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Car Parking Summary	
LAHC	
Resi Car Spaces (Incl. 4 Accessible)	13
Private	
Visitor Car Spaces (Incl. 1 Accessible)	7
Ground Lvl Total	20
Bicycle Parking	16

Rev.	Date	By	Ckd	Description
09	3/06/2021	SH/TM	SO	Issue for review
10	11/06/2021	SH/TM	SO	Issue for review
A	18/06/2021	SH/TM	SO	Issue For DA
B	17/03/2022	TM	SO	Issue For Revised DA
C	18/11/2022	TM	SO	Issued for Revised DA

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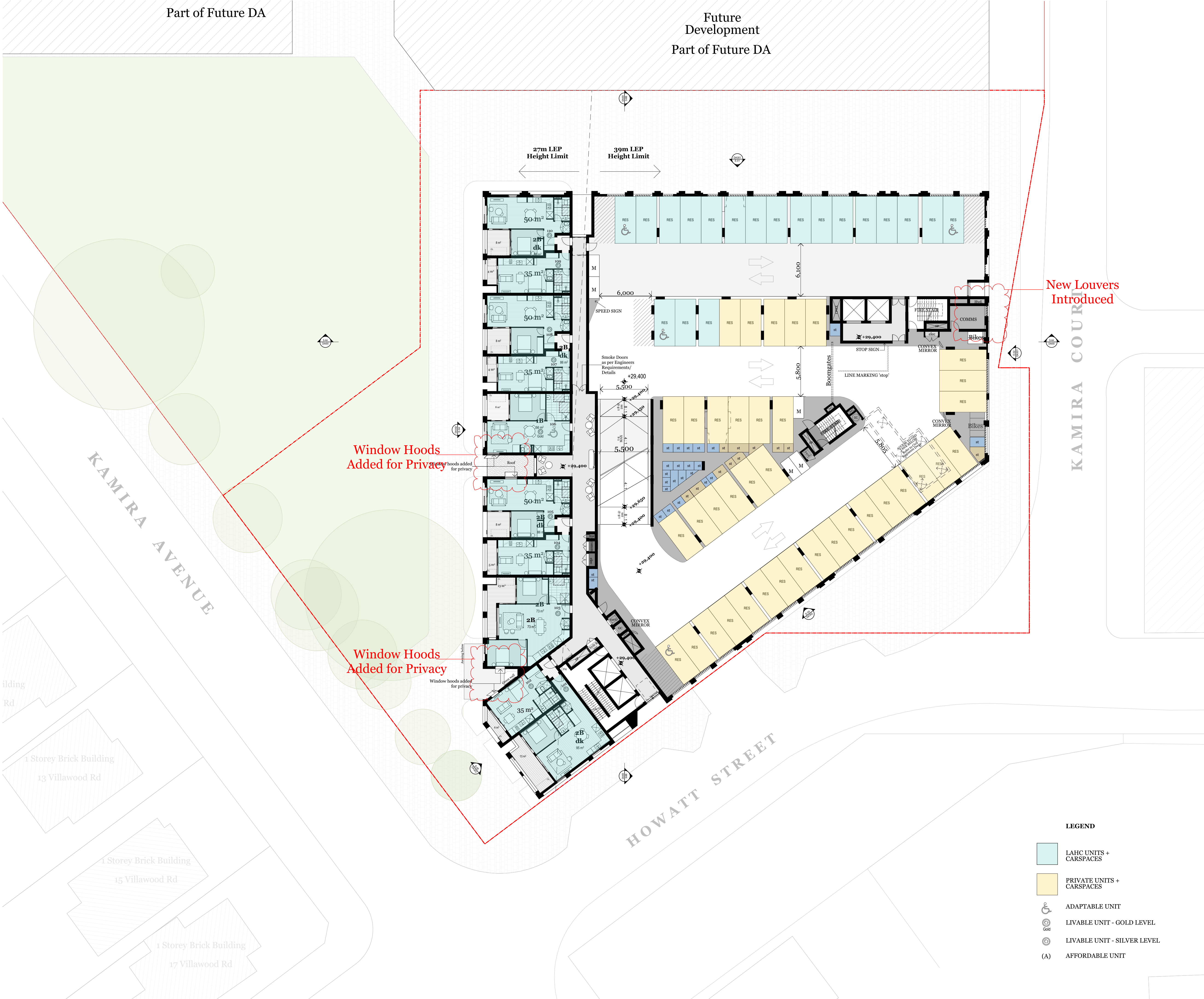
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Project Name
Project Number
Project Address
LAHC Villawood
12620
Kamira Avenue,
Villawood, NSW 2163

Drawn By
Checked By
Date
Scale
May 2021
1:200@A1

Drawing Series
Drawing Name
GA Plans
Ground Floor Plan

Drawing Number
Revision
DA200
C



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Car Parking Summary	
LAHC	
Resi Car Spaces (Incl. 3 Accessible)	19
Private	
Resi Car Spaces (Incl. 1 Accessible)	37
Level 1 Total	56
Bicycle Parking	6
Motorcycle Parking	5

Rev.	Date	By	Ckd	Description
07	3/06/2021	SH/TM	SO	Issue for review
08	11/06/2021	SH/TM	SO	Issue for review
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Project Number
Project Address

LAHC Villawood
12650
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Drawn By
Checked By
Date
Scale

May 2021
1:200@A1

Drawing Series
Drawing Name

GA Plans
Level 1

Drawing Number **DA201**
Revision **C**

- LEGEND**
- LAHC UNITS + CARSPACES
 - PRIVATE UNITS + CARSPACES
 - ADAPTABLE UNIT
 - LIVABLE UNIT - GOLD LEVEL
 - LIVABLE UNIT - SILVER LEVEL
 - AFFORDABLE UNIT

Future Development
Part of Future DA

Future Development
Part of Future DA

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Car Parking Summary

Private Resi Car Spaces (Incl. 7 Accessible)	43
Level 1 Total	43
Bicycle Parking Motorcycle Parking	12 3

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12650
Kamira Avenue,
Villawood, NSW 2163

Drawn By
Checked By
Date
Scale

Drawing Series
Drawing Name

Drawing Number
Revision

May 2021

1:200@A1

GA Plans

Level 2

DA202

C

LEGEND

- LAHC UNITS + CARSPACES
- PRIVATE UNITS + CARSPACES
- ADAPTABLE UNIT
- LIVABLE UNIT - GOLD LEVEL
- LIVABLE UNIT - SILVER LEVEL
- AFFORDABLE UNIT

Window Hoods
Added for Privacy

Window Hoods
Added for Privacy

Window location
has cahnged

New Louvers
Introduced

New
Seating

Future Development
Part of Future DA

Future Development
Part of Future DA

27m LEP
Height Limit

39m LEP
Height Limit

Balcony has been
introduced

Window size has
changed

Amendments to
POS

Communal Open Space
As per Landscape
Architects Dwgs.

