.	The proposal is consistent with the centres and corridors planning approach as outlined in the NSW Metropolitan Plan for Sydney 2036 which identifies local centres and surrounds as ideal locations for increases in residential density. It is anticipated that the proposal will facilitate the provision of diverse housing types to the locality that is likely to meet the changing demographics of the area in general. Such as an ageing population and increase of single person households. Some of the key elements of the centres approach that are relevant to this proposal are: - Making provisions for the growth and urban renewal of existing centres - Locating 80 % of new housing within walking catchment of centres	Recommend no change as the proposal is consistent with the principles and directions outlined in the draft Fairfield Residential Development Strategy 2009 and the Metropolitan Plan for Sydney 2036.
	Increased traffic volumes in Rossett Street and local streets will impact adversely on the character, safety and amenity of the local residents.	Concerns in respect to traffic have noted. Refer to Council Officer comments responding to traffic concerns and noise concerns raised by Resident 1.	Council Officer's consider that there are sufficient provisions within the draft Site Specific Development Control Plan to address traffic concerns that may arise as the result of future development proposals. The draft Site Specific Development Control Plan will be amended to ensure that any

Attachment C

Attachment C – Summary of Public Submissions

Received From	Comments	Council Officer's Response	Council Officer's Recommendation
	Requirements of additional car parking will place further pressure on existing car park and it adversely impact on the amenity of the local residential area.	The draft Site Specific Development Control Plan includes provisions that require that all the required car parking for the residential and commercial component be provided on site. The draft SSDCP also includes a provision that requires that any car parking provision that is contained on the subject site that is associated with the existing centre must be retained in any redevelopment of the subject site.	Traffic studies take into account peak traffic impacts from other access roads and land uses surrounding the subject site.
	The proposed use and hours of operation will create levels of noise disturbance that will adversely affect the amenity of the local residential area.	It is acknowledged that the intensification of land has the potential to introduce noise impacts and as a result the draft Site Specific Development Control Plan includes provisions requiring an Acoustic – Noise and Vibration assessment to be submitted with any Development Application for the development of land. This will ensure that any development will be required to address any issues arising from noise.	No Change recommended as the provisions contained within the draft SSDCP can adequately deal with the issues raised in the submission

Attachment D


 ROSSETTI STREET
 WETHERILL PARK NSW 2164
 TEL: 02 96096967

ATT: MR JULIO ASSUNCAO
LAND USE PLANNER

FAIRFIELD CITY COUNCIL ADMIN CTR
 FAIRFIELD CITY COUNCIL
 PO BOX 21
 FAIRFIELD NSW 1860

FAIRFIELD CITY COUNCIL

10th August 2012

29 AUG 2012

Re: Quoting Ref No: 10/03476

TO:	Mr. Assuncao
FILE:	10/03476
DOC ID:	
CRM:	
SCAN DATE:	

Dear Mr Assuncao

We are writing in objection to the Planning Proposal to amend the Fairfield Local Environmental Plan 1994 to rezone 13-21 (Lot 5DP 714281) Rossetti Street, Wetherill Park 2(a) Residential A to 3(c) Local Business Centre.

We believe that the local community will be disadvantaged if the proposed site was to be developed. The following points should be taken into consideration:

- Increased traffic volumes negatively impact the safety within the vicinity. The existing area has attracted a high volume of young families due to the close vicinity of William Simpson Primary School, our communities safety should be a priority. We are currently disadvantaged by a higher than average traffic volume due to the Wetherill Park Market Town Shopping Centre and the Seven Day Adventist Church.
- The current plan to build 103 residential units is not beneficial to the existing community. Due to the high level of working young families, a site that may be an advantage to the current culture, such as a long day care, should be considered.

Attachment D

- Rossetti Street currently experiences a high level of noise and disturbances due to the Wetherill Park Market Town Shopping Centre and the Seven Day Adventist Church. The decision to continue with the rezoning plan will significantly increase this current issue. A chaotic living environment will be promoted which will negatively affect resident's lifestyle, stress levels and over all wellbeing.

- From a visual point of view, the current proposal will do little to enhance the areas appearance in a constructive way. Each opportunity should be taken to ensure our local suburbs are developed to promote a cultivated environment that can be enjoyed by all residents.

We advocate that the above points are taken into consideration and the Planning Proposal to amend the Fairfield Local Environment Plan 1994 to rezone 13-21 (Lot 5DP 714281) Rossetti Street, Wetherill Park 2(a) Residential A to 3(c) Local Business Centre is reviewed. The current plan is a great disadvantage to the current residents of Wetherill Park.

