

6 March 2019

218133

Justin Doyle
Sydney Western City Planning Panel
320 Pitt St
Sydney NSW 2000

Attention: Greg Mottram

Dear Greg,

SYDNEY WESTERN CITY PLANNING PANEL BRIEFING 2019WCI003 – Liverpool – DA922/2018

This letter has been prepared on behalf of Frasers Property Australia regarding the above application to provide additional information in response to the comments raised by the Panel as a result of their briefing on 11 February 2019.

Amendments have been made to the Architectural Drawings (being made pursuant to clause 55 of the *Environmental Planning and Assessment Regulation 2000*), which are submitted to Council (**Appendix A**).

Additional information has also been provided as referenced throughout this letter.

Panel Comment 1

The Panel would be assisted by further information as to the proposed regulation of the “muse” ways, with the Panel seeing an advantage on minimising use to essential servicing vehicles, possibly through a by-law which requires prior arrangement with the strata manager for access.

The approved Concept Plan (MP10_0118) detailed within the Design Guidelines and Public Domain Plan establishes the role and function of the Mews as a pedestrian friendly, low speed environment. The vision for the Mews is identified in the Public Domain Plan as follows:

“ The mews are shared neighbourhood spaces, allowing for limited, low speed vehicle movement, parking for residential visitors, trees and landscaped areas. The mews are an extension of private open spaces into shared, pedestrian prioritised spaces where people are able to interact and children can play safely within the confines of their local home environment. This space will have flush kerb lines, with landscape and paving delineating different areas for vehicular movement and parking.”

Key elements to inform the use of these streets are outlined in the Design Guidelines, as follows:

- The Mews provide pedestrian friendly and low speed car environments; and
- Visitor car parking is provided within the Mews.

Activation of the Mews is an important consideration by the Concept Plan, and accordingly the inclusion of vehicular activity is a key component of the use of the Mews. The residential precinct is largely self-contained with no through traffic meaning only residents and their visitors will be utilising the streets, ensuring the mews will not be high traffic areas in need of traffic regulation. It is proposed that the Mews visitor parking will have a 2-hour time limit from 7am -8pm. Use of different paving materials, landscaping and limited parking spaces differentiate and regulate the mews as distinct from regular streets. This encourages a low speed environment suitable for pedestrians and vehicles to share.

It is also noted that Council's waste management team are concerned about the distance residents would need to travel to position bins for collection. As envisioned by the approved Stage 1 development, garbage vehicles are

required to access the mews. Any further restriction to mews access would be contrary to the approved Stage 1 (as approved by the SWCPP) and therefore representations to over 100 contracted purchasers for that stage.

Important lessons have been learned from failed Radburn style developments in Sydney where pedestrian laneways have long been a contributor to security and safety concerns due to low levels of activity and decreased casual surveillance. It has been demonstrated that some levels of activity by vehicles reduces these issues. In this respect, curtailing or regulating access may have an unintended consequence of making the streets less safe.

Accordingly, further regulation to restrict vehicular access is undesirable and not in keeping within the intent of the Concept Plan in creating and maintaining the Mews as a shared pedestrian and low speed car environment.



Figure 1 **Artist Impression of the Mews**

Panel Comment 2

Privacy issues between units within the “town homes” building requires careful attention.

Significant consideration has been given during design development to ensure visual and acoustic privacy of residents of the town homes. Accordingly, the design includes provision of a range of measures to mitigate any concerns including:

- Adequate separation between buildings (compliance with the Design Guidelines);
- Inclusion of an arbour structure and planter between courtyards on Level 1 that will mitigate overlooking and assist with acoustics between dwellings on Level 1 (see **Appendix B**);
- Privacy screens to all windows that face a corresponding window on Level 2 (see **Appendix C**);
- Where possible, offset and indented windows to provide screening via oblique angles on Level 2.

Extensive investigation and feedback was provided by Council's Design Excellence Panel as part of the Stage 1 application (779/2017). As a result, a number of amendments were incorporated to address privacy concerns, including:

- Rear planter species amended to provide greater height and privacy including *Waterhousia floribunda* 'Green Avenue' and *Syzgium australe* 'Resilience' (see **Appendix B**);
- Additional screening to the rear of dwellings by inclusion of screens/louvers to all windows (excluding end dwellings with over 9m separation) providing residents with enhanced screening;
- Inclusion of an irrigation system (to rear planter) to ensure the healthy maintenance of rear courtyard planters; and
- Clause in the strata by-laws added to include a requirement for owners or occupiers to maintain the planter boxes. If not, the owners corporation is to be given access to maintain at the expense of the owner or occupier.