KAMIRA COURT

KAMIRA AVENUE

HOWATT STREET

LEGEND

- LAHC UNITS + CARSPACES
- PRIVATE UNITS + CARSPACES
- ADAPTABLE UNIT
- LIVABLE UNIT - GOLD LEVEL
- LIVABLE UNIT - SILVER LEVEL

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Project Number
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LAHC Villawood
12060
Kamira Avenue,
Villawood, NSW 2163

Drawn By
Checked By
Date
Scale

May 2021
1:200@A1
GA Plans
Level 3

Drawing Number
Revision

DA203
C

Future Development
Part of Future DA

Future Development
Part of Future DA

27m LEP
Height Limit

39m LEP
Height Limit

Balcony has been
introduced

Changed to 2 Bed 1
Bath

Articulation
introduced

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02	3/06/2021	SH/TM	SO	Issue for review
03	11/06/2021	SH/TM	SO	Issue for review
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Project Number
Project Address
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12620
Kamira Avenue,
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Drawn By
Checked By
Date
Scale
May 2021
1:200@A1

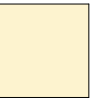
Drawing Series
Drawing Name
GA Plans
Level 4

Drawing Number
Revision
DA204
C

LEGEND



LAHC UNITS +
CARSPACES



PRIVATE UNITS +
CARSPACES



ADAPTABLE UNIT



LIVABLE UNIT - GOLD LEVEL



LIVABLE UNIT - SILVER LEVEL



AFFORDABLE UNIT

Future Development
Part of Future DA

Future Development
Part of Future DA

27m LEP
Height Limit

39m LEP
Height Limit

Balcony has been
introduced

Changed to 2 Bed 1
Bath

Articulation
introduced

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Project Number
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Villawood, NSW 2163

Drawn By
Checked By
Date
Scale

May 2021

Drawing Series
Drawing Name

1:200@A1
GA Plans
Levels 5-7 Typ.

Drawing Number
Revision

DA205
C

LEGEND

- LAHC UNITS + CARSPACES
- PRIVATE UNITS + CARSPACES
- ADAPTABLE UNIT
- LIVABLE UNIT - GOLD LEVEL
- LIVABLE UNIT - SILVER LEVEL
- AFFORDABLE UNIT

Rev.	Date	By	Ckd	Description
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12620
Kamira Avenue,
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Drawn By
Checked By
Date
Scale

May 2021
1:200@A1

Drawing Series
Drawing Name

GA Plans
Level 8

Drawing Number
Revision

DA206
C

LEGEND

- LAHC UNITS + CARSPACES
- PRIVATE UNITS + CARSPACES
- ADAPTABLE UNIT
- LIVABLE UNIT - GOLD LEVEL
- LIVABLE UNIT - SILVER LEVEL
- AFFORDABLE UNIT



Rev.	Date	By	Ckd	Description
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1:200@A1

Drawing Series
Drawing Name
GA Plans
Level 9

Drawing Number **DA207**
Revision **C**

LEGEND

- LAHC UNITS + CARSPACES
- PRIVATE UNITS + CARSPACES
- ADAPTABLE UNIT
- LIVABLE UNIT - GOLD LEVEL
- LIVABLE UNIT - SILVER LEVEL
- AFFORDABLE UNIT

Articulation
introduced

27m LEP
Height Limit

39m LEP
Height Limit

KAMIRA COURT

KAMIRA AVENUE

HOWATT STREET

COMMUNAL OPEN SPACE
BELOW

Fixed skylights above
shown dashed (SKL)

Rev.	Date	By	Ckd	Description
05	3/06/2021	SH/TM	SO	Issue for review
06	11/06/2021	SH/TM	SO	Issue for review
A	18/06/2021	SH/TM	SO	Issue For DA
B	17/03/2022	TM	SO	Issue For Revised DA
C	18/11/2022	TM	SO	Issued for Revised DA

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Project Name
Project Number
Project Address

LAHC Villawood
12620
Kamira Avenue,
Villawood, NSW 2163

Drawn By
Checked By
Date
Scale

May 2021

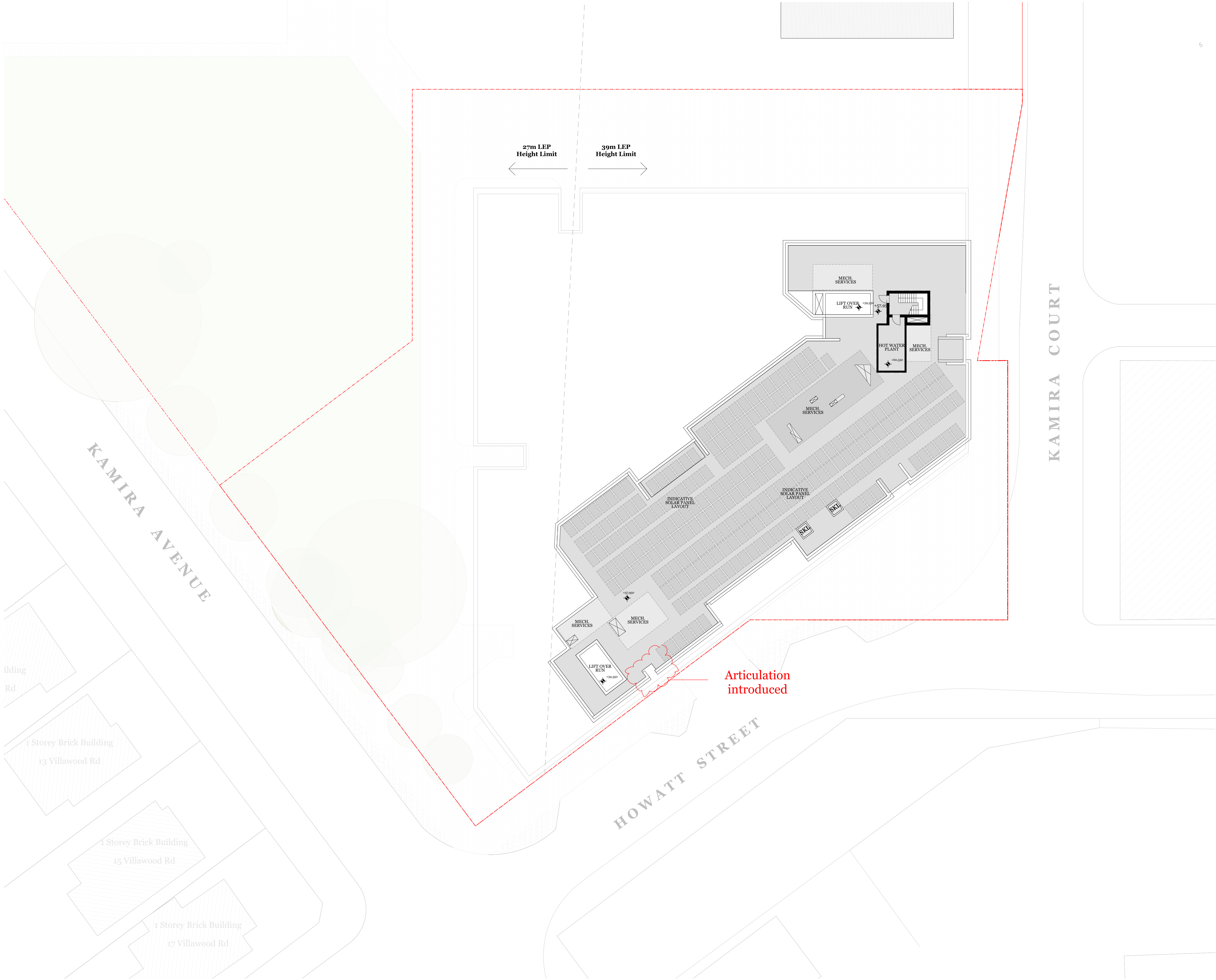
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Drawing Series
Drawing Name

