

COMMENTS REGARDING AN APPLICATION MADE TO COUNCIL FOR APPROVAL

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In order for Council to accept your submission, you are required to complete the following mandatory fields

I. Proposed development

Application Number : DA167.1/2023

Site address : Broomfield Street and Cabramatta Road East, Cabramatta

Proposal : Cabramatta Town Centre East

II. Your details

Political donations / gifts

Has a person with a financial interest in this application made or will be making a reportable political donation or gift to any local Councillor or employee of this Council within the previous 2 years of making this application or its determination?

☒ NO

☐ YES - the 'Political Donations and Gifts Disclosure Statement' must be completed pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979, which is available from Council's Customer Service Team or downloadable from Council's website.

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Please provide reasons as to why you support or object to Development Application No.: 167.1 / 2023

Firstly, after years of amicable discussions and successful negotiations between ourselves and Moon Investments P/L, it was disappointing to receive notification from Fairfield City Council, by post, that our strata property was not to be included in the redevelopment. No notification has been received from Moon Investments.

Secondly, we would like it to be noted that we are not amongst "A small number of owners have elected not to be included in the redevelopment..." as stated in the documentation provided to FCC (doc1 p2 Statement of Environmental Effects). As a strata title, we did not have support of all owners or 75% to force the sale of the strata building under the Strata Schemes Development Act (doc1 p36), subsequently we were excluded from the redevelopment.

Due to the limited time-frame to view and consider the documentation, we provide the following comments and seek clarification of the following points:

What are the implications of our property becoming an "isolated site" as a result of the proposed redevelopment of adjacent sites? Contrary to doc1 p37 the Karavellas Planning Principles mentioned have not been brought to our attention or discussed, that is "The proponent has followed the Karavellas Planning Principles in make offers and advising of the implications to the future redevelopment potential if not amalgamated into the scheme..." Please clarify p3/ paragraphs 3 to 6. How does this comply with the Planning Principles established by the Land and Environment Court NSW 2005 - Isolation of site by redevelopment of adjacent site(s), Fairfield City Council's Development Control Plan and the applicable Local Environment Plans?

Additional concerns and clarification is required in relation to the following:

Insurance/public indemnity

Impact on current and future tenants during demolition and redevelopment

Contamination - noted that all buildings and structures inspected were of an age indicative of asbestos containing materials, lead paints, hazardous building materials, etc as identified by JK Environments page iii and p5

Noise and vibration

Public road closure (doc1 p51)

Access to our property/construction fencing

Landslip and demolition impacts

Flood modelling p16

Stormwater Management Plan - bypass catchment area p35

Streetscape improvements

Footpath p19 not included


Basement level car parking



To: mail@fairfieldcity.nsw.gov.au
Subject: Comment on application DA - 167.1/2023
Date: Thursday, 20 July 2023 3:55:55 AM

For the attention of the General Manager / Planning Manager / Planning Department

Application DA - 167.1/2023
Address 151 Cabramatta Rde Cabramatta, NSW
Description Construction of a 19 Storey Mixed Use Development (PAN-333433)



Comment

I object to the 3 x 19 story buildings proposed. The streets that surround the proposed buildings (Fisher, Cumberland, Broomfield, Longfield) are full during the day by cars being parked by rail commuters and residents of those streets. During the night, residents in these surrounding streets park cars as the older style flats have small garages where modern day larger cars won't fit. This development will only add to the scarce parking spots in neighbouring streets. Residents of the proposed development will be forced to park in neighbouring streets if they have more than 1 vehicle per unit. This proposed development will cause an increase of traffic in local streets and a parking nightmare. I object to this development.

This comment was submitted via PlanningAlerts, a free service run by the charity [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)

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We specifically confirm that any consent given in any form (including pursuant to your privacy policy) to disclose personal information to third parties is withdrawn.



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i. Proposed development

Application Number : 167.1 / 2023

Site address : 76 Broomfield St.

Proposal :

ii. Your details

Political donations / gifts

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Please provide reasons as to why you support or object to Development Application No.: 167.11 2023

I support the proposed development application as it will increase housing capacity for Cabramatta, increase number of shops and facilities. It will also improve business activities for local area which will ultimately helps with economic growth in cabramatta.

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i. Proposed development

Application Number : 167-1/2023

Site address : 127 Cabramatta Road, Cabramatta, NSW 2166

Proposal : Corner of Cabramatta Rd and Broomfield St NSW 2166

ii. Your details

Political donations / gifts

Has a person with a financial interest in this application made or will be making a reportable political donation or gift to any local Councillor or employee of this Council within the previous 2 years of making this application or its determination?

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Please provide reasons as to why you support or object to Development Application No.: 167-1/2023

I object to the development proposal for the reasons below:

-Traffic congestion: the development will strain existing infrastructures & roads. Increase traffic congestion to cause longer commute times & most importantly inconvenience and reduce quality of life for residents, occupants & customers.