With the inclusion of these features, the Sydney Western City Planning Panel and Design Excellence Panel (DEP) supported the Stage 1 application. Frasers has committed to the inclusion of these features as part of all subsequent town home DA's, including Stage 2 as advised to the DEP at its briefing of 16 August 2018.

Panel Comment 3

The Panel sees the 4-metre setback between the terraces and corresponding rear studios as important, and questions whether it is appropriate to reduce that dimension to incorporate the ground level "offices" within the studios.

It is understood that this comment is in reference to the separation between terrace dwelling 12123 and studio dwelling 12124. This is the only dwelling with any variation to rear separation, being a specific design issue related to them being corner dwellings.

The design guidelines seek the following internal separation for terraces:

The minimum internal separation between windows and the rear wall of a studio dwelling is 4.5m.

Attached is an amended Architectural plan which annotates the separation distance between dwellings (see **Figure 2**). The plan shows that the separation between the terrace window and wall of the studio dwelling is 5m; greater than the minimum, required by the Design Guidelines.

There is a storage cupboard set against the rear wall of the studio dwelling, however the cupboard is not part of the studio dwelling structure (see section plan at **Figure 3**).

The separation between the terrace window and the storage cupboard is 4.1m. The rear separation between buildings is therefore 5m. Notwithstanding, it is noted that the courtyard of this home is larger, being wider than the adjoining terrace homes to the west. Accordingly, with the inclusion of the cupboard and generous courtyard space, on balance the amenity of the terrace home is maintained with the inclusion of the studio office (see **Appendix H**).