GA Plans
Roof Level

Drawing Number
Revision

DA208
C





E-01
-
North Elevation
1:200

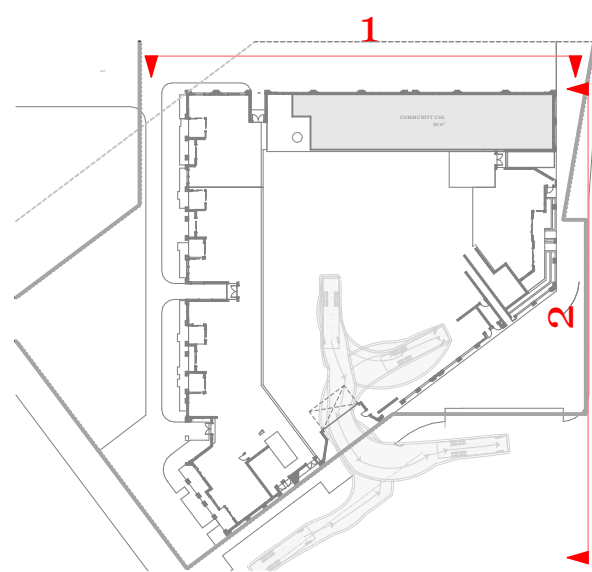


-02
-
East Elevation
1:200

EXTERNAL FINISHES LEGEND

- EF-01**
Exterior Finish
White
- EF-02**
Exterior Finish
Dark Grey
- EF-03**
Powdercoat
Black
- EF-04**
Textured
Dark Grey
- EF-05**
Brick
Dark - Stack bond
- EF-06**
Brick
Light
- EF-07**
Glazing
Clear
- EF-08**
Metal
Bronze Finish
- EF-09**
Brick
Dark
- EF-10**
Concrete Finish
- EF-11**
Brick Grey
Light 2

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Rev.	Date	By	Ckd	Description
05	24/05/2021	PM	SO	Issue for BASIX
06	26/05/2021	SH/TM	SO	Issue for consultant
07	11/06/2021	SH/TM	SO	Issue for review
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12620
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Villawood, NSW 2163

Drawn By
Checked By
Date
Scale
May 2021

Drawing Series
Drawing Name
Elevations
North & East Elevation

Drawing Number
Revision
DA301
B



E-03
-
South Elevation
1:200

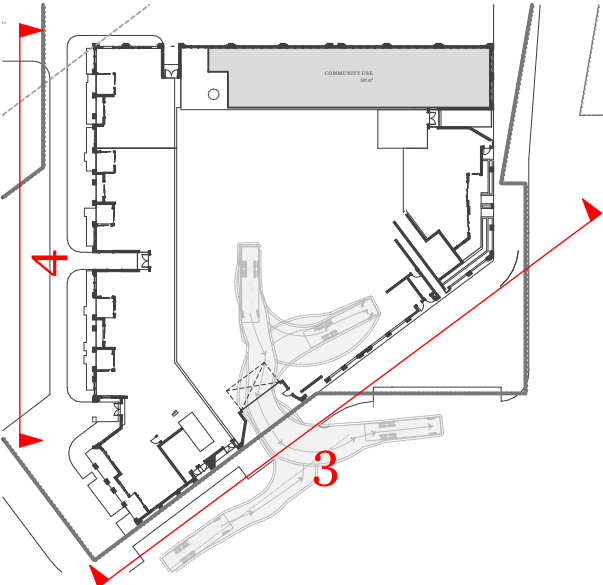


E-04
-
West Elevation
1:200

EXTERNAL FINISHES LEGEND

- EF-01**
Exterior Finish
White
- EF-02**
Exterior Finish
Dark Grey
- EF-03**
Powdercoat
Black
- EF-04**
Textured
Dark Grey
- EF-05**
Brick
Dark - Stack bond
- EF-06**
Brick
Light
- EF-07**
Glazing
Clear
- EF-08**
Metal
Bronze Finish
- EF-09**
Brick
Dark
- EF-10**
Concrete Finish
- EF-11**
Brick Grey
Light 2

