

<b>DATE OF DETERMINATION</b>	Monday 28 May 2018
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Ninos Khoshaba, Frank Carbone
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Fairfield City Council 86 Avoca Road Wakley on 25 May 2018, opened at 12:32pm and closed at 1:40pm.

**MATTER DETERMINED (AS DESCRIBED IN SCHEDULE 1)**

**2017SSW046 – Fairfield – DA422.1/2017** at Part of Lot 12, DP 1143255, No. 14A Shoemaker Place; Lots 230, 231 & 232, DP 262449, No.'s 12 - 14 Laycock Place; Lot 233, DP 262449, No. 2 Palisade Crescent; Lots 234, 253, 254, 255 & 417, DP 262449, No.'s 40, 36, 34, 32 & 42 Newleaf Parade; Lots 236, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 & 251, DP 262449, No.'s 2 & 4 - 17 Shoemaker Place; Lots 256, 257, 258 & 259, No.'s 1 - 4 Shearing Place; Lots 267, 268 & 269, No.'s 6, 4 & 2 Wall Place; Lot 270, DP 262455, No. 12 Tarlington Parade; Lots 273, 274, 275, 276, 277, 278 & 279, DP 262455, No.'s 3 - 9 Stubbs Place; Lots 282, 283, 284 & 285, DP 262455, No.'s 1 - 4 Kain Place; and Lots 280, 281, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295 & 296, DP 262455, No.'s 1 - 2 & 4 - 14 Bean Place, BONNYRIGG

**PANEL CONSIDERATION AND DECISION**

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.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was Unanimous.

**REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

1. The proposed development will advance the Bonnyrigg Living Communities Project, so adding to the supply and choice of housing within the Fairfield local government area and the Sydney Western City District. The proposal will also add to the social diversity of Bonnyrigg.
2. The proposal is generally consistent with planned stages 6a & 7 of the Bonnyrigg Living Communities Project Part 3A Concept Plan Approval and subsequent amendments. While this application does not include the community precinct which is designated as a component of Stage 6a, provision of that facility is assured as the Applicant has committed to provide the constituent elements of the facility in parallel with the construction of Stages 6a and 7. Fairfield Council is agreeable to the alternative delivery arrangement to be employed.
3. The proposal adequately conforms with the Bonnyrigg Master Plan. While some minor amendments to that plan, including garden apartment design, parkland provision and road layout these amendments have been assessed as being acceptable on merit.

4. The proposed development adequately satisfies the relevant State legislation and State Environmental Planning Policies including the Threatened Species Act 1995, the National Parks and Wildlife Act 1974, Sepp55 (Remediation of Land) Sepp 65 Design Quality of Residential Apartment Development and its associated Apartment Design Guide, SEPP 55 -Remediation of Land, and Greater Metropolitan Regional Environmental Plan No2- Georges River Catchment
5. The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the operation of the local road system.
6. The proposed development is considered to be of acceptable form and scale consistent with the planned renewal of the Bonnyrigg public housing estate.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.






## CONDITIONS

Condition 2 was amended following the discussions at the meeting to read:

### Amendments

The following amendments shall be incorporated into the design and approved by the Manager of Development Planning within Fairfield City Council, prior to the issue of a Construction Certificate:

- The dwellings located on lots 6138, 6139, 7113, 7114, 7213 and 7214 shall be redesigned to accommodate 4 metres total length of celestial windows and solar tubes to increase solar access to the rear living areas.
- The dwelling located on Lot 7111 shall be relocated further south to provide a 4.5m front setback to the building line.
- Additional landscaping is to be incorporated into the drawings (potentially through planting or fencing or road works) to reduce light intrusion into the residence at 11 Laycock Place.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Bruce McDonald
 Nicole Gurran	 Ninos Khoshaba
 Frank Carbone	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSW046 – Fairfield – DA422.1/2017
2	PROPOSED DEVELOPMENT	Newleaf Bonnyrigg Renewal Project - Stages 6a & 7 comprising Torrens Title Subdivision (to create 121 Torrens Title Lots, 2 Development lots and 4 residue lots), Construction of 161 dwellings (comprising 75 detached, 46 attached dwellings and 40 garden apartments) and associated road, landscape and public domain works.
3	STREET ADDRESS	Part of Lot 12, DP 1143255, No. 14A Shoemaker Place; Lots 230, 231 & 232, DP 262449, No.'s 12 - 14 Laycock Place; Lot 233, DP 262449, No. 2 Palisade Crescent; Lots 234, 253, 254, 255 & 417, DP 262449, No.'s 40, 36, 34, 32 & 42 Newleaf Parade; Lots 236, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 & 251, DP 262449, No.'s 2 & 4 - 17 Shoemaker Place; Lots 256, 257, 258 & 259, No.'s 1 - 4 Shearing Place; Lots 267, 268 & 269, No.'s 6, 4 & 2 Wall Place; Lot 270, DP 262455, No. 12 Tarlington Parade; Lots 273, 274, 275, 276, 277, 278 & 279, DP 262455, No.'s 3 - 9 Stubbs Place; Lots 282, 283, 284 & 285, DP 262455, No.'s 1 - 4 Kain Place; and Lots 280, 281, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295 & 296, DP 262455, No.'s 1 - 2 & 4 - 14 Bean Place, BONNYRIGG
4	APPLICANT OWNER	Urban Growth NSW C/o Urbis NSW Land and Housing Corporation
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment</li> <li>National Parks and Wildlife Act 1974</li> <li>Fairfield Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: Nil</li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 18 May 2018</li> <li>Written submissions during public exhibition: 1</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Object – Vanmy Phan</li> <li>On behalf of the applicant – Julian Furzer (Architect), Andrew Harvey (Urbis – Planner), Adrianna Malin (Project Manager),</li> </ul> </li> </ul>

		Rosemary Hooper (ass Development Director), Pat Coleman (Development Director).
<b>8</b>	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection and briefing meeting: 30 October 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 28 May 2018, 12:32pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Frank Carbone, Ninos Khoshaba</li> <li>○ <u>Council assessment staff</u>: Liam Hawke, Sunnee Cullen, George Vlamis, Samantha</li> </ul> </li> </ul>
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	Approval
<b>10</b>	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report