Kind Regards

& family.

Page 1 of 1

Attachment D

15-21 Rossett St
Wetherill Park.
Mail Mail - Reference No: 10/03476

From: [REDACTED] <[REDACTED]@fairfieldcity.nsw.gov.au>
 To: <mail@fairfieldcity.nsw.gov.au>
 Date: 9/08/2012 6:34 PM
 Subject: Reference No: 10/03476

FAIRFIELD CITY COUNCIL

13 AUG 2012

TO:	C. Rossetto
FILE:	10/03476
DOC ID:	
CRM:	
SCAN DATE:	

To whom it may concern,

I would like to make reference to the above and also of my telephone conversation with Mr Julio Assuncao of the 9th instant.

I would like to raise a few issues regarding this particular proposal.

I live in Emerson St and have been for 15 Years and a couple of years before that in Plato Place, Wetherill Park. Over the many years, I have seen the centre close to this property in question deteriorate. I am assuming the same owner owns this land. Adding another Commercial property & residences above will not add substantial value to the shopping centre, on the contrary, it will actually be adding more problems to the existing issues he has with this centre. In the last 17 years, the minute CBA left these premises, the turnover of the tenants leasing these properties have been herendous. The centre is so quite, hence, the slow trade and closures. Recently, there was a daylight burglary at the Jewellers by 2 men dressed up in black Batakias, breaking the shopfront glass, whereby my husband was a witness to, which has sent shivers through my spine. Getting good quality tenants have been a major problem for this Landlord.

The centre needs to be updated to go with the current trend of buildings. Minor alterations have been made, but nothing too dramatic. He is not maximising its potential as a centre as it is in a Prime area overlooking the park there. The Laneway at the back is a waste of space. This laneway can be used for outdoor seating for several restaurants. They added the extra bit out the back so he could rent it out to Vinnies. The minute a Vinnies Store is occupying premises, the quality of the clients coming in has a lot to say about the Target Market this owner is targeting. I am afraid that if he gets this approved, we will see in the new building shops for lease from a street front view. At least, when it is inside the premises, no one really can see. This is actually not a good look for both the Centre and to the neighbouring neighbourhoods. For some unknown reason it also attracts Graffiti by young people when the shops are not leased. We should all do much more to assist our area and to boost its quality as a suburb. It is actually a very well sought after area for quite a lot of growing young families, with the school, Tafe & parks nearby. The landlord is well aware of this & yet he chooses not to update, hence attracting tenants that are looking to try out a business venture.

This landlord needs to spend money to update the centre before he can add to it. Only then, he will attract good quality tenants. The area should remain 2 (a) Residential or even to build stylish small duplexes would be a better option for this Landlord and it will also boost extra business for the centre.

Kind Regards,

[REDACTED]
 Emerson St, Wetherill Park

This e-mail has been scanned for viruses by MCT's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mcl.com>

file://C:\Documents and Settings\achau\Local Settings\Temp\XPgrpwise\502402B4F... 10/08/2012

Page 1 of 1

Attachment D

Mayor

Mail Mail - Ref. No. 10/03476

From: [REDACTED]
To: "mailto:fairfieldcity.nsw.gov.au" <mailto:fairfieldcity.nsw.gov.au>
Date: 20/08/2012 8:48 PM
Subject: Ref. No. 10/03476

Dear Councillors,

I would like to express my complete opposition to the draft plan for changes relating to Wetherill Park Market Town Site. This plan is paramount to attempting to stuff up the Wetherill Park area the same as council has done to the Fairfield CBD. It is easy to say 'so high' now but you know as well as I do that you will change the plan to suit yourself and any developer that seeks an amendment to existing laws. Wetherill Park is a beautiful area of Sydney that does not need to be ruined by high rise buildings. I suppose any decision on this matter will be made after the next local elections. Surprise surprise. There will be no carbon tax in the government that I lead!!!!