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Drawn By

Checked By

Date

Scale

May 2021

Drawing Series

Drawing Name

Elevations

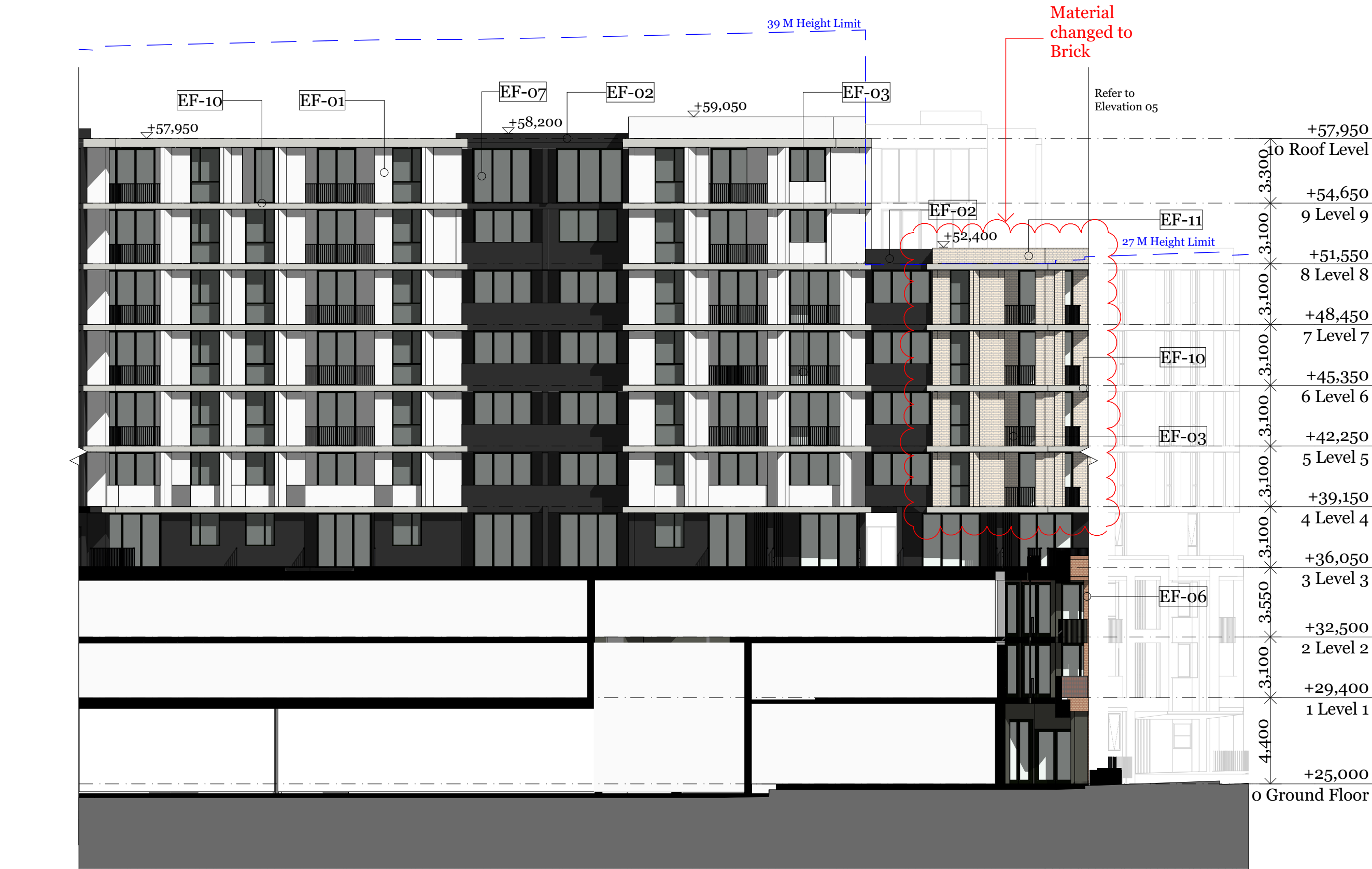
South & West Elevation

Drawing Number

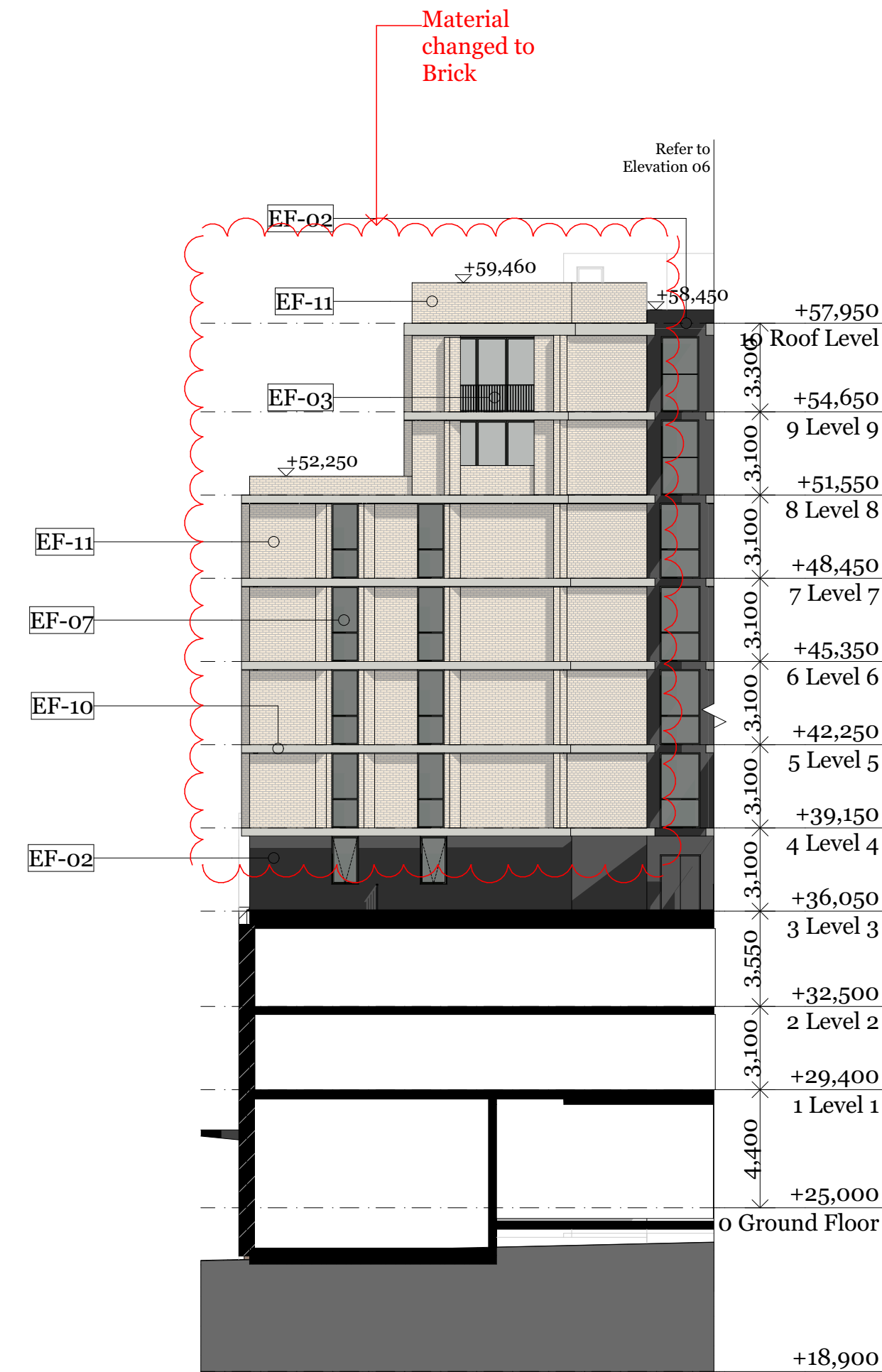
Revision

DA302

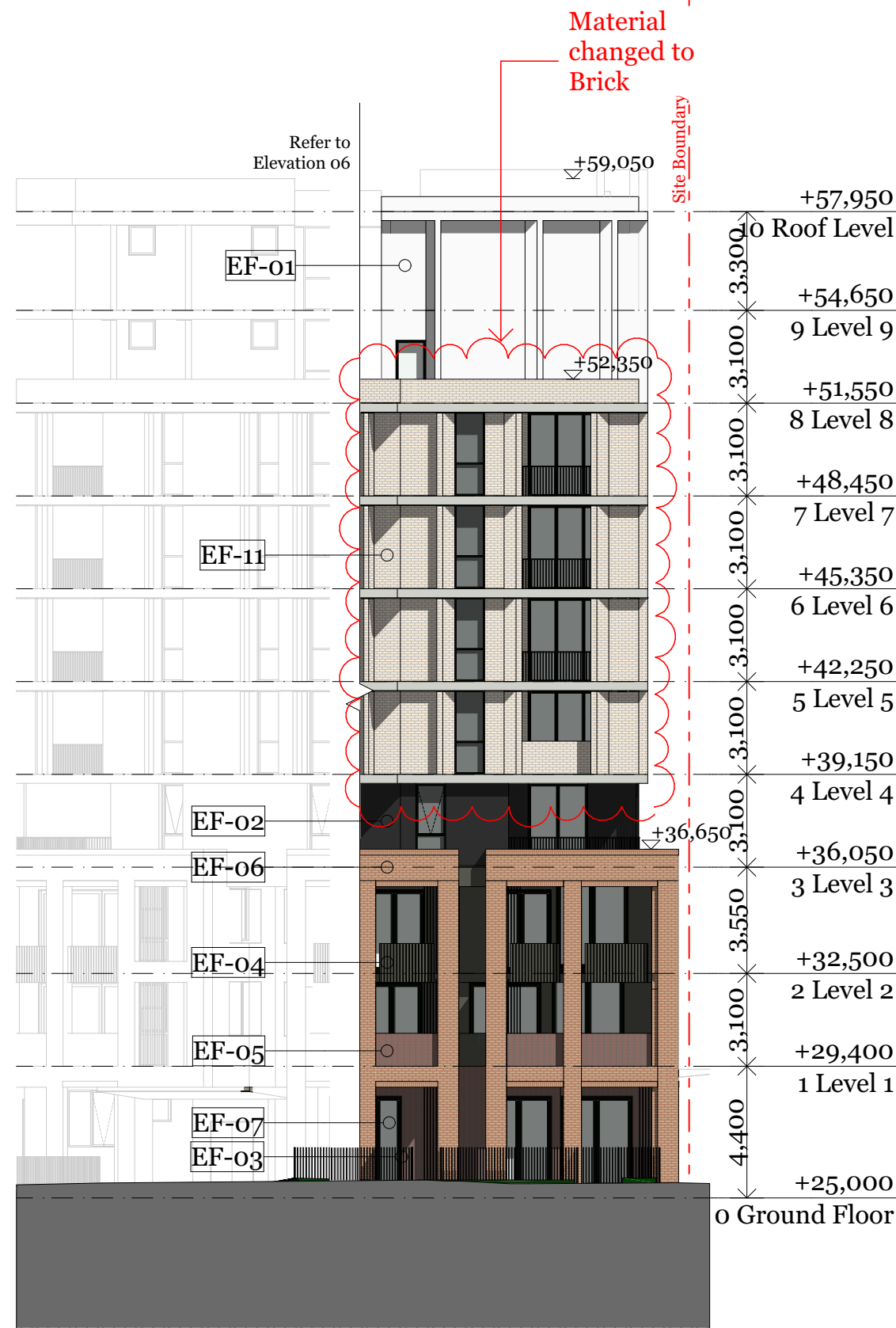
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E-06
North West Elevation
1:200



