

**BRIEFING DETAILS**

<b>BRIEFING DATE / TIME</b>	Monday, 17 October 2022, 1:00pm to 2:00pm
<b>LOCATION</b>	Teleconference

**BRIEFING MATTER**
**PPSSWC-221 – Fairfield – DA384.1/2021 – 2 Kamira Avenue, Villawood 2163.**

Stage 1 of the Redevelopment of Villawood Town Centre, Involving the Construction of an 8-10 Storey Mixed Use Development Comprising Community Facilities and Ancillary Cafe on the Ground Floor, 112 Residential Units, Public Open Space, a Podium Car Park Comprising 119 Car Parking Spaces, Associated Road Works and Landscaping Pursuant to the State Environmental Planning Policy (Affordable Rental Housing) 2009.

**PANEL MEMBERS**

<b>IN ATTENDANCE</b>	Justin Doyle (Chair), Nicole Gurrán, Brian Kirk, and Kevin Lam (Previous Council nominated members expired on 21 September 2022)
<b>APOLOGIES</b>	Hugo Morvillo
<b>DECLARATIONS OF INTEREST</b>	Louise Camenzuli - Her firm is currently acting for LAHC

**OTHER ATTENDEES**

<b>APPLICANT</b>	Traders in Purple: Thomas Zdun, Ryan Duff, Thomas Zdun, and Charlie Daoud. DKO Architecture: David Randerson, Sonny Oh, Tiksha Mahajan LAHC: Michael File and Fouad Habbouche Think Planners: Schandel Fortu and Adam Byrnes
<b>COUNCIL ASSESSMENT STAFF</b>	Liam Hawke, Sunnee Cullen, Geraldine Pham, and Stephen Pearse (Urban Design Expert)
<b>DPE</b>	George Dojas, Alex Richard

**KEY ISSUES DISCUSSED**

- A previous briefing was held on 19 April 2022. Since that time, the Applicant has met with Council to discuss outstanding issues and has submitted additional information (most recently in August 2022) but has not sought to formally amend the DA. Therefore, the design plans submitted in April 2022 remain those under assessment.
- Council issued a further RFI letter to the Applicant on 17 October 2022, being the date of this briefing, and the matters listed in that letter provided a framework for the discussion, although time did not permit all matters listed in that letter to be discussed.

**Planning Panels Secretariat**

- Particular matters discussed:

- **State Environmental Planning Policy (Affordable Rental Housing) 2009** – the application does not rely on this SEPP for any FSR bonus, only for the calculation of required car parking.
- **Site specific DCP** – the current design is inconsistent with the existing Villawood Town Centre Development Control Plan 2020 (DCP) masterplan. The DCP masterplan was informed by an urban design study.

Council advised that it intends to update/amend the DCP but the timeframe to do so is indeterminate. A revised masterplan was submitted with the Planning Proposal (PP) to permit additional land uses on this site (now gazetted). The PP masterplan was independently assessed by consultants engaged by Council. It was supported by Council but did not amend the existing DCP. The design proposed under this DA is more aligned with the PP masterplan, but not completely as the application proposes an extension of the 10 storey component on the southern part of this site.

Council maintain that the extension of the 10 storey component gives rise to additional overshadowing over Hilwa Park (to the south) and a number of urban design issues. Council's principal urban design concern is the 60+ metre façade facing Howatt Street as it is considered monolithic and excessive in scale. This is not considered by Council to achieve the standard for Design Excellence under clause 6.12 of the Fairfield Local Environmental Plan 2013. The Applicant asserts that the increase in the 10 storey component achieves the allowable site FSR, increases the total green space and provides more affordable housing on this site.

- **Social Housing** – the Applicant is proposing to deliver all social housing required by LAHC for the entire site, within only this stage (Stage 1) of the development where which 32 out of 112 apartments are social housing units. Council considers the proposed quantity to be insufficient when assessing the site in its entirety where no social housing units are proposed for a further 222 apartments in Stage 2.
- **VPA** – Council have resolved to prepare a draft VPA for the public park.
- **Outstanding referral responses** – Council's waste and landscaping responses are well overdue and are yet to be provided.

## OUTCOMES

1. The panel requests, as a matter of urgency, that the Applicant's design team and Council's consultant architect meet with a view to reducing the outstanding urban design issues.
2. The panel asks the applicant to consider increasing the number of social housing units in Stage 1 or to commit to additional social housing units in Stage 2 to align with the 30:70 ratio highlighted in the Future Directions for Social Housing in NSW policy document published by the Minister for Social Housing. The Panel was particularly mindful in that regard of the important reminder from the Applicant's representatives of the serious impacts of housing unaffordability in Sydney.
3. The planning assessment should address inconsistencies with the current site specific DCP, and if it is argued that the DCP should not be applied in whole or in part, a clear rationale as to why that is so having regard to recognised principals (see **Stockland Development Pty Ltd v Manly Council [2004] NSWLEC 472** for example which is recognised by the published planning principle of the Land & Environment Court concerning "Weight to be given to Development Control Plans").
4. Council's outstanding waste and landscaping referral responses are to be finalised by 28 October 2022. Any issues raised in those responses are to be conveyed to the Applicant as soon as possible, so that a final response to all outstanding matters can be submitted to Council by mid-November.

## Planning Panels Secretariat

## **FINAL DETERMINATION**

A tentative determination date of December 2022 was proposed with the Applicant and the Applicant asked to work towards that date. A site view is likely to assist the Panel.