

<b>DATE OF DEFERRAL</b>	3 October 2024
<b>DATE OF PANEL BRIEFING</b>	23 September 2024
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), David Kitto, Greg Woodhams
<b>APOLOGIES</b>	None Local nominated members Hugo Morvillo and Kevin Lam were invited, but did not attend the briefing
<b>DECLARATIONS OF INTEREST</b>	Louise Camenzuli declared a conflict of interest as she is engaged by the NSW Land and Housing Corporation in her capacity as a barrister. She does not act for Traders in Purple, but considers that there may be a reasonably perceived conflict of interest.

Papers circulated electronically on 19 September 2024.

#### **MATTER DEFERRED**

##### **PPSSWC-281 – Fairfield – DA 303.1/2021 – 2 Kamira Avenue, Villawood**

Stage 2 of the Redevelopment of No. 2 Kamira Court within the Villawood Town Centre comprising a combination of 8-11 storey Mixed Use buildings containing a total of 228 residential units, a community facility, supermarket, retail premises, medical centre, associated landscaping and road works, car parking located within a basement and above ground (levels 1 and 2) and 2000m<sup>2</sup> of public open space.

#### **REASONS FOR DEFERRAL**

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings listed at item 8 in Schedule 1.

Council's recommendation is for refusal of the DA.

The Applicant did not attend the scheduled briefing of the DA to which it was invited by the Secretariat.

The Applicant's planner Adam Byrnes of Think Planning was contacted and informed that the Panel retained concerns about:

- (a) There being three driveways and two loading docks to the Villawood Road frontage;
- (b) Two frontages of Building C present 1st and 2nd level podiums to the public domain and the proposed park of unsleeved car parking contrary to the DCP. Furthermore, ground level residential apartments are recessed significantly underneath the podium as shown in the elevation wrapping around the southwestern corner of the building such that they will be forced to rely entirely upon artificial light at all times of the day. It is also unlikely the residences will have any natural ventilation:






**Figure 1 -south and south western elevations with the ground floor residential recessed under the carpark above**

- (c) The south facing ground floor apartments recessed well under the podium carparking will have very poor solar access and are likely to rely on electrical lighting throughout the day;
- (d) Privacy issues associated with non-compliances with the ADG setbacks along the North South Laneway.

The Panel invited the Applicant through Mr Byrnes to look at amendments to the design to address the above comments and agreed to defer the determination of the matter until late October 2024 to enable this to occur.

The Panel sought urgent advice from the Applicant as to whether the plans will be amended, so the scheduled determination can be managed.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Justin Doyle (Chair)	 David Kitto
 Greg Woodhams	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-281 – Fairfield – DA 303.1/2022
2	PROPOSED DEVELOPMENT	Stage 2 of the Redevelopment of No. 2 Kamira Court within the Villawood Town Centre comprising a combination of 8-11 storey Mixed Use buildings containing a total of 228 residential units, a community facility, supermarket, retail premises, medical centre, associated landscaping and road works, car parking located with a basement and above ground (levels 1 and 2) and 2000m <sup>2</sup> of public open space.
3	STREET ADDRESS	2 Kamira Avenue, Villawood Lot 1 DP 1302529
4	APPLICANT/OWNER	Applicant: Think Planners/Traders In Purple Co Pty Ltd Owner: NSW Land and Housing Corporation
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 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 (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy No. 65 – Design of Quality Residential Apartment Development</li> <li>Fairfield Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Villawood Development Control Plan 2020</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</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 September 2024</li> <li>Clause 4.6 variation requests for Height of Buildings: <ul style="list-style-type: none"> <li>Building A: lift overrun 2.2% and 4.8% variation</li> <li>Building C: building 1.3% variation, lift overrun 7.0% variation</li> </ul> </li> <li>Written submissions during public exhibition: Four (4)</li> <li>Total number of unique submissions received by way of objection: Four (4)</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 13 March 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Justin Doyle (Chair), David Kitto, Greg Woodhams, Clr. Hugo Morvillo, Clr. Kevin Lam</li> <li><u>Council assessment staff</u>: Geraldine Pham, Sunnee Cullen, Liam Hawke</li> <li><u>Applicant representatives</u>: Ryan Duff, Adam Byrnes, Charlie Daoud, Thomas Zdun, Weixi Ji, Fouad Habbouche</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Planning Panels Team</u>: Kate McKinnon, Sharon Edwards</li> <li>• Applicant Briefing: 11 December 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Greg Woodhams, Clr. Hugo Morvillo, Clr. Kevin Lam</li> <li>○ <u>Council assessment staff</u>: Liam Hawke</li> <li>○ <u>Planning Panels Team</u>: Kate McKinnon, Sharon Edwards, Tim Mahoney</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 23 September 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Greg Woodhams</li> <li>○ <u>Council assessment staff</u>: Liam Hawke, Sunnee Cullen</li> <li>○ <u>Applicant representatives</u>: Were invited, but did not attend</li> <li>○ <u>Planning Panels Team</u>: Renah Givney, Kim Holt</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Refusal
10	<b>REASONS FOR REFUSAL/DRAFT CONDITIONS</b>	Uploaded to Panel