E-07
West Elevation
1:200

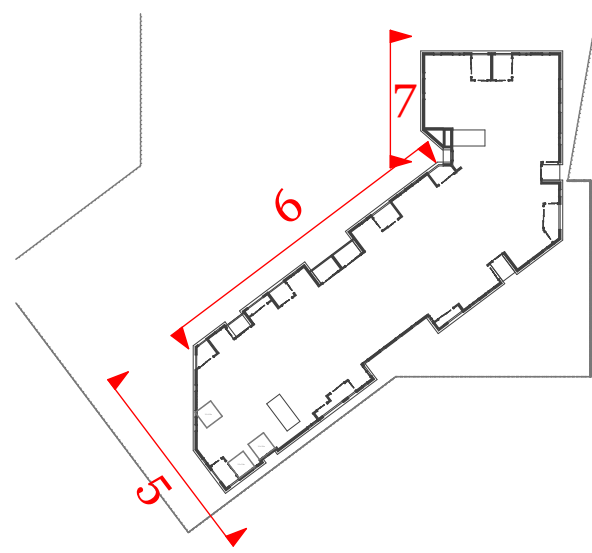


E-05
South West Elevation
1:200

EXTERNAL FINISHES LEGEND

- EF-01**
Exterior Finish
White
- EF-02**
Exterior Finish
Dark Grey
- EF-03**
Powdercoat
Black
- EF-04**
Textured
Dark Grey
- EF-05**
Brick
Dark - Stack bond
- EF-06**
Brick
Light
- EF-07**
Glazing
Clear
- EF-08**
Metal
Bronze Finish
- EF-09**
Brick
Dark
- EF-10**
Concrete Finish
- EF-11**
Brick Grey
Light 2

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Rev.	Date	By	Ckd	Description
02	13/05/2021	DKO	DKO	Issued for Draft DA
03	26/05/2021	SH/TM	SO	Issue for consultant
04	11/06/2021	SH/TM	SO	Issue for review
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LAHC Villawood
12620
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Drawn By
Checked By
Date
Scale

May 2021

Drawing Series
Drawing Name

Elevations
NorthWest & West Elevation

Drawing Number
Revision

DA303
B

STAGE 1 KAMIRA AVE

VILLAWOOD TOWN CENTRE

RE-VISED DEVELOPMENT APPLICATION

[Status]	RE-VISED DA		
[Nom. Architect]	RI RLA #7993		
[Rev#]	2021002_LD DA100[4].DWG		
[Print Date]	AUG 2022		
History			
[Rev#]	[Description]	[Date]	
1	RE-VISED DA	05.08.2022	

2021002: LANDSCAPE ARCHITECTURAL DRAWING LIST

Sheet Number	Sheet Name	Revision
LD-DA-000	COVER SHEET & DESIGN STATEMENT	1
LD-DA-001	PLANTING SCHEDULE & LEGENDS	2
LD-DA-100	LANDSCAPE MASTER PLAN & STAGING	2
LD-DA-101	GROUND FLOOR & PUBLIC DOMAIN PLAN	2
LD-DA-110	LEVEL 3 LANDSCAPE PLAN	2
LD-DA-120	LEVEL 8 LANDSCAPE PLAN	2
LD-DA-200	GROUND FLOOR & PUBLIC DOMAIN PLANTING PLAN	1
LD-DA-210	LEVEL 3 PLANTING PLAN	1
LD-DA-400	LEVEL 8 PLANTING PLAN	1
LD-DA-900	TYPICAL DETAILS & OUTLINE SPECIFICATION & MAINTENANCE	1

NOTE:

- DO NOT SCALE FROM DRAWINGS. WRITTEN DIMENSIONS GOVERN. IF IN DOUBT OBTAIN WRITTEN ADVICE FROM LANDFORM OR WHERE APPLICABLE VIA THE PRINCIPAL'S REPRESENTATIVE.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.ALL DIMENSIONS ARE MINIMUM SETTING OUT REQUIREMENTS.
- ALL DIMENSIONS SHOULD BE VERIFIED ON SITE PRIOR TO PROCEEDING WITH THE WORKS. NOTIFY THE PRINCIPALS REPRESENTATIVE IN WRITING OF ANY DISCREPANCIES
- ALL LANDSCAPE DRAWINGS MUST BE READ IN CONJUNCTION WITH RELEVANT CONTRACTS, ARCHITECTURAL REPORTS, SCHEDULES AND SPECIFICATIONS AND ALL OTHER CONSULTANT / CONTRACT DOCUMENTATION. NOTIFY THE PRINCIPALS REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN DOCUMENTATION IN WRITING TO OBTAIN CLARIFICATION DIRECTION
- INSTALLATION OF SYSTEMS AND PROPRIETARY PRODUCTS TO BE STRICTLY IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
- ALL WORK TO COMPLY WITH THE NATIONAL CONSTRUCTION CODE INCLUDING RELEVANT AUSTRALIAN STANDARDS AND REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA AND AUSTRALIAN WORK HEALTH AND SAFETY LEGISLATION.
- DESIGN DRAWINGS ARE BASED ON SURVEY INFORMATION. PRIOR TO DETAILED DESIGN AND CONSTRUCTION, THE CONTRACTOR IS TO UNDERTAKE A FULL SURVEY TO VERIFY ALL DIMENSIONS AND CONFIRM LOCATION OF EXISTING SERVICES



LANDSCAPE DA DESIGN STATEMENT

Objectives:

- to increase the number of indigenous species planted in the Fairfield City regions
- to eliminate the use of noxious weeds of potentially invasive species in developments
- to use plants in such a way to foster energy efficient development that relies on passive energy principles for heating and cooling
- to reduce maintenance and water consumption through appropriate species selection
- to create buffer zones and add to existing areas of remnant vegetation with locally indigenous species.

Principles

- Enhance the appearance and amenity of the proposed residential development by sensitively integrating architecture and landscape through effective site planning and landscape design.
- Consolidate the open space into a coherent landscape treatment that provides visual amenity from above and below.
- Take forward the landscape principles and urban design principles established by the Site specific DCP by Fairfield City Council to Establish a visually and environmentally sensitive landscape, complimentary to the architectural vision and greater urban setting, while providing high quality private spaces for residents and visitors.
- Provide new tree planting that ameliorates the building scale and offers environmental benefit through micro climate.

Public Domain & Streetscapes

Subject to ongoing discussions and design development with Fairfield City Council, a possible upgrade and make-good of the public domain and associated streetscapes along Kamira Ave, Kamira Court & Howatt St has been considered as part of the development offer to ensure seamless transitions throughout the ground plane.

Access, Egress & Connectivity

All fire exits are located near or adjacent to key pathways, pedestrian links and streetscapes promoting safe egress and evacuation if and when required. Definition of a hierarchy of pedestrian pathways has been created to ensure numerous access points and circulation options for the local community.

CPTED, Safety & Visibility

All raised edges & planter walls are at seating height or lower allowing clear sight-lines and visibility throughout the ground plane. Trees are used to frame spaces and ensure clear visibility to and from the streetscape at all times. Regular congregation spaces and retail activation enables passive surveillance to all areas, discouraging undesired behaviour and possible blind spots.

Universal Access & DDA Compliance

The ground plane offers full universal accessibility to all reception, lobby and retail areas at maximum 1:20 grades reducing the amount of handrails and clutter in the public realm.

Deep Soil, Soil Depths on Podiums & Permanent Planting

All planters have a minimum soil depth of 450-600mm with a minimum 200mm slab setback achieved on the Level 3 Communal Podium. This allows planter walls to be at seating height with additional 1:3 mounding to achieve soil depth for trees as per ADG requirements where shown on plan.