Yours

[REDACTED]
Ainsworth Cres
Wetherill Park 2164

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

FAIRFIELD CITY COUNCIL

22 AUG 2012

TO: Mayor
FILE: 10/03476
DOC NO: _____
CRM: _____
SCAN DATE: _____

file://C:\Documents and Settings\achau\Local Settings\Temp\XPgrpwise\5032A286F... 21/08/2012

Attachment D

23 August 2012

MR:

Julio Assencio

We are writing in response

FAIRFIELD CITY COUNCIL

of a letter sent to us on the 3 of August 2012 30 AUG 2012

Reference N° 10/03976

In the letter said is it a proposal to change

the zoning from 2(c) Residential to 3(c)

at the address 13-21 Russetti Street

We are concerned about:

the traffic that will occur in the street at the moment
is very heavy in Russetti and the Hensley Dr.the parking space in the street, right now there is limited
the congregation of people in the proposed building
of 103 Residential unitsWe want to know what kind of affect this proposal
will have in the price of the houses, because
this is a place where the owners of the
houses are living in here for more the 25 years
and when we bought our house this was a place
for house only, not for units

Sincerely

23 AUG 5/2012

 THE Hensley Dr Wetherill Park

Page 1 of 1

Attachment D

Mail Mail - Reference No.10/03476

FAIRFIELD CITY COUNCIL

21 AUG 2012

From: [REDACTED] <[REDACTED]@fairfieldcity.nsw.gov.au>
 To: <mail@fairfieldcity.nsw.gov.au>
 Date: 20/08/2012 11:44 AM
 Subject: Reference No.10/03476

TO:	J. Rossetti
FILE:	10/03476
DOC ID:	
CRM:	
SCAN DATE:	

To Mr Julio Assuncao

Dear Sir:

Thank you for the letter of advice on the proposal to amend The Fairfield Local Environmental Plan 1994 to rezone the 13-21 Rossetti Street Wetherill Park. Reference No. 10/03476. We would like to express our strong opposition to the building of 103 residential units. We do believe they will create more noise and they will increase traffic to a very busy street. Every day school buses delivering school children to the bowling and parking in the street together with activities in the Seven Day Adventist Hall are making getting in and out of driveways very difficult. We also believe the building of those units will have a significant increase in the amount of people living in the area, creating a ghetto like environment to our small community.

Your sincerely: [REDACTED]

Rossetti, Street

Wetherill Park, NSW 2164.

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

file://C:\Documents and Settings\achau\Local Settings\Temp\XPgrpwise\50322309FC... 20/08/2012

(16/08/2012) Mail Mail - Ref No. 10/03476

Page 1

Attachment D

From: [REDACTED]
To: <mail@fairfieldcity.nsw.gov.au>
CC: <mail@fairfieldcity.nsw.gov.au>
Date: 16/08/2012 1:37 PM
Subject: Ref.No. 10/03476
Attachments: proposal.docx

I am enclosing a letter in relation to a Fairfield City proposal

FAIRFIELD CITY COUNCIL

17 AUG 2012

Thank you .

TO:	R. Colonna
FILE:	10/03476
DOC ID:	
CRM:	
SCAN DATE:	

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

Attachment D

This letter is in relation to:

SUBJECT:

Issue: Amendment to Draft Site Specific Development Control Plan -- Wetherill Park

Market Town

Premises: Lot 5 DP 714281 known as 13 – 21 Rossetti Street, Wetherill Park

Applicant: Rhodes Haskew and Associates

Principals: Gary Rhodes and David Haskew

Owner: Ross Trimboli

Zoning: Zone 2(a) Residential A (Fairfield Local Environmental Plan 1994)

FILE NUMBER: 10/03476

I am strongly against the above proposal. I am not the only one. All the neighbours I have spoken to are also against the proposal. I have 2 properties in very close proximity to the proposed development. I live in one and lease out the other. The going ahead of the proposal would strongly make me consider selling both houses and move to a quieter area after living in this area for 23 years.

My reasons for objection are:

This area is not at the moment zoned for this type of building.

Size and nature of the development

Negative impact on the local area

Noise pollution

Traffic congestion

This many units with the added mass of people would add more congestion to a small area and impact on the use of the local facilities e.g. police, doctors and the hospital. There would also be more noise congestion. Also what about the extra traffic congestion. This is not a busy CBD where we need to squeeze in a lot of people in a small area. We do not need this in a nice quiet suburban area. There is already enough congestion in this area. If these people want to build a block of units why don't they go where other units already exist. Wetherill park is a family friendly area. There are also a lot of older people in the streets close to the proposed units. These people at the moment have a nice quiet street to live in but with the proposal that would change. They are used to going for walks in the evenings and also a lot of them haven't got cars and walk to the shops during the day. Just up the street there is also a public school. So there are a lot of young kids in the area so the

Attachment D

extra traffic congestion would make it dangerous for them. This is a family area and one doesn't know what kind of people are going to move into the proposed units. This is not only one or two people moving into a dwelling but hundreds. I think there would be more fear in the elderly and children with so many people moving in. The elderly and the young would be more reluctant to go for walk in the evening. I know I would be more worried for the safety of my grandchildren as I take care of them.

