

Fairfield Local Planning Panel



MINUTES Closed Briefing Session

DATE OF MEETING: 14 July 2020

TIME: 3.00pm

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PRESENT:

Panel Members:

Hon Carl Scully
Charles Hill
John Travers
Lawrence White

Council Staff:

Chris Shinn
Amanda Seraglio

APOLOGIES

There were no apologies tendered for this meeting.

ADVICE AND STATEMENT OF REASONS

- 26. SUBJECT:** Planning Proposal - Part of 16 Kamira Avenue, Villawood.
CLOSED BRIEFING SESSION
- Premises:** Part of 16 Kamira Avenue, Villawood.
- Applicant:** NSW Land and Housing Corporation
- Owner:** Fairfield City Council
- Zoning:** RE1 Public Recreation to R4 High Density Residential
- File Number:** 20/03083

DECLARATIONS OF INTEREST:

There were no conflicts of interest expressed by Panel Members, however, the Chair indicated that he had previously acted as a consultant to an owner of a small parcel adjoining Kamira Court but had not acted for him for quite some time and has not at any stage had any contact with the owners on this planning proposal or on their wider development.

FLPP ADVICE:

Council is in receipt of a planning proposal for a 430sqm portion of Council owned land at 16 Kamira Avenue, Villawood (part of Lot 31 DP 36718).

The land forms part of Hilwa Park, is currently zoned RE1 Public Recreation and classified as Operational Land.

The Panel notes that the Planning Proposal (**AT-A**), has been submitted on behalf of the NSW Land and Housing Corporation (LAHC) and seeks to:

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- rezone the site from RE1 Public Recreation to R4 High Density Residential;
- amend the height of building map from no development standard to 27 metres;
- amend the floor space ratio map from no development standard to 2.5:1.

The Panel were addressed by representatives of the NSW Land & Housing Corporation.

The Panel further notes that the proposal is consistent with the adopted Villawood Town Centre Urban Design Study (VUDS) and compliments the recently gazetted Villawood Town Centre Planning Proposal, which increased the maximum height of buildings permitted within the centre, up to 12 storeys.

It is understood that it is intended that the land be transferred into LAHC ownership and incorporated into the major Kamira Court renewal project site.

In exchange for the subject land, LAHC will dedicate 2,570sqm of its land to Council for the creation of a new 3,000sqm public park and future road connections as identified in the VUDS, and a draft Voluntary Planning Agreement (VPA) has been prepared to accompany the planning proposal.

The Panel have been advised that the planning proposal has been prepared in accordance with the requirements set out in section 3.33 of the EP&A Act, and notes that the Council assessment report explains the intended outcomes of the proposed instrument. The planning proposal also provides justification and an environmental analysis of the proposal.

In addition to the above, it has been brought to the Panel's attention that the VUDS identified a future road network to support the growth of the town centre. This new road network included a road extension from Howatt Street to Kamira Avenue (Figure 4 of Council's assessment report).

This road extension would leave a small portion (approximately 430m²) of Hilwa Park isolated between the new road and the NSW LAHC redevelopment site.

Following consultation with the LAHC however, it was agreed that the land should be rezoned as proposed in the VUDS and that a land swap arrangement between the two bodies would be pursued. This would ultimately achieve a better planning outcome by incorporating the subject land into the LAHC redevelopment site on the northern side of the new road and LAHC dedicating land that it owns for the new access road and 3,000sqm public park.

The Panel agrees with this approach and outcome.

In that regard, the Panel notes that the land swap will result in a net increase of 973sqm land in Fairfield City Council's favour. Additionally, while there is a net increase, the suitability of the land to be dedicated to Council will also be a more rational parcel and provide a significant community benefit.

Further to the above, the Panel notes that Council's Recreation and Open Space Office has no concerns regarding the current planning proposal with matters identified for consideration as part of a future development application, and the Council's Property Section has no objections to the planning proposal.

The Panel however agrees with Council's assessment report that to expedite the acquisition of the public road (Kamira Court), the Department of Housing proceed via compulsory acquisition rather than Council proceed along the protracted road closure process. It is noted that part lot in 31, DP 36718 being part of Hilwa Park Reserve is classified operational land and will not impose any restrictions on the Department of Housing to acquire the 430sqm required as part of the VPA.

The Panel had some concerns about the details within the VPA particularly in relation to the future embellishment of the proposed park and were of the view that embellishment of the park should form part of the VPA agreement, or Council ensure that the park is embellished through its own funds and completed prior to the issue of any Occupation Certificate.

The Panel sought information from staff as to the value comparisons of land to be acquired and land to be given and the Panel noted that based on that information, it seemed that Council would be receiving value for money out of the process.

REASONS FOR THE DECISION:

The Panel advise Council that it supports:

- the subject site being rezoned from RE1 Public Recreation to R4 High Density Residential, to ensure that it is consistent with the adopted Villawood Urban Design Study (VUDS);
- amendment to the height of building map from no development standard to 27 metres;
- amendment to the floor space ratio map from no development standard to 2.5:1.
- the Panel is of the view that Council should ensure in this process, that the embellishment of the park is completed, prior to the issue of any Occupation Certificate.

In that regard, the Panel agrees with Council's assessment report that the planning proposal has strategic merit and community benefit, particularly with the embellishment of the park, is supported, subject to the resolution of issues outlined within the body of the Council's assessment report.

Accordingly, the Panel recommends that the draft Planning Proposal (incorporating the Fairfield Local Planning Panel's advice) be endorsed by Council, and forwarded to the Department of Planning, Industry and Environment for Gateway Determination.

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MATERIAL CONSIDERED BY THE PANEL:

LAHC Planning Proposal – 16 Kamira Avenue, Villawood
VPA – Letter of Offer – Villawood LAHC – 10/02/2020

MEETINGS AND SITE INSPECTIONS BY THE PANEL:

The Chair undertook a site inspection with Council staff on 10 July 2020. The Panel met online with representatives of LAHC.

PANEL MEMBER SIGNATURES

Item No. 26

Carl Scully (**Chair**)

Charles Hill

John Travers

Lawrence White (**Community Representative**)