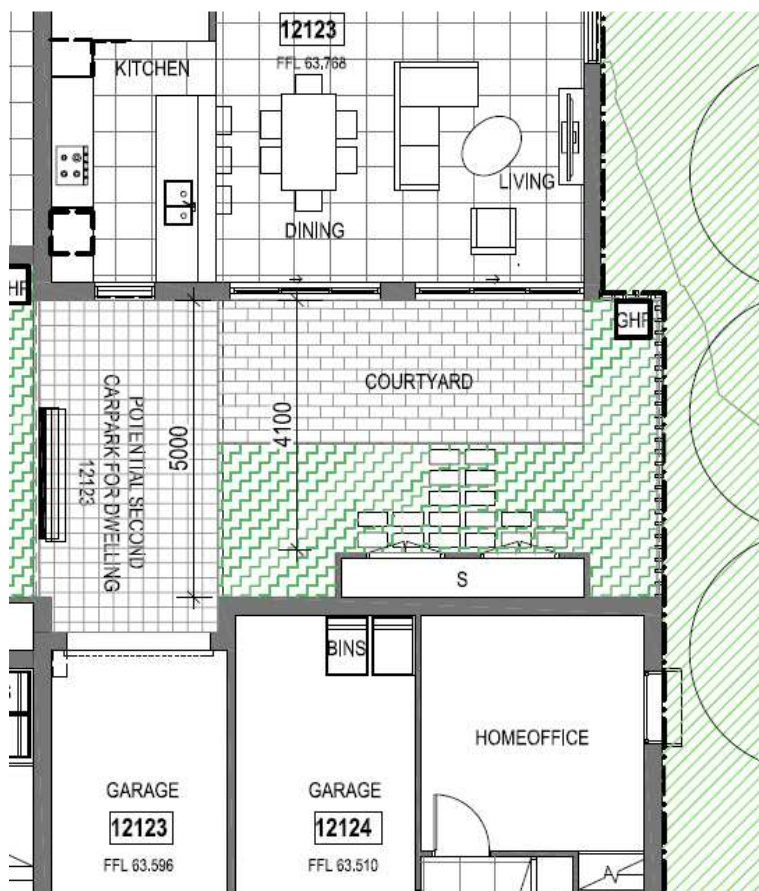


Figure 2 Dwelling 12123 and 12124 separation plan

Source: Group GSA

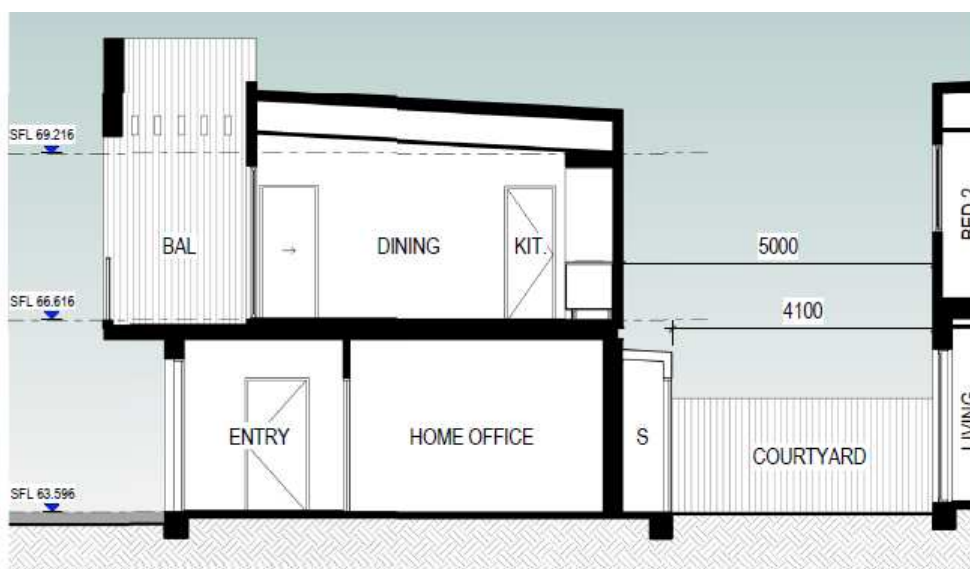


Figure 3 Dwelling 12123 and 12124 section plan

Source: Group GSA

Panel Comment 4

The Panel is concerned that the “storage” areas within the units seem to have been designed to serve alternatively as an extra bedroom or an office, and seeks further information as to how that aspect of the development is to be regulated or redesigned.

We understand this is in reference to the Type I – one bedroom + study. The typology plan had previously shown the study as a flexible space that highlighted the whole room as storage. The intent of this was to show that the study room and its final configuration was flexible as to the location of storage (i.e. up to the purchaser) (see **Figure 4**).

The typology plan has been updated (see **Appendix D**) to show the anticipated layout of the office and how a flexible storage shelf and furniture may be incorporated. The dwelling provides 6m³ storage in accordance with the Design Guidelines (see **Figure 5**).

It is noted the room is not labelled for any use other than a study. It does not meet the dimensional requirements for a bedroom (bedroom requires 3m x 3m and subject room is 2m x 3m). Frasers are unaware of a regulation open to Council other than a condition of consent to regulate the room as a study. Such a condition would be very difficult to enforce once the dwelling has been sold.

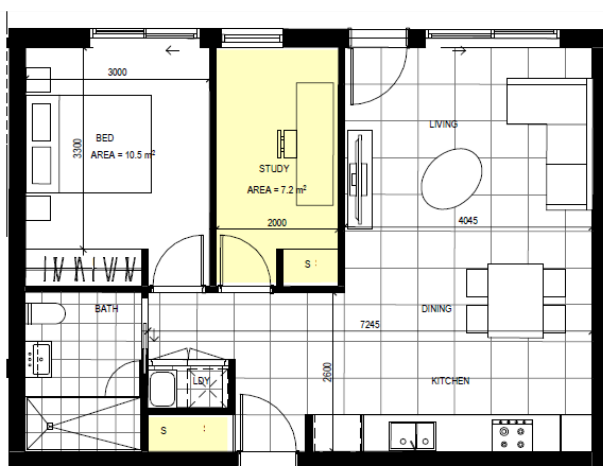


Figure 4 Storage Plan as lodged

Source: Group GSA

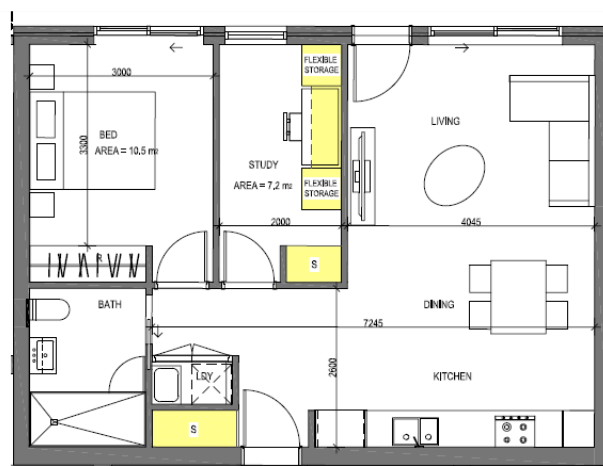


Figure 5 Amended Storage Plan

Source: Group GSA

Panel Comment 5

The Panel was interested that BASIX compliance was to be achieved through the deletion of windows, and asked whether the loss of amenity offered by those windows preserved good design