The proposal would make a huge negative impact on the whole community in all areas. The facilities and services in the area are already stretched to the limits.

The extra influx of people would also make the unemployment rate jump up in the area.

There would be a huge negative impact on the area in realestate. House values would go down. Nobody wants to buy a house next to a block of units.

I sincerely hope that the council takes it into their consideration that people in Wetherill park didn't sign up for this. We do not want the units built here as it would make a bad impact on the local community. If the land is to be used, it should be used for the benefit of the whole community and not for the benefit of a few.

Attachment D

 The Horsley Drive,
 WETHERILL PARK NSW 2164
 27th August, 2012

Town Clerk,
 Fairfield City Council,
 P.O. Box 21,
 FAIRFIELD NSW 1860

FAIRFIELD CITY COUNCIL

31 AUG 2012

TO:	J. Assuncao
FILE:	10/03476
DOC ID:	
CRM:	
SCAN DATE:	31/8/12

Dear Sir,

Re: Rezoning of 13-21 Rossetti Street, Wetherill Park
 Your Reference - 10/03476
 Attention Julio Assuncao

We refer to your letter dated 3rd August, 2012 and wish to advise we object strenuously to the proposed plans to rezone the above property to 3(c) Local Business Centre. Our objection is not necessarily to the increased Local Business Space, although we feel this unnecessary due to the number of shopping centres going up everywhere and the expanding of Stocklands but more particularly to the High Density even if it is set at 20 meters in height. **Such development is well out of character to the area and consequently it would cause a major impact on the residential people of Wetherill Park.**

It is stated in the Development Application that if the units were stepped back 2 levels then four and finally 5 & six levels this would cause minimal impact on the residents living in Rossetti Street but how can this be the case when your proposal stems from 0 degrees from the footpath. The residents don't crawl along the footpath for goodness sakes; they live in homes, which I might add are on the high side of the Street and when looking out of their windows they have to be impacted by the height of the Units. Also, those residents surrounding Emerson Street Park will no longer be blessed with green space but more to the point they will see an unsightly six story unit block. Show us a Unit block that looks good whether it be three stories high or six stories high. The huge problem with units is they are outdated before they are even built and consequently become unsightly very quickly.

The distance from the T way and from Stocklands was taken into account as though it was walking distance but we guess a Counsellor has not attempted to walk to either from the land in question and then back home again. Having attempted it we have found it to be a long arduous walk and one that would not be attempted by most residents in the area. Consequently, the number of vehicular trips as stated in the proposal appear to be very understated. Even if the proposed residents were to utilize the T way it is extremely overcrowded already during peak period.

We are pleased at least commonsense prevailed with regard to traffic entering and exiting The Horsley Drive using the laneway. Thank goodness for the Bowling Alley. It was stated traffic has decreased on the Drive since the opening of the M7 but we wonder just where this information came from. Peak traffic is as heavy as ever and even more so since the completion of the M7. Utilizing this driveway would have been very dangerous especially as it is also used by trucks as a drop off point for those shops backing onto the laneway.

It is stated at least 30 per cent of the units will not receive any sunshine whatsoever, with others receiving maybe up to three hours a day. It has been proved this is not healthy for the occupants.

Attachment D

Sunshine is a very important factor of life. People who reside in cold, mould induced buildings who are not able to take in any form of sunshine to their homes are usually sickly depressed people. We understood this was a factor that was supposed to be taken into account when building all new developments so why should some people be deprived just so 206 plus people can reside in a small area merely to assist with Gateway. So wrong!

Where do people dry their washing? Is there going to be clothes lines somewhere in the middle of the shopping centre, or do we have units that will be portraying all their washing on their balconies? This is so very shabby. If they are supposed to be using dryers then it completely goes against the green environment we are supposed to be creating, particularly with the introduction of the Carbon Tax.

Crime in Wetherill Park is not a big thing. We all reside in a house with a backyard for our children to play in. Even with medium density this is the case. It has been proved so many times parents will not let their children out to play in parks unless they are there to supervise them and consequently with our busy lives many children living in units are shut away from the pleasures of playing outside. We all grew up with backyards yet Councils and Governments seem so intent to exclude all our future generations from these happy times just so they can place more people in their areas. The more people in a small area the more discontent and consequently the more crime.