-Noise pollution: the development and construction will create major noise pollution that will greatly affect the surrounding areas. It will definitely disrupt the peace & tranquility of Cabramatta. Occupants may sustain health issues, stress, loss of concentration. Customers will be dissatisfied and they will be deterred to visit our business.

-Over development: this development will alter the cultural & social lifestyle of Cabramatta, diminishing our unique culture & sense of identity. It will lead to social displacement & the loss of community cohesion.

In totality, this development will negatively impact residents quality of life & the efficiency of local business; road safety; physical & mental well-being; air & noise pollution. All these factors being negatively impacted will lead the displacement of long-term residents, occupants, & business in Cabramatta. It will be the erosion of our local culture & identity.

To: [Mail Mail](#)
Subject: Development Application Enquiry: 167.1/2023
Date: Friday, 30 June 2023 4:23:31 PM

Dear Mr Hawke

I'm emailing you in regards to the submission regarding the development site within Cabramatta.

I'm a long standing resident within the Fairfield area and I have family within the Cabramatta area.

I'm 100% totally against this development. Having this site approved will cause ridiculous amounts of traffic to the area causing unnecessary stress to current residents and especially the roads.

After delving deeper into Moon Investments and its directors Jim Castagnet is definitely not to be trusted. My personal opinion Jim actually is a con artist. He tries to get investors on board, works on getting sites DA approved then on-sells these sites to larger developers. They already had this site on the market via Colliers yet the site could not be sold. Feel free to reach out to Colliers Parramatta.

Moon Investments are not about providing affordable housing to the community of Cabramatta or the Fairfield Community. Yet they are money hungry and it's all about profiting from our region!

Jim Castagnet is also a Director of Property Development Workshops. I personally know several persons who have sacrificed their life savings. Jim cannot be trusted and he has burnt people purely ruining lives. Yet with no care factor purely for self gain.

Please consider the above. Reach out if you have any further questions.

Please dont place our community within the hands of such money hungry people who will ruin our community, roads, no care factor of the current residents or the parking availability.

Thank you



To: mail@fairfieldcity.nsw.gov.au
Subject: Representation regarding DA 167.1/2023
Date: Tuesday, 4 July 2023 9:27:51 PM

Dear Mr Hawke,

RE: DA 167.1/2023

I write to lodge a submission regarding DA 167.1/2023 bordering Cabramatta Rd and Broomfield Street in Cabramatta.

I'd like to draw your attention to the following:

1. Density with changes in development plot size

When this site was originally granted a site specific planning proposal it was for a regular shaped plot of land which incorporated multiple amalgamated sites with an area of approximately **12,847m²**. It was granted approval for increased density via an increase in FSR and height. This may well have been appropriate for a site this large. However, it is now my understanding that many of these sites to be amalgamated were on "call options" by the developers. Since the granting of the site specific FSR several of the various sites to be amalgamated have subsequently pulled out of this call option arrangement. It is unclear if this was the vendor or the developer pulling out of these options. This now leaves an irregularly shaped block on only approximately **8113m²** - **a decrease of 36.8%** in area.

Despite this large decrease in available land, the developers have the advantage of the major uplift in density which was previously agreed on when the plot was significantly larger and more regularly shaped than it is now. I wonder if the developers had taken to council a plot of land the current size (~8113m²) and shape, whether they would have achieved the same density uplift as with their original plot size? This seems to be very much a "bait and switch" approach to try and almost deceive council into providing density uplift on what they think is a much larger area only for the developer to then only plan on using 2/3 of the area. Possibly a cost cutting exercise on the part of the developer. This then leaves the remaining ~4734m², which is scattered in smaller plots throughout the original site, isolated and never able to realise their now approved new density. In fact it's unlikely these isolated plots of land that have been removed from the original 12847m² plot will be able to be developed to any great degree by their owners.

2. Size, scale and density

The proposal is for multiple high density residential towers with nearly 360 apartments. This is not in keeping with the surrounding lower density shops and housing which are almost all 2-3 story buildings. Cabramatta has always been a vibrant melting pot of european and asian cultures and this is almost certain to be lost by erecting tall multi-story apartment blocks in a central location

3. Traffic flow and parking

With the smaller and more irregularly shaped plots of land now being proposed for development parking is problematic. Whilst I concede the train station is close by, many residents will have at least one car if not more. There is not enough parking for each apartment to have multiple car parks leaving on street parking the only solution. This will be extremely challenging on either Cabramatta Rd or Broomfield street. Also due to the now irregularly shaped block, exiting or entering traffic into the development will now be

increasingly challenging. I don't support the notion that existing road infrastructure will be adequate to support the traffic generated by 360 apartment residents.