Frasers has amended the design for the Type K - 4-bedroom typology where the home faces the end of a block. The change is proposed not for Basix compliance but to facilitate the internal use of the home and how it is to be fit out. The change is limited to Block D-South and dwellings 12025 and 12154. Amended Plans are provided at **Appendix A** and shown at **Figure 6** and **Figure 7**.

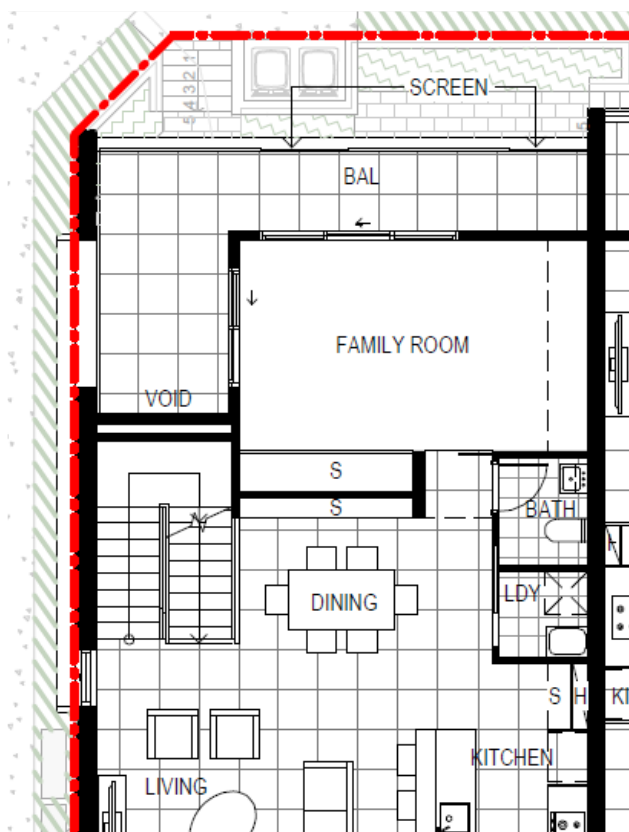


Figure 6 Dwelling 12125 as lodged

Source: Group GSA

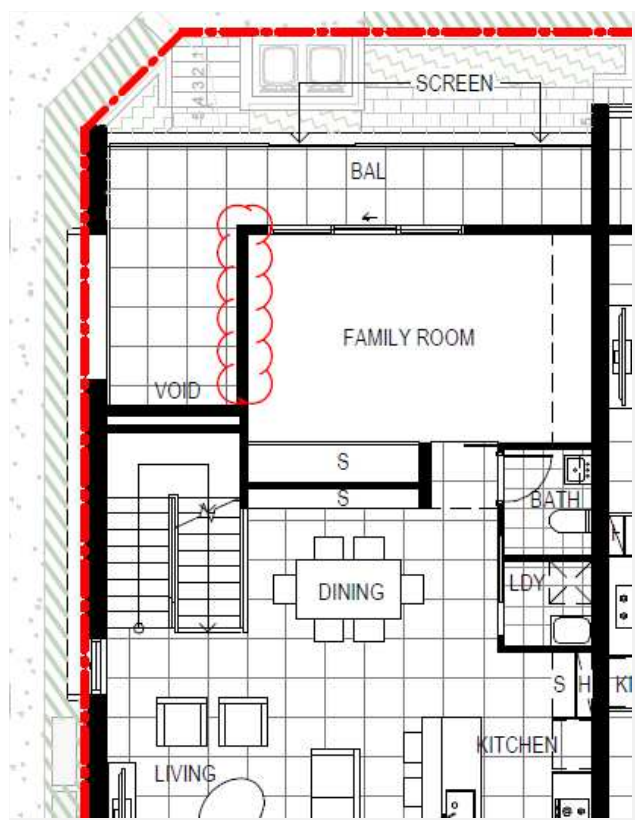


Figure 7 Dwelling 12125 as amended

Source: Group GSA

BASIX

The amended design has been reviewed by WSP (see **Appendix E**), who confirm the removal of the window does not raise any compliance issues with BASIX performance.

