

## Record of Preliminary Briefing Sydney Western City Planning Panel

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSWC-420 – Fairfield – DA69.1/2024 46 Court Road, Fairfield
<b>APPLICANT / OWNER</b>	Applicant: Ben Creighton – Think Planners Owner: Fairfield Investments No.1 Pty Ltd
<b>APPLICATION TYPE</b>	Proposed alterations and additions to an approved mixed use development by proposing a further 3 storeys of residential units above an approved 8-12 storeys mixed, resulting in an overall development comprising of up to 15-storey mixed use development to provide 381 residential units (64 x infill affordable units and 317 non-affordable units) under SEPP (Housing) 2021; 1,107m <sup>2</sup> of commercial/retail floor space over 3 basement levels providing 441 car parking spaces.
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Capital Investment Value > \$30M
<b>CIV</b>	\$ 30,030,000.00 (excluding GST)
<b>BRIEFING DATE</b>	9 September 2024

### ATTENDEES

<b>APPLICANT</b>	Nil
<b>PANEL</b>	Justin Doyle (Chair), David Kitto, Louise Camenzuli, Kevin Lam, Hugo Morvillo
<b>COUNCIL OFFICER</b>	Venetin Aghostin, Liam Hawke, Sunnee Cullen
<b>CASE MANAGER</b>	Renah Givney
<b>PLANNING PANELS SECRETARIAT</b>	Kim Holt

**DA LODGED & DAYS SINCE LODGEMENT:** 22 March 2024 (122 days)

**TENTATIVE FURTHER BRIEFING DATE:** No further briefing anticipated

**TENTATIVE PANEL DETERMINATION DATE:**

The Chair reviewed attendance and introduced Preliminary Briefing purpose and process.

**Applicant** advised:

- This Development Application is an amending DA to make alterations and additions to an approved mixed-use development at 46 Court Road, Fairfield.
- The percentage of affordable housing units may need to increase.
- Overshadowing and building separation are in issue.
- Class 1 Land and Environment Court proceedings have been commenced against the deemed refusal of the DA.
- The Panel was though informed that, as a consequence of a change of ownership of the site, the appeal is likely to be discontinued. This being the case, the SOFAC filed in the proceedings will become an RFI.

**Council** advised:

- The Applicant received the SOFAC on the morning of the Panel meeting (which the Panel has not yet been briefed with).
- The Panel understands that the primary issues raised in the SOFAC relate to urban design, setbacks, internal separation and other design related matters.
- There is also insufficient context analysis currently to support the application.

**Panel** directed:

- A meeting between Council officers, the Applicant's architect and urban design expert be arranged with the Applicant to provide a response to the issues raised in the SOFAC/RFI in two weeks.
- A further panel briefing is to be arranged for five weeks' time for the Panel to be briefed on the status of the discussions in relation to the key issues in contention and any proposed design changes.

The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment. The panel will determine development in the form it is presented at or prior to 250 days.

**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.