

17 February 2015

Job Ref: MPC 1/68

Mr Karl Berzins
Consultant Planner
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

Dear Mr Berzins,

**RE: MOUNT PRITCHARD COMMUNITY CLUB DEVELOPMENT APPLICATION FOR EXTENSIONS AND REFURBISHMENTS TO THE MOUNT PRITCHARD COMMUNITY CLUB LOCATED AT 101 MEADOWS ROAD MOUNT PRITCHARD
DEVELOPMENT APPLICATION NO: 714.1/2014**

Thankyou for your correspondence dated 3 February 2015, regarding the above mentioned development application and the briefing meeting held on site with the JRPP on the 28th January 2015.

We note that there were concerns relating to one of the issues discussed with the JRPP which relates to the proposed demolition of the dwelling houses at nos. 9 & 12 Leo Street and No. 10 Cherry Street and the resulting potential impacts on the residential amenity of occupants of houses at 7 & 10 Leo Street and No. 8 Cherry Street.

On behalf of our Client, Mount Pritchard & Districts Community Club (Mounties), we respond as follows:

1. Residential Amenity and Buffer

For many years, the Club has approached Council for various proposals and expansions to the Club building and facilities. Accordingly, to facilitate this growth, the club has been actively purchasing land parcels located in the nearby and adjoining streets with the intention of using this land to expand the facilities. This was typically done by Clubs in all areas to ensure their ongoing futures

and growth potential. This was concurrent with the then Fairfield 1994 LEP where Clubs were permissible under the 2(a) Residential zone.

In 2011, as part of the state's LEP reform to standardise building codes amongst all local authorities, a new Draft Fairfield LEP 2011 was proposed which re-zoned the Club's site to RE2 – Private Recreation. This zone is suitable for the existing Mounties Club which was defined under the draft LEP as 'Recreation Facilities (indoor)'. However the adjoining land was zoned R2 - Low Density Residential – which did not include Clubs/Recreation Facilities (indoor) as permissible uses.

During the extensive exhibition and consultation process for the new LEP, Councils acknowledged the acquisitions made by clubs of surrounding parcels of land and determined that any parcels that the Clubs had acquired which were immediately adjoining their own boundaries would also be zoned RE2 – Private Recreation, enabling the Club's to expand and use this land for Club purposes.

During the exhibition period of the new Draft Fairfield LEP, Mounties also engaged Urbis to act on their behalf and request approval for rezoning of other 'Mounties owned' parcels of land to RE2, which were not adjacent to their boundaries, however, this was refused.

Since this time it has and always has been Council's policy that Club's had a right to assume use of adjoining properties which are zoned RE2 for Club purposes. Properties located at nos. 9 and 12 Leo Street and No 10 Cherry Street are zoned RE2.

In 2005, Council granted consent for a major expansion and extensions to the club which included demolition of the same three houses subject to adequate fencing and landscaping buffer on the boundary to both Leo and Cherry Streets (DA 335/2005). The consent was granted subject to a 1.8m high solid masonry fence with an additional clear 1.2m high extension on top to be built along the adjoining residential boundaries – to provide a barrier totalling 3.0m between the Club and the adjoining residents. This fence was to be constructed 600mm inside the Club's land allowing for additional landscaping on the residential side of the fence.

Item 2 of Amendments as listed in consent DA 335/2005 reads as follows:

The proposed three (3) metre high boundary fence consisting of 1.8 metre high masonry wall with 1.2 metre high clear acrylic panel on top shall be setback a minimum of 600mm from the Club's new Southern boundary.

The area between the new boundary fence and the Club's new boundary shall be landscaped in accordance with the approved landscape plan and the landscaping shall be maintained by the Club on a regular basis in consultation with the adjoining owners.

The application proposes the same approach as conditioned by Council previously in 2005 as required. It is noted that No 10 Leo Street is owned by the Club and won't be requiring this landscaping.

2. Cul de sac arrangement

The club is currently in consultation with Council's property department about the purchase of the 'Eastern' ends of both Leo and Cherry streets. We are of the view that should this purchase proceed, the extended 'ends' will be removed and will therefore eliminate the possibility of anti-social behaviour and remove areas of the roads which are unused or inappropriately accessible by vehicles. The outcome of these negotiations is pending.

Please do not hesitate to contact me directly on my mobile, 0439 490 024 or via email Suzanne.hart@paynterdixon.com.au as may be required.

Yours faithfully

PAYNTER DIXON CONSTRUCTIONS PTY LTD



Suzanne Hart

Design and Business Development Manager