Design and Amenity

For background information, the inclusion of a window for this typology was introduced during Stage 1 as a compromise to the design to introduce more windows to the end block treatment. Whilst the direction for additional windows was agreed by Frasers, not all dwellings included spaces that were suitable for an additional window. This was discussed with Council's planning officers at the time.

The existing display home features a Type K – 4 bedroom home with a family room that includes a solid wall as proposed (see **Appendix F**), allowing a real appreciation of the room and how it may be used. Feedback from purchasers who are considering purchasing this home have questioned why the home now features the inclusion of the additional window, as distinct from the display version, which, in the purchasers' view compromises the useability of the family room for need to place television and furniture against a wall.

The room receives significant daylight from the 3-panel windows and sliding door facing the Mews and the streetscape will continue to be activated by the large dual sided balcony that faces both aspects, providing casual surveillance. The end block elevation continues to feature the same number of windows and balcony openings as originally proposed (see **Figure 8**).

This proposed change is limited to those homes that have yet to go to market (Dwelling 12125 and 12154). The proposed change (see **Appendix A**) is the right outcome for residents who will use the space and there will be limited appreciation of the change when viewed from the streetscape.

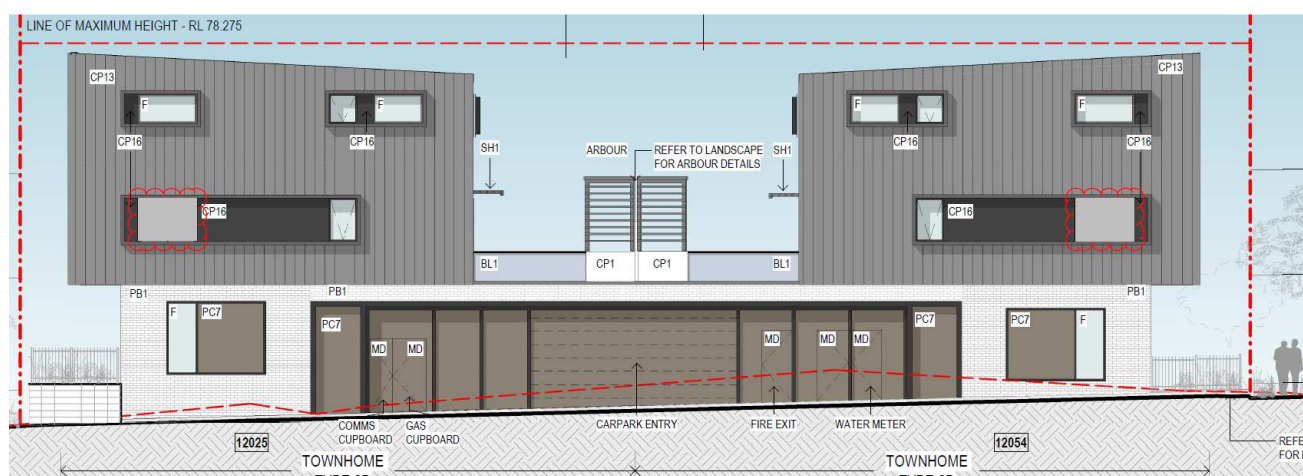


Figure 8 Block D - Town home End treatment

Source: Group GSA

Panel Comment 6

The relevant application of the “Contributions Plans for Growth Areas” Planning Circular PS 19-002, and s.7.18 of the EP&A Regulation 2000 must be considered

The regulation amendment prevents a consent authority from determining a development application unless there is a section 7.11 contributions plan under section 7.18 of the Act in force.

The relevant S7.11 contribution plan applying to the land is the *Liverpool Contributions Plan 2008 - Edmondson Park* (the Plan). The original Concept Plan approval was based on 912 dwellings, which the Plan accounts for. The current status of dwellings is:

- DA-767/2017 - 427 dwellings;
- DA-621/2016 – 21 dwellings;
- DA-779/2018 – 104 dwellings; and
- This application - 128 dwellings

Including this application, to date, the Edmondson Park project will deliver 680 dwellings.

The subject DA will pay contributions in the form of money or a bank guarantee in accordance with 779/2017 and 767/2017 and as agreed by Council and approved by the Planning Panel previously. A Voluntary Planning Agreement (VPA) is in the process of being finalised in consultation with Council. Following agreement of the VPA, the subsequent contributions will be paid in accordance with the VPA applying to the land.

