

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 3 December 2024, 9:30am to 11:00am
LOCATION	MS teams

BRIEFING MATTER(S)

PPSSWC-420 – Fairfield – DA69.1/2024 - 46 Court Road, Fairfield - 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; 1,107m2 of commercial/retail floor space over 3 basement levels providing 441 car parking spaces.

PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Ninos Khoshaba, Marie Saliba
APOLOGIES	Kevin Lam
DECLARATIONS OF INTEREST	NIL

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Venetin Aghostin, Liam Hawke
APPLICANT	Ben Creighton
PLANNING PANELS SECRETARIAT	Tim Mahoney, Sharon Edwards

KEY ISSUES DISCUSSED

- Council advised that it was in receipt of amended plans which were still being assessed in detail by the Council, but that a preliminary response had already issued.
- Council explained that because the DA sought the advantages of the bonuses available under the Housing SEPP for affordable Housing, an issue arose as to how the portion of the building already constructed was to be considered in relation to the “Non-discretionary development standards” under Clause 19 of the Housing SEPP, the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and contemporary construction guidelines applying under the Apartment Design Guide for the purposes of SEPP 65.
- The Council indicated some optimism that the outstanding matters would resolve.
- The Applicant through its consultant planner indicated that it was expecting to respond to the Council’s comments before the end of the year, although some consultants may not have completed their work until the new year.
- A Land & Environment Court Class 1 merit hearing of the appeal against deemed refusal of the DA is listed in April 2024.

Planning Panels Secretariat

Next Steps

In the above circumstances the Panel proposed the following:

- (a) The Applicant is to provide all available material in response to Council's assessment of the amended plans by 14 December 2024.
- (b) The Applicant and the Council's representatives are to meet by 5 February 2025 with a view to resolving all remaining issues in dispute.
- (c) The Applicant is to submit all amended material to be taken into account by the Panel in its determination of the DA to the Council for final determination by the Panel by 12 February 2025
- (d) The Council is to submit a determination report to the Council by 24 February 2025.
- (e) The Panel will convene a determination briefing on 3 March 2025.

Issues the Panel would require to be reported on and taken into account in the discussions are:

- (a) Treatment of the southern wall given the reasonable prospect of the adjoining site to the south not being developed for some time.
- (b) Environmental design including solar panels and electrical vehicle charging.

TENTATIVE DETERMINATION DATE SCHEDULED FOR: 3 March 2025