For deep soil calculations - refer to architectural design report

NOT FOR CONSTRUCTION

LAND
AND
FORM

[Project] Stage 1 Kamira Avenue, Villawood
[Client] TRADERS IN PURPLE

COVER SHEET & DESIGN STATEMENT

[Ref] 2021002 [Dwg No] LD DA000 1

PLANT SCHEDULE RE-VISED DEVELOPMENT APPLICATION										
CODE	SPECIES	COMMON NAME	ORIGIN	POT SIZE	EST. MATURE HT	INSTALL SIZE	SPACING	GROUND FLOOR & PUBLIC DOMAIN	LEVEL 3 PODIUM	LEVEL 8 ROOFTOP
TREES										
CUP ana	Cupaniopsis anacardioides	Tuckeroo	Native	200L	6-8m	2.2x1.0m	As Shown		4	
CYA coo	Cyathea cooperi	Australian Treen Fern	Native	200L	6-10m	2.5x1.0m	As Shown			4
LAG ind	Lagerstroemia indica	Crepe Myrtle	Exotic	200L	6-10m	1.5x1.0m	As Shown			5
WAT flo	Waterhousea floribunda	Weeping Lilly Pilly	Native	200L	6-10m	2.2x1.0m	As Shown			3
ZEL ser	Zelkova serratta	Japanese Elm	Exotic	200L	10-15m	2.2x1.0m	As Shown		4	2
EUC hae	Eucalyptus maculata	Spotted Gum	Native	400L	15-20m	2.2x1.0m	As Shown		23	
TRI lau	Tristaniopsis laurina	Water Gum	Native	200L	6-10m	2.2x1.0m	As Shown		20	9
ELA ret	Eleaocarpus reticulatus	Blueberry Ash	Native	200L	6-10m	2.5x1.0m	As Shown		12	
LOP con	Lophostemon confertus	Brush Box	Native	400L	15-20m	2.2x1.0m	As Shown		6	
HYM fla	Hymenosporum flavum	Native Frangiapani	Native	200L	6-10m	2.5x1.0m	As Shown			10
DRA dra	Dracaena Draco	Dragon Tree	Exotic	400L	6-10m	1.5x1.0m	As Shown			
										1
UNDERSTOREY PLANTING										
	MIX TYPE 1 – FULL SUN / PART SHADE									
	SHRUBS									
ACM smi	Acmena smithii	Hinterland Gold'	Native	45L	3-4m	500mm	As Shown		44	50
CAL vim	Callistemon viminalis 'Better John' LJ1'	Bottlebrush	Native	200mm	0.6-1.2m	300mm	As Shown		45	
HEL pet	Helichrysum petiolare 'Limelight'	Licorice Plant	Exotic	300mm	0.5m	300mm	As Shown		70	86
BAN spi	Banksia spinulosa	Hairpin Banksia	Native	300mm	2m	300mm	As Shown		22	86
BAN rob	Banksia robur	Swamp Banksia	Native	300mm	3-4m	300mm	As Shown		60	
WES fru	Westringia fruticosa 'Grey Box' WES04	Coastal Rosemary	Native	300mm	1	300mm	As Shown		26	101
	GRASSES									
PEN naf	Pennisetum alopecuroides 'Nafray'	Foxtail Grass	Native	150mm	60cm x 60cm	100mm	3 per m2		20	
LOM lon	Lomandra longifolia LM400	Matt Rush	Native	150mm	60cm x 60cm	200mm	3 per m2		141	
DIA cae	Dianella caerulea	Blue Flax Lily	Native	150mm	0.5m	200mm	3 per m2		70	164
	CLIMBERS + GROUNDCOVERS									
CAS gla	Casuarina glauca 'Cousin It'	Cousin It	Native	150mm	150mm	100mm	4 per m2		6	245
GAZ tom	Double Gold™ Gazania hybrid 'GT20'	Gazania	Native	150mm	200mm	100mm	4 per m2		97	20
MYO par	Myoporum parvifolium 'Yareena'	Creeping boobialla	Native	150mm	200mm	100mm	4 per m2		20	245
	MIX TYPE 2 – PART SHADE / SHADE TOLERANT									
	SHRUBS									
ALP cae	Alpinia caerulea	Native Ginger	Native	300mm	1-3m	500mm	As Shown		18	39
STR jun	Strelitzia juncae	Narrow Leaved Birds of Paradise	Native	300mm	1-3m	500mm	As Shown			3
PHI xan	Philodendron xanadu	Xanadu Philodendron	Native	200mm	1m x 1m	300mm	As Shown		22	54
CYC rev	Cycas revoluta	Sago Palm	Native	300mm	1m	300mm	As Shown			27
	GRASSES									
CLI min	Clivia miniata	Bush Lily	Native	150mm	60cm x 50cm	100mm	3 per m2		30	54
PEN naf	Pennisetum alopecuroides 'Nafray'	Foxtail Grass	Native	150mm	60cm x 60cm	100mm	3 per m2			164
LOM lon	Lomandra longifolia LM400	Matt Rush	Native	150mm	60cm x 60cm	200mm	3 per m2			54
	CLIMBERS + GROUNDCOVERS									
PLE par	Plectranthus parviflorus	Cockspur Flower	Native	150mm	0.2m x 0.6m	100mm	4 per m2			91
LIR mus	Liriope muscari 'Evergreen Giant'	Giant Liriope	Exotic	150mm	0.4m x 0.6m	100mm	4 per m2		30	91
TRA jas	Trachelospermum jasminoides	Creeping Jasmine	Exotic	150mm	0.2m x 5m	100mm	4 per m2		30	245
VIO hed	Viola hederacea	Native Violet	Native	150mm	0.2m x 0.5m	100mm	4 per m2			80
	MIX TYPE 3 – WSUD RAIN GARDENS									
CAR app	Carex appressa	Tall Sedge	Native	150mm	0.2m x 0.6m	100mm	3 per m2		162	
FIC nod	Ficinia nodosa	Knotted Club Rush	Native	150mm	0.2m x 0.6m	100mm	3 per m2		162	
LOM lon	Lomandra longifolia	Basket Grass	Native	150mm	0.2m x 0.6m	100mm	3 per m2		177	
GOO ova	Goodenia ovate	Hop Goodenia	Native	150mm	0.2m x 0.6m	100mm	3 per m2		158	
	MIX TYPE 4 – ROOFTOP LOW WATER SPECIES									
POA poi	Poa poliformis	Blue Tussock Grass	Native	150mm	0.2m x 0.6m	100mm	4 per m2			68
THE aus	Themeda triandra	Kangaroo Grass	Native	150mm	0.2m x 0.6m	100mm	4 per m2			68
DIC dis	Dictichlis distochophylla	Australian Salt-Grass	Native	150mm	0.2m x 0.6m	100mm	4 per m2			68
SPI ser	Spinifex sericeus	Hairy Spinifex	Native	150mm	0.2m x 0.6m	100mm	4 per m2			68

NOT FOR CONSTRUCTION

LAND AND FORM

[Project] Stage 1 Kamira Avenue, Villawood

[Client] TRADERS IN PURPLE

LEGEND

- Stage 1 Site Boundary
- Stage 2 & 3 Site Boundary
- Stage 1 Public Open Space Dedication Extents
- Stage 2 & 3 Public Open Space Dedication Extents
- Public Art - Catenary Lighting Installation
- + RL 67.85

Proposed nominal design levels: refer to engineers drawings
- + TW

Top of Wall Height
- + TM

Top of Mound Height (1:3 max grade). Top of mound height reflects total soil depth for planting (mm)
- Proposed trees - refer to planting palette in design report.
- Existing trees to be retained. Refer to Arborist Report.
- Tree Protection Zone - Refer to Arborist Report
- Structural Root Zone - Refer to Arborist Report
- Existing trees to be removed. Refer to Arborist Report
- PA

Planter area in ground
- RPA

Raised planter area minimum 450mm soil depth and mounding for small trees
- RG

WSUD Raingarden
- W1

Wall Type 1: Recycled brick planter wall. To match architectural material palette.
- W2

Wall Type 2: Insitu concrete planter wall class 2 finish.
- SW

Seating Wall: In-situ concrete seating wall with hardwood timber slats and LED lighting. Class 2 finish.
- S1

Seating Type 1: Timber seating bench
- S2

Seating Type 2: Bespoke precast concrete seating bench
- S3

Seating Type 3: Bespoke precast concrete seating bench and small table
- P1

Paving type 1: Pavers in public domain to Council standards.
- P2

Paving Type 2: Brick pavers laid in herringbone pattern
- P3

Paving Type 3: Floating concrete panels over raingarden
- P4

Paving Type 4: Feature paving ribbon
- P5

Paving Type 5: Stone pavers on pedestal
- P6

Paving Type 6: Decomposed Granite
- F1

Furniture Type 1: Picnic Table
- F2

Furniture Type 2: Communal Table
- Balustrade to Architects Details

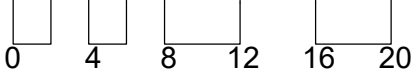
General Notes:

For Site levels and architectural information refer to Civil and Architects drawings respectively.

