

Record of Preliminary Briefing Sydney Western City Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSSWC-372 – Fairfield – DA 294.1/2023 – 17 Lupin Avenue, Fairfield East
APPLICANT / OWNER	Applicant: BCL2 Limited Owner: BlueCHP Limited
APPLICATION TYPE	Demolition of existing structures, tree removal and construction of a residential flat building containing thirty-nine (39) affordable housing dwellings over basement car parking containing 40 parking spaces and associated landscaping in accordance with State Environmental Planning Policy (Housing) 2021.
REGIONALLY SIGNIFICANT CRITERIA	CIV > \$5M - Private infrastructure and community facilities
CIV	\$25,845,320 (excluding GST)
BRIEFING DATE	6 November 2023

ATTENDEES

APPLICANT	Gareth Bird, Theo Loucas, Jared Phillips, Brendon Clendenning
PANEL	Justin Doyle (Chair), David Kitto, Louise Camenzuli, Hugo Morvillo, Kevin Lam
COUNCIL OFFICER	Tia Mills, Liam Hawke
CASE MANAGER	Kate McKinnon
PLANNING PANELS SECRETARIAT	Sharon Edwards, Tim Mahoney

DA LODGED & DAYS SINCE LODGEMENT: 26 September 2023 (41 days)

TENTATIVE PANEL BRIEFING DATE: February 2024

TENTATIVE PANEL DETERMINATION DATE: Late March/Early April 2024

Chair reviewed attendance and introduced Preliminary Briefing purpose and process.

Applicant

- The applicant provided description of proposed development, site context and proposed architectural design.
- The applicant discussed their establishment of appropriate FSR and height of buildings.

Council

- Council's issues identified to date include:
 - legal advice provided to justify proposed FSR approach.
 - non compliance with building setbacks and height.
 - Proposed basement relies on single direction traffic movements and traffic light systems – concerns arise regarding manoeuvrability and safety within the basement.
- Council is preparing an RFI detailing the above to be provided to the applicant.
- Notification concluded - 8 submission received.

Panel

- The Panel acknowledged that the Applicant is a social housing provider and the development is proposed to contribute to the undersupply of affordable housing.
- Clause 4.4A of Fairfield LEP allows for a staggered FSR bonus dependent upon the length of the "street frontage" that the building has. The subject site is a corner block. The Applicant has supplied legal advice to the effect that the sum of both street frontages is to be used when applying the clause. The Panel acknowledged that a legal issue arose which would need to be examined. The Panel suggested that a clause 4.6 variation request be lodged to address the possibility that the Applicant's legal submission is not accepted.
- The Panel advised that it will be interested to see, through Council's assessment, an analysis of proposed setbacks, overshadowing impacts and potential prejudice of development on neighbouring lots.
- The Panel is called for a further briefing in February 2024 to report on progress of threshold issues and any remaining significant issues.
- The Panel tentatively scheduled the last week of March 2024 for Council's report.

Note:

Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within.