

MINUTES OF THE SYDNEY WEST JOINT PLANNING PANEL MEETING HELD AT FAIRFIELD CITY COUNCIL ON TUESDAY, 11 DECEMBER 2012 AT 11.00PM

PANEL PRESENT

Mary-Lynne Taylor
Bruce McDonald
Paul Mitchell
Clr Rhonda Tyne
Clr Ninos Koshaba

Chairperson
Panel Member
Panel Member
Panel Member
Panel Member

COUNCIL STAFF IN ATTENDANCE

George Vlamis
Sunnee Cullen
Nelson Mu
Mark Stephenson

Manager, Development Planning
Coordinator, Development Planning
Senior Development Planner
Senior Development Planner

1. The meeting commenced at 11:00 am.

2. **Declarations of Interest** – nil

3. **Business Item**

ITEM 1 – JRPP 2012SYW082 – Fairfield City Council DA 533.1/2011 – Alterations and additions to Stockland Wetherill Park Shopping Centre comprising an additional 5,664sq.m of GLFA and three levels of parking, 561-583 Polding Street, Wetherill Park

4. **Public Submissions** – nil

5. **The Panel's Decision**

The Panel resolves unanimously to accept the recommendation of the planning assessment report to approve the application, for the reasons contained in the report and subject to minor amendments to conditions.

The amended conditions are attached to the minutes.

6. **Business Item**

ITEM 2 - 2012SYW076 – Fairfield - MA 166.2/2010 - Section 96(2) application to modify an approved 4/6 storey high mixed-use development

containing 140 residential units, medical centre and offices, Lot 10, DP 1061484, No. 368 Hamilton Road and Lots 1-3, DP 1083074, No. 80-84 Tasman Parade, Fairfield West

7. Public Submissions –

Robert Fewster and Darko Hizar addressed the panel on behalf of the applicant.

8. The Panel's Decision

The Panel unanimously refuses this application for modification of a previous consent as the Panel agrees with the assessment in Council's report that the proposal is outside the scope of s96 of the Environmental Planning and Assessment Act 1979 in that approval of these changes would mean that the development would not be substantially the same as previously approved. The changes now sought to be undone were changes made to ensure a consent was achieved previously and the Panel agrees that they are crucial to this development. The Panel also agrees with the report's additional reasons for refusal, namely the unsatisfactory impact on traffic and parking by the potential use of dual key apartments and the lack of demonstration that the non-compliance with the Fairfield City Wide DCP 2006 will not have an unsatisfactory impact. The present proposal is unsatisfactory in relation to residential amenity for incoming residents. The scale of the proposal is incompatible with the existing residential development in the vicinity of this site.

In conclusion, the Panel unanimously refused the application for the reasoning in the Council assessment report namely:

- i. The provisions of Section 96(2) of the Environmental Planning and Assessment Act, 1979 do not apply to the modified development in that the proposed modifications render the development not substantially the same development as originally approved due to the number of dual key apartments proposed.
- ii. The development will have an unacceptable traffic and parking impact due to the number of dual key apartments proposed and the impact of which, in terms of traffic and car parking, have not been considered.
- iii. The proposed development, as amended, does not comply with the required number of car parking spaces as stipulated in Fairfield City Wide Development Control Plan 2006.
- iv. The development provides reduced amenity for residents due to overlooking between units.
- v. The proposed development would result in adverse visual impacts upon the amenity of surrounding properties.
- vi. The external appearance of the development is of a reduced quality due to the removal of various building articulations, and height and bulk increases have not been adequately justified.

- vii. The additional units proposed are considered to be excessive given the context and nature of the site and represent an over-development of the site.
- viii. Approval of the application is not considered to be in the public interest.

The meeting concluded at 1.40 pm

Endorsed by

A handwritten signature in black ink, appearing to read 'Mary-Lynne Taylor', written in a cursive style.

Mary-Lynne Taylor
Chair
Sydney West Joint Regional Planning Panel
Date: 21 December 2012