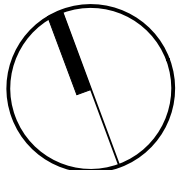
For courtyard and overflow drainage refer to Hydraulic engineers drawings

All trees to be retained and are subject to tree protection & management in accordance with relevant Australian standards.

External Lighting and electrical : refer to engineers details.



[Scale] 1 : 400 @ A1



PLANTING SCHEDULE & LEGENDS

[Ref] 2021002 [Dwg No] LD DA001 1

[Status] RE-VISED DA

[Nom. Architect] RI
RLA #7993

2021002_LD DA100[4].DWG

[Print Date] AUG 2022

History

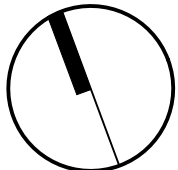
[Rev#] [Description] [Date]
1 RE-VISED DA 05.08.2022



NOT FOR CONSTRUCTION

LAND
AND
FORM

[Project] Stage 1 Kamira Avenue, Villawood
[Client] TRADERS IN PURPLE



0 4 8 12 16 20
[Scale] 1 : 400 @ A1

LANDSCAPE MASTER PLAN & STAGING
[Ref] 2021002 [Dwg No] LD DA100 2



[Project] Stage 1 Kamira Avenue - Villawood
[Client] TRADERS IN PURPLE
[Scale] 1 : 200 @ A1
[Ref] 2021002
[Dwg No] LD DA101 2
PUBLIC DOMAIN & GROUND FLOOR PLAN



NOT FOR CONSTRUCTION

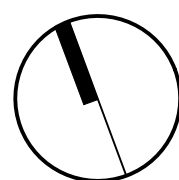
LANDFORM
Studios

[Project] Stage 1 Kamira Avenue, Villawood
[Client] TRADERS IN PURPLE

LEVEL 3 LANDSCAPE PLAN

[Ref] 2021002 [Dwg No] LD DA110 2

[Scale] 1 : 100 @ A1



[Status]	RE-VISED DA	
[Nom. Architect]	RI	
	RLA #7993	
	2021002_LD DA300[2].DWG	
[Print Date]	AUG 2022	
	History	
[Rev#]	[Description]	[Date]
1	FOR DA	23.06.2021
2	RE-VISED DA	05.08.2022

CASCADING PLANTING TO BUILDING EDGE

ROOFTOP BAR BENCH AND STOOLS WITH VIEWS TOWARDS THE CITY AND IN FULL NORTHERN ASPECT

BALUSTRADE EDGE TO ARCHITECTS DETAILS

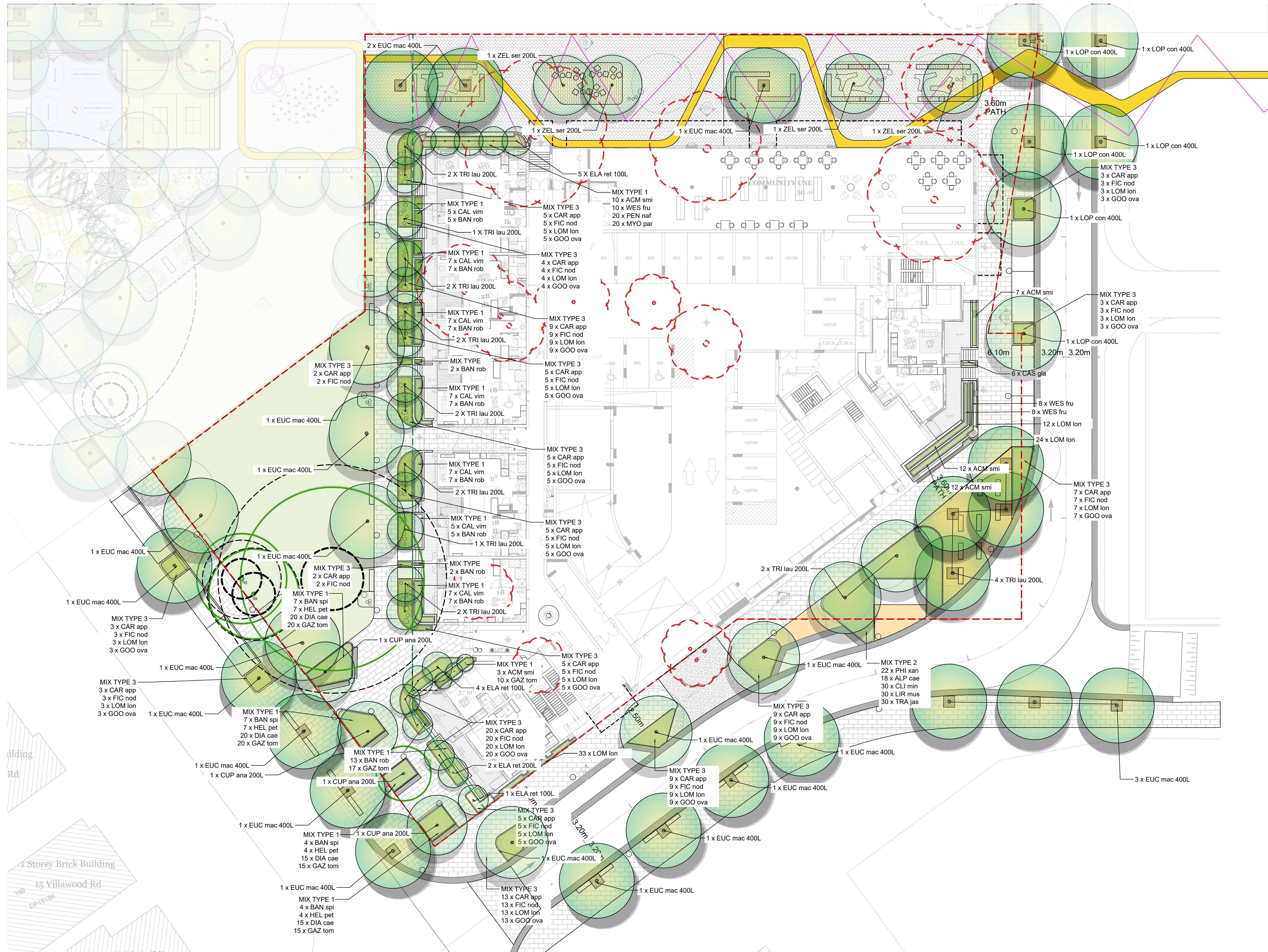
SEATING NOOKS WITH LANDSCAPE SURROUNDS

CASCADING PLANTING TO BUILDING EDGE

BALUSTRADE EDGE TO ARCHITECTS DETAILS

KITCHEN GARDEN PAVILION

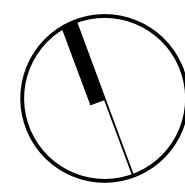




NOT FOR CONSTRUCTION

LAND AND FORM

[Project] Stage 1 Kamira Avenue - Villawood
[Client] TRADERS IN PURPLE



[Scale] 1 : 200 @ A1

GROUND FLOOR & PUBLIC DOMAIN PLANTING PLAN

[Ref] 2021002 [Dwg No] LD DA200 1



NOT FOR CONSTRUCTION

LANDFORM
Studios

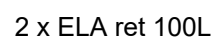
[Project] Stage 1 Kamira Avenue, Villawood
[Client] TRADERS IN PURPLE