In conclusion, I urge the council to not throw away the established and vibrant cultural history of Cabramatta by approving what ultimately amounts to gross overdevelopment of a relatively small site.

I hope you take these comments into consideration when deciding on this application

Kind Regards



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i. Proposed development

Application Number : DA167.1/2023

Site address : Broomfield Street and Cabramatta Road East, Cabramatta

Proposal : Cabramatta Town Centre East Redevelopment (PAN-333433)

II. Your details

Political donations / gifts

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[REDACTED] which we understand is to become an isolated site, note that no written communication by registered mail has been received from either the Applicant or FCC regarding our Strata becoming an isolated site, the pending building restrictions to be imposed on our property, and the implications thereof.

The only written communication received from FCC being two letters dated 26.06.23 and 29.02.24 to view the development plans/amended plans and a letter of acknowledgment of our submission to FCC dated 11.07.23. We surmised from the first letter that we were not included in the development solely by the fact that our address was not included in the property description. At no time were we contacted by FCC to inform us that the concerns raised in our original Submission 167.1/2023 on 10.07.2023 had been somewhat addressed by GLN until we visited FCC on 13.03.24.

We entered into a Deed of Option and Contract of Sale with the Applicant, which expired on 10.02.22 and consequently was extended for 12 months. An email received from the Applicant on 21.03.23, acknowledged the Call Option had expired and that he hoped to re-negotiate, interdependent on reaching agreement with the owner of Lot 3 of the Strata.

Following viewing of the plans at FCC on 10.07.23, we had verbal discussions with Jim Castagnet (the Applicant) where we indicated that we were liaising with the owner of Lot 3 in the hope of him agreeing to sell as the sale of our property was interdependent on the sale of Lot 3. Subsequently, following lengthy discussions with the owner of Lot 3, we emailed the Applicant on 3.11.23 with an offer to purchase Lot 1 and Lot 3, 145 Cabramatta Road. The Applicant responded by email on the said date informing us that "...we were forced to completely revise our plans...had the result of excluding your and his properties from the development" and that "...we are completely unable to accommodate the offers."

1. NSW Planning Record of Briefing 26.02.24 refers to site isolation... "The Panel Chair reminded Council that at the site inspection the Panel requested that the Council writes to the owners of the excluded lots re the constraints if the sites are not amalgamated" no correspondence to this effect has been received.

2. "The Applicant believes it has provided all necessary required information to the relevant parties and has pointed out the planning restrictions in the offer letter" please clarify to which offer letter this refers. Our previous offer letters/Options were received prior to us becoming an isolated site and having building restrictions placed on our property.

3. We attended FCC on 13.03.24 to view the amended plans as per their letter of notification. During this time, we were verbally informed by FCC that a building restriction of four floors??? would be placed on our property. This restriction is not in line with FCC's planning principles for the area and it not only impacts future development potential but also the value of our property. We believe this is a conflict of interest and will prejudice the future development potential of our Strata.

4. No written communication has been received from the Applicant nor FCC in accordance with Karavellas. We note GLN's response to FCC's Request for Information letter 9.02.24 regarding the Karavellas where GLN states p3 "...the application of Karavellas is therefore irrelevant" yet in another paragraph p5 "Council has failed to acknowledge that the Karavellas planning principle exists..." Furthermore, GLN RFI letter p2 refers to "The client advised at that meeting that all these owners would be sent a final offer based on a valuation prepared subsequent to the rezoning of the site." This has not occurred.

5. Again, we note GLN RFI p4 "...of the 9 submissions downloaded from Council's DA Tracker website, none remotely

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Application Number : 167.1 / 2023

Site address : No's 76 Broomfield st, 84-86 Broomfield st, 139 Cabramatta Rd. E. and 151 Cabramatta Rd. E. Cabramatta

Proposal : Demolition of existing building and staged construction of a mix-use development comprising of 3 buildings up to 19 storeys.

ii. Your details

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- The increase in the number of people will increase the crime rate.
- Cabramatta has had enough shops. We don't need more to be established in the Broomfield Street side.
- It is difficult for parents/cars to find the parkings to drop off and pick up children during school hours.
- It will increase the traffic congestion.
- Curbside parking has been an ongoing issues now. It will cause more serious curbside parking problems when the new building were built.

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i. Proposed development

Application Number :

167.1/2023

Site address :

Lot: 1 DP: 205759, Lot: 7 Sec: E DP: 4420, Lot: 2 DP: 580587, Lots: 5, 6, 7 & 8 DP: 25648
NO 76 Broomfield St. 84-86 Broomfield St. 139 Cabramatta Rd E, 147-149 Cabramatta Road E and 151 Cabramatta Rd E Cabramatta NSW 2166
Proposal: Demolition of existing buildings and staged construction of a mixed-use development comprising of 3 buildings up to 19 floors, basement carparking, new market square, ground level retail, ...

ii. Your details

Political donations / gifts

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- Too many shops in Cabramatta CBD. We need public recreation place in the Broomfield St. Area.
- Insufficient curbside parking has been an ongoing problem. The new DA will bring more parking problem. It will increase the crime rate.
- The increase of vehicles will cause great traffic congestion during school hours and peak hours.