Unless high density is placed near Railway Stations all we are doing is creating more havoc on our roads. Fairfield and Cabramatta are high density towns within the Fairfield Council and we should be restricting high density to only those areas. Residents bought their homes in good faith with the knowledge the land in question was zoned as 2(a) Residential A. It is grossly unfair Council and Bureaucrats can simply change zonings merely to suit themselves to squash more residents into a small area. Greed I think the word is. It would be very interesting to know how many Councillors or Bureaucrats would change zonings when they themselves would be affected.

If you do not receive many replies to your letter dated 3 August it is because it is way too time consuming to go through all the jargon you have placed on your website. It should have been simplified particularly as we are a multicultural area with limited knowledge of planning proposals. KEEP WETHERILL PARK AS IT IS. WE DO NOT WANT HIGH DENSITY. IT IS JUST GREED, GREED, GREED!

Yours faithfully,

[REDACTED]

[REDACTED]

Attachment D

23 August 2012

[REDACTED]
Rossetti Street
Wetherill Park 2164

Email address: [REDACTED] au

Mr. Julio Assuncao

Land Use Planner

Fairfield City Council Administration Center
Fairfield City Council,
PO Box 21, Fairfield NSW 1860

9 August 2012

FAIRFIELD CITY COUNCIL

27 AUG 2012

TO:	J. Assuncao
FILE:	10/03476
DCC ID:	
CRM:	
SCAN DATE:	28/8/12

Re: Quoting Reference No: 10/03476Letter of Objection

Dear Mr. Julio Assuncao

We are writing to object to the zoning amendment and draft Plan of Subdivision application.
To rezone 13-21 (Lot 5 DP 714281) Rossetti Street, Wetherill Park from 2(a) Residential A to 3(c)

By allowing Wetherill Park Market Town Shopping Centre a mix use of Retail (shops) and residential flat building components (apartments) provisions for up to 103 residential units on the subject site.

1. Objection relating to direct impacts on local neighbourhood:

- Amenity and character impacts on adjacent residential neighbourhoods in Rossetti Street and adjoining street by virtue traffic, car parking, noise and disturbance to residential.
- This would result a significant increase in density in Rossetti Street development density.
- This will negatively affect the neighbourhood's Amenity significantly.
- Amenity impacts on adjacent residential area.
- Loss of opportunity to use the area for purposes that would bring greater community benefit.
- We would like to promote and preserve Wetherill park community.
- There were so many wonderful amenities in Wetherill Park that make an environment pleasant and friendly either indoors or outdoors.

2. Traffic:

- Increased traffic volumes in Rossetti Street and local streets will impact adversely on the character, safety and amenity of the local residential.

Attachment D

3. Car parking:

- Requirements of additional car parking will place further pressure on existing car park and it adversely impact on the amenity of the local residential area.
- 4. Noise, disturbance and hours of operation
 - The proposed use and hours of operation will create levels of noise disturbance that will adversely affect the amenity of the local residential area.

We feel Planning Proposal to amend the Fairfield Local Environmental Plan 1994
To rezone 13-21 (Lot 5 DP 714281) Rossetti Street, Wetherill Park from 2(a) Residential A to 3(c)
It may not be in the best interest of the residents of Wetherill Park.

We strongly urge you to oppose this application and we look forward to the decision that will respect the harmony, and traditional development and architecture in our neighbourhood.

Sincerely,

Concerned Wetherill Park Residents

Family

Attachment E

**Place Holder for Attachment E -
Planning Proposal to rezone 13-21
Rossetti Street, Wetherill Park for
business purposes**

Distributed Separately

(154 Pages)

Attachment F

**Place Holder for Attachment F –
draft Site Specific Development
Control Plan**

Distributed Separately

(32 Pages)

Attachment G

**Place Holder for Attachment G –
draft Amendment to the Fairfield
City Wide Development Control Plan**

Distributed Separately

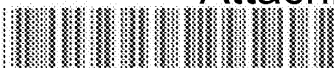
(14 Pages)

Attachment H

D. C.



Planning & Infrastructure



q8184808
12/02452

Department Generated Correspondence (Y)

Contact: Claire Mimm
Phone: (02) 9573 8567
Fax: (02) 9573 8513
Email: Claire.Mimm@planning.nsw.gov.au
Postal: Locked Bag 5020, Parramatta NSW 2124

FAIRFIELD CITY COUNCIL

Mr Alan Young
General Manager
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

10 FEB 2012

TO:	D. C.
FILE:	12/02452
DOC ID:	
CRM:	
SCAN DATE:	

Our ref: PP_2011_FAIRF_004_00 (11/14866)
Your ref: 10/03475

Dear Mr Young,

Re: Planning proposal to amend the Fairfield Local Environmental Plan 1994 to rezone land at 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281), from 2(a) Residential A to 3(c) Local Business Centre.