Panel Comment 7

Distances from units to the waste collection areas should be taken into account.

A majority of homes are serviced from a location close to the front of their dwelling, from a road or mews.

Of the 128 dwellings in the Stage 2 application, those 12 homes that have a direct frontage to a park, rather than to a road or mews, are required to take their bins to a dedicated collection point at the closest road. The distance for a resident to the collection point is 35 metres or less. 35 metres is the maximum distance and most residents are located closer to the collection point (see **Appendix G**).

These homes have a significant advantage of direct park fronting property, which has substantial amenity benefits including a more quiet and visual landscaped prominence which more than offsets facing a road or the need for a short walk to the waste collection point.

The collection arrangement relevant to this application is shown in the **Figure 9** below.

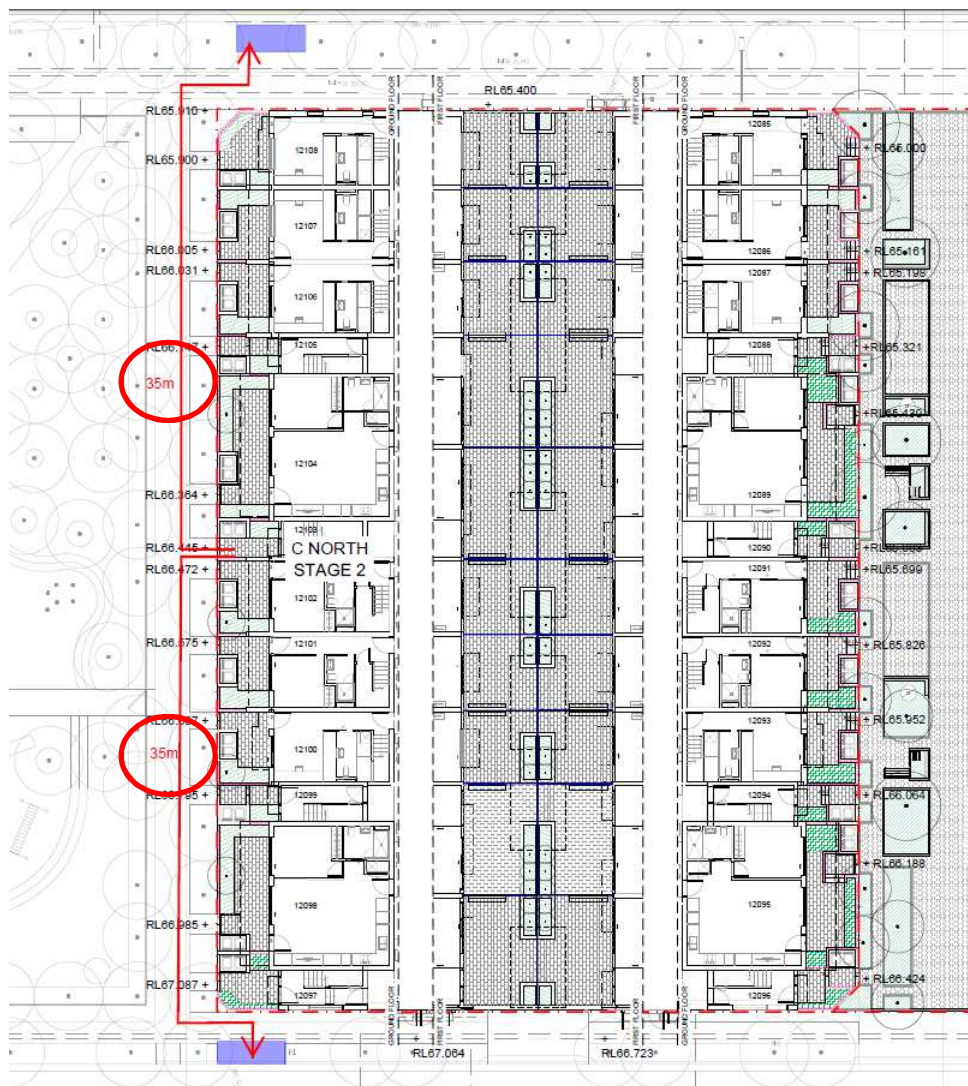


Figure 9 Waste Collection diagram

Source: GHD

Should you have any further questions, please feel free to contact me on 9409 4968 or cmcgillick@ethosurban.com.

Yours sincerely,

Chris McGillick
Senior Planner