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Application Number : 167.1/2023

Site address : BLOOMFIELD STREET / CABRAMATTA RD EAST / CABRAMATTA

Proposal : CORNER OF CABRAMATTA ROAD AND BLOOMFIELD ST, NSW, 2166

ii. Your details

SCAN DATE:

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Please provide reasons as to why you ~~support~~ object to Development Application No.: 167.1 / 2023

WE OBJECT TO THE PROPOSED DEVELOPMENT FOR THE FOLLOWING REASONS:

- ① LACK OF INFRASTRUCTURE TO SUPPORT PROPOSED RESIDENTIAL DEVELOPMENT - THE HOSPITALS IN THIS REGION (ONLY 2) PRARIEWOOD + LIVERPOOL CANNOT SERVICE THE NEEDS OF THE EXISTING COMMUNITY, LET ALONG NEW DEVELOPMENTS OF THIS HIGH DENSITY ^{POPULATION} / MORE HOSPITALS NEED TO ~~BE~~ ^{BE} BUILT WITH GREATER PATIENT CAPACITY, BEFORE HIGH RISE DEVELOPMENTS ARE BUILT IN CABRAMATTA.
- ② CABRAMATTA IS NOT ^{PARAMATTA /} LIVERPOOL, THAT HAS BEEN INUNDATED WITH HIGHRISE RESIDENTIAL BUILDINGS. THE CHARACTER OF CABRAMATTA WILL BE LOST IF THESE BUILDINGS ARE CONSTRUCTED.
- ③ LACK OF OTHER INFRASTRUCTURE: WATER + SEWAGE TREATMENT FACILITIES / PARKING. MONEY NEEDS TO BE INVESTED IN THESE AREAS BEFORE MORE DWELLINGS ARE CONSTRUCTED.
- ④ DEVELOPMENT OF URBAN HEAT ISLANDS. IT IS WELL DOCUMENTED SCIENTIFIC FACT THAT HIGH RISE BUILDINGS IN URBAN AREAS CREATE URBAN HEAT ISLANDS THAT INCREASE SURFACE TEMPERATURES. WITH 40°C HEAT OF SUMMER THIS CREATES SAFETY ISSUES TO RESIDENTS AND EXACERBATES CLIMATE CHANGE WHICH WE ARE ALWAYS BEING "LECTURED ABOUT". WHY WOULD COUNCIL WANT TO SUPPORT THIS?

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i. Proposed development

Application Number : 167.1/2023

Site address : 76 Broomfield St, 84 Broomfield St, 86 Broomfield St, 139 Cabramatta Rd East, 147-149 Cabramatta Road East and 151 Cabramatta Road East

Proposal : Demolition of existing buildings and staged construction of a mixed use development. (DEVELOPMENT APPLICATION)

ii. Your details

Political donations / gifts

Has a person with a financial interest in this application made or will be making a reportable political donation or gift to any local Councillor or employee of this Council within the previous 2 years of making this application or its determination?

☒ NO

☐ YES - the 'Political Donations and Gifts Disclosure Statement' must be completed pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979, which is available from Council's Customer Service Team or downloadable from Council's website.

If you intend to make a reportable political donation or gift in the period from the lodgement of the application up until determination of the application, a 'Political Donations and Gifts Disclosure Statement' is required to be provided to Council within seven (7) days after the donation or gift is made.

For definitions of the terms 'gift', 'reportable political donation', 'local councillor', 'financial interest' and 'person are associated with each other' refer to the glossary of terms on the 'Political Donations and Gifts Disclosure Statement' available from Council's Customer Service Team or downloadable from Council's website.

Please turn over and provide any comments or objections you may have in relation to this development.

Comments or Objections in relation to this development

NB: Please be advised that Information provided within this section / page (that is., any comments and/or objections) will not be kept confidential and will become open access information under the Government Information (Public Access) Act 2009.
Council may refer to any comments / objections you have provided in discussion with the applicant while negotiating design amendments.
Furthermore, all comments received on page 2 of this form will be published on Council's open access website.

Please provide reasons as to why you support or object to Development Application No.: 167.1, 2023

I firmly object to this development application as the owner of one of the properties affected. My reasons are as follows:

1. Construction will disrupt the neighbourhood's peace and quiet. It will be extremely noisy for all the neighbouring units.
2. The large equipment will worsen the already congested traffic in the area.
3. A new development will cause more traffic congestion and less parking space for residents on the roads and streets.
4. The 19 story development will also block the view from my property and surrounding properties, as well as block the natural light.