

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Fairfield City Council** on **Wednesday 2 December 2015 at 1.00 pm**

Panel Members: Paul Mitchell (Acting Chair), Lindsay Fletcher, Bob McCotter, Ninos Khoshaba and Eber Butron

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW161 – Fairfield City Council, DA/687.1/2014, Demolition of existing structures and the construction of an 8-12 storeys mixed use development consisting of 4 multi-storey buildings containing 290 residential apartments and 1413m² of commercial/retail floor space above 3 levels of basement car park and associated landscaping, Lot 101, DP 717004, Lots 3 & 4, DP 524149, No. 48 Court Road and 356-358 The Horsley Drive, Fairfield.

Date of determination: 2 December 2015

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:



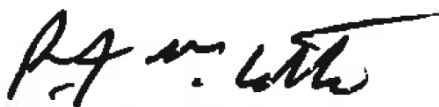
The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposal is compatible with the objectives of the B4 – Mixed use zone in Fairfield Local Environmental Plan 2013
2. The proposal generally complies with the key urban design controls – height and FSR – and will be compatible with the scale of development planned for the locality under Fairfield LEP 2013.
3. The Panel noted the inconclusive nature of statements relating to land contamination given on p 19 of the Council's assessment report, that the site was suitable for "commercial uses" whereas retail, commercial and residential uses are proposed. The Panel sought further information and a supplementary report was provided by the applicant and assessed by Council's officers. As a result the Panel is satisfied that the site is/or can be made suitable for the proposed uses.
4. The site is located within the Fairfield town centre and is suited to the proposed uses. Furthermore the proposal will have no significant adverse impacts on the natural or built environment.
5. The Panel notes concerns raised in submissions about potential loss of privacy and that the proposed buildings do not meet the separation requirements given in FDCP 2013. Notwithstanding the Panel is satisfied that an appropriate level of privacy will be provided particularly as the building separation provisions given in the RFDC are satisfied.
6. The proposal will add to the stock of housing in the locality and will increase the availability of retail and commercial facilities. Given this, and the absence of any significant adverse impacts, it will serve the public interest.

Decision: The development application was unanimously approved.

Panel members:

 Paul Mitchell (Acting Chair)	 Lindsay Fletcher	 Bob McCotter
Eber Butron	Ninos Khoshaba	

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SCHEDULE 1

1	JRPP Reference – 2014SYW161, LGA – Fairfield City Council, DA/687.1/2014
2	Proposed development: Demolition of existing structures and the construction of an 8-12 storeys mixed use development consisting of 4 multi-storey buildings containing 290 residential apartments and 1413m2 of commercial/retail floor space above 3 levels of basement car park and associated landscaping.
3	Street address: Lot 101, DP 717004, Lots 3 & 4, DP 524149, No. 48 Court Road and 356-358 The Horsley Drive, Fairfield.
4	Applicant/Owner: Applicant: Owners:
5	Type of Regional development:
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ Fairfield Local Environmental Plan 1994 ◦ State Environmental Planning Policy No. 55 – Remediation of Land ◦ State Environmental Planning Policy (Infrastructure) 2007 ◦ State Environmental Planning Policy No. 64 – Advertising and Signage ◦ Employment Lands Strategy 2008 ◦ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Fairfield City Wide Development Control Plan 2013 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report with recommended conditions of consent and supporting documents as attached in the report. Supplementary site contamination report provided by the applicant and assessment report by Council both dated 2 December 2015. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Mr Simon Hanson • Mr Adam Burns • Mr Thomas Copping
8	Meetings and site inspections by the panel: 2 December 2015 - Site Inspection and Final Briefing Meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report