I am writing in response to your Council's letter dated 6 December 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Fairfield Local Environmental Plan 1994 to rezone land at 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281), from 2(a) Residential A to 3(c) Local Business Centre. The proposed rezoning will facilitate the expansion of the adjoining 'Wetherill Park Market Town' shopping centre by an additional 1500 square metres of commercial floor space, and high density residential development on the subject site.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

It is noted that Council has resolved to place its draft Standard Instrument LEP on exhibition. Consequently, Council is to proceed with this planning proposal as an amendment to the existing Fairfield LEP 1994 and its draft principal SI LEP. Council is to prepare and exhibit all material indicating how the planning proposal would amend both instruments.

The subject site adjoins an area of public open space. Council is to provide urban design advice which addresses the interface of the site with the adjoining open space. In particular the urban design advice is to demonstrate how any overshadowing of the open space will be minimised, eg avoiding a continuous blank façade along the boundary with the open space. The urban design advice should be included in the site specific Development Control Plan (DCP) which has been prepared for the site. The DCP should be placed on public exhibition with the planning proposal.

The planning proposal incorrectly references Section 117 Direction 7.1 Implementation of the Metropolitan Strategy. Council is to update the planning proposal to better reflect the provisions of this Direction and to undertake a more comprehensive assessment of the proposal's consistency with Section 117 Direction 7.1 and the Metropolitan Strategy.

In relation to Section 117 Direction 4.3 Flood Prone Land, it is noted that the subject site adjoins flood affected land. Council is therefore to prepare a flood study for the subject site in accordance with the provisions of the Direction and in doing so, consult with the Office of Environment and Heritage prior to the exhibition of this planning proposal.

Bridge Street Office: 23-33 Bridge Street, Sydney NSW 2000
Telephone: (02) 9228 8111

GPO Box 39 Sydney NSW 2001
Facsimile: (02) 9228 6455

DX 22 Sydney
Website: www.planning.nsw.gov.au

Attachment H

Page 2

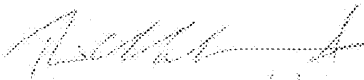
The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Direction 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Claire Mirow of the Regional Office of the Department on 02 9573 8597.

Yours sincerely,



6/2/12
Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Attachment H



Planning &
Infrastructure

Gateway Determination

Planning Proposal (Department Ref: PP_2011_FAIRF_004_00): to amend the Fairfield Local Environmental Plan 1994 to rezone land at 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281), from 2(a) Residential A to 3(c) Local Business Centre.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Fairfield Local Environmental Plan 1994 to rezone land at 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281), from 2(a) Residential A to 3(c) Local Business Centre should proceed subject to the following conditions:

1. It is noted that Council has resolved to place its draft Standard Instrument LEP on exhibition. Consequently, Council is to proceed with this planning proposal as an amendment to the existing Fairfield LEP 1994 and its draft principal SI LEP. Council is to prepare and exhibit all relevant material (including FSR, height of building, and minimum lot size maps) indicating how the planning proposal would amend both instruments.
2. Council is to prepare a flood study for the subject site in accordance with the provisions of Section 117 Direction 4.3 Flood Prone Land and in doing so, consult with the Office of Environment and Heritage prior to the exhibition of this planning proposal.
3. Council is to update the planning proposal to provide a more comprehensive assessment of the proposal's consistency with the Metropolitan Plan for Sydney 2036 in accordance with Section 117 Direction 7.1 Implementation of the Metropolitan Strategy.
4. Council is to provide urban design advice which considers the interface between the subject site and the adjoining area of open space. The advice is to demonstrate how any potential overshadowing will be addressed and how the building interface between the two sites will be addressed. This advice should be incorporated into a revised site specific Development Control Plan (DCP) for the site. The DCP should be placed on exhibition with the planning proposal.
5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs* (Department of Planning 2009).
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

FAIRFIELD PP_2011_FAIRF_004_00 (11/14896)

Attachment H

Planning &
Infrastructure

7. A public hearing is not required to be held into the matter by any person or body under section 58(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
8. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 6th day of February 2012.

A handwritten signature in black ink, appearing to read 'Tom Gellibrand'.

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure

FAIRFIELD PP_2011_FAIRF_004_00 (1/14886)