LEVEL 3 PLANTING PLAN

[Ref] 2021002 [Dwg No] LD DA210 1

[Scale] 1 : 100 @ A1

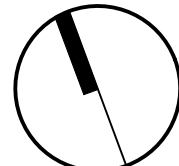
[Ref] **2021002** [Dwg No] **LD DA210 1**



LAND AND FORM

[Project] Stage 1 Kamira Avenue, Villawood

[Client] TRADERS IN PURPLE



[Scale] 1 : 100 @ A1

LEVEL 8 PLANTING PLAN

[Ref] 2021002 [Dwg No] LD DA220 1

LANDSCAPE OUTLINE SPECIFICATION NOTES

GENERAL:

Note the following is an outline specification for DA purposes only.

All works are to be performed by suitably qualified and experienced trades persons in landscape works. All works shall be supervised by a qualified superintendent.

SERVICES IDENTIFICATION

The contractor shall verify the position of all services prior to the commencement of works and take all necessary precautions to protect services during implementation works.

SITE ESTABLISHMENT

The contractor shall establish site access and compound in position agreed with the Superintendent and or subject to Council approval. The Contractor shall be totally responsible for protecting the site works during construction and establishment including vegetation, pedestrian and vehicular management. Implement erosion control and site management practices to secure the site and to comply with all statutory requirements.

EARTHWORKS & DRAINAGE

Bulk earthworks are by the civil contractor. The landscape contractor shall allow for minor earth trimming and profiling to prepare landscape areas to accept the nominated treatment. Protect exposed earthworks with temporary erosion measures and coordinate the on-site disposal of excess spoil with the Superintendent.

SUBSOIL AGRICULTURAL DRAINS:

All tree positions shall be free draining with positive drainage to SW outlets or natural drainage systems. Install 100mm diameter agg. drains including 200mm wide column of 10-20mm crushed drainage gravel and geo-textile fabric - Bidum A24. Seek direction from the site superintendent.

PIT LIDS:

The Contractor is to protect all pit lids during earthworks preperation. Retain Telstra concrete oval covers & pit checker plate steel pit covers, and concrete service pits. New pit lids are to be suitable for paver infill.

HARD LANDSCAPE WORKS

PAVEMENTS:

Modular Pavement Systems - Pedestrian: Stone paving product
Pavements systems shall conform to the approved Public Domain Framework and or Council's streetscape guidelines to the extent defined on the landscape plans. Supply and install pavements to the pattern nominated over concrete base including; base preparation, mortar bedding, placement, mechanical cutting, expansion | control joints, grout jointing and finishing to achieve levels and positive drainage.

ROADWORKS: Refer to Engineers drawings for grading, materials and set-out.

FURNITURE & FIXINGS

Supply and install furniture and fixing in the positions nominated on the plans or as agreed on site with the superintendent. All items are to be installed on concrete base slab or in-ground footings strictly in accordance with the manufacturer's specification. Where necessary, allow for cutting of pavements and or core drilling installation method.
The pavements shall comply with Council and Australian Standards

LIGHTING

Refer to the electrical engineer's plans for lighting circuits and installation. The general layout are nominated on the landscape plans.

SOFT LANDSCAPE WORKS

SOIL MIX:

Imported Soil Mix:

All planter areas shall have a minimum soil depth of 300mm and 100mm to turf | grass areas with landscape quality soil that conforms to AS 4419 Soils for Landscaping and Gardens.

Ameliorated site topsoil mix:

The Contractor is to use stockpiled site topsoil adding soil additives and chemicals; lime gypsum and fertiliser nutrients to achieve AS4419.

SAMPLE & TESTING:

Provide 1kg soil mix test sample and data to of imported or modify site soil , clearly

identified and referenced to the test data, prepared by an independent soil laboratory. Submit to the Superintendent for approval prior to supply and placement.

FERTILISER: Apply slow release Oganic fertiliser at the time of planting with pellets to advanced tree positions strictly in accordance with the manufacturers specification and with regard to season, soil mix, watering regimes and sub grade conditions.

PLANT MATERIALS:

Refer to the plant schedule. The contractor shall ensure that all plant materials are secured immediately upon award of contract. Failure to do so will not give rise to substitutions or extensions of time. All stock shall be grown in open areas which are exposed to the sun and wind to promote vigorous plant growth and to harden plants off. All plant material shall be pest and disease free. All plant material shall not be root bound or damaged. Plant densities shall reflect accepted industry standards and Councils guidelines for Landscape Works and be sourced from an accredited nursery. The Contractor will be responsible for purchasing and coordination of delivery to satisfy the construction program. It is the Contractor's responsibility to check trees at the supply source and to accept delivery of the trees at site, ensuring that the trees are supplied in accordance with the specification and are in good health. The Contractor shall allow for unloading and placement of all advanced tree materials.

All bag stock shall conform to the specification and must be secured from an Accredited Nursery. The current Natspec Guide "Purchasing Landscape Trees" is a **guide only** for quality tree production. All trees must be able to be planted without the use of tree stakes. Any trees requiring staking to be held vertical shall be rejected.

ADVANCED TREES:

Plant stock shall have a well developed straight stem with tri-branching structure and healthy canopy typical to the species and to the minimum sizes scheduled.

Excavate a hole a minimum 2X wider than the root ball and deep enough to accept a minimum 200mm of topsoil below. Break up the base of the hole to a further depth of 200mm, and loosen compacted sides of the hole as necessary to prevent confinement of root growth to the hole. Loosen sides of root ball to promote growth. Backfill with nominated soil mix, lightly tamp and water to eliminate air pockets. Ensure positive drainage to all tree positions.

Supply and install root barrier as nominated and staking as detailed on plans.

IRRIGATION SYSTEM: Supply and install an automatically controlled system to landscape areas identified on the plans to achieve 25mm/week precipitation rate. This system shall have a rain switch and have backflow prevention devices fitted in accordance with Councils regulations.

MAINTENANCE PERIOD:

General
Planting maintenance period: the planting maintenance period will be 52 weeks and will commence from the date of practical completion. Of each phase of planting works (hereby specified to be a separable part of the works). It is anticipated that planting works will be undertaken in one phase
Planting maintenance program: 2 weeks prior to practical completion, furnish a proposed planting establishment program, and amend it as required. Such proposal should contain details of the types and frequency of maintenance activities involved with the establishment of plants and grassed areas. Comply with the approved program.

Planting maintenance log book: keep a log book recording when and what maintenance work has been done and what materials, including approved toxic materials, have been used. Log book must be signed off by the client's representative after each maintenance visit. Maintain log book in location nominated by superintendent. All entries are to be initialised by person nominated by superintendent. Log book to contain a copy of the approved planting establishment program.
Product warranty: submit the supplier's written statement certifying that plants are true to the required species and type, and are free from diseases, pests and weeds.
Insurance: the contractor is to ensure suitable insurance cover and / or bank guarantee is in place for the theft and / or damage of all works executed under this contract for the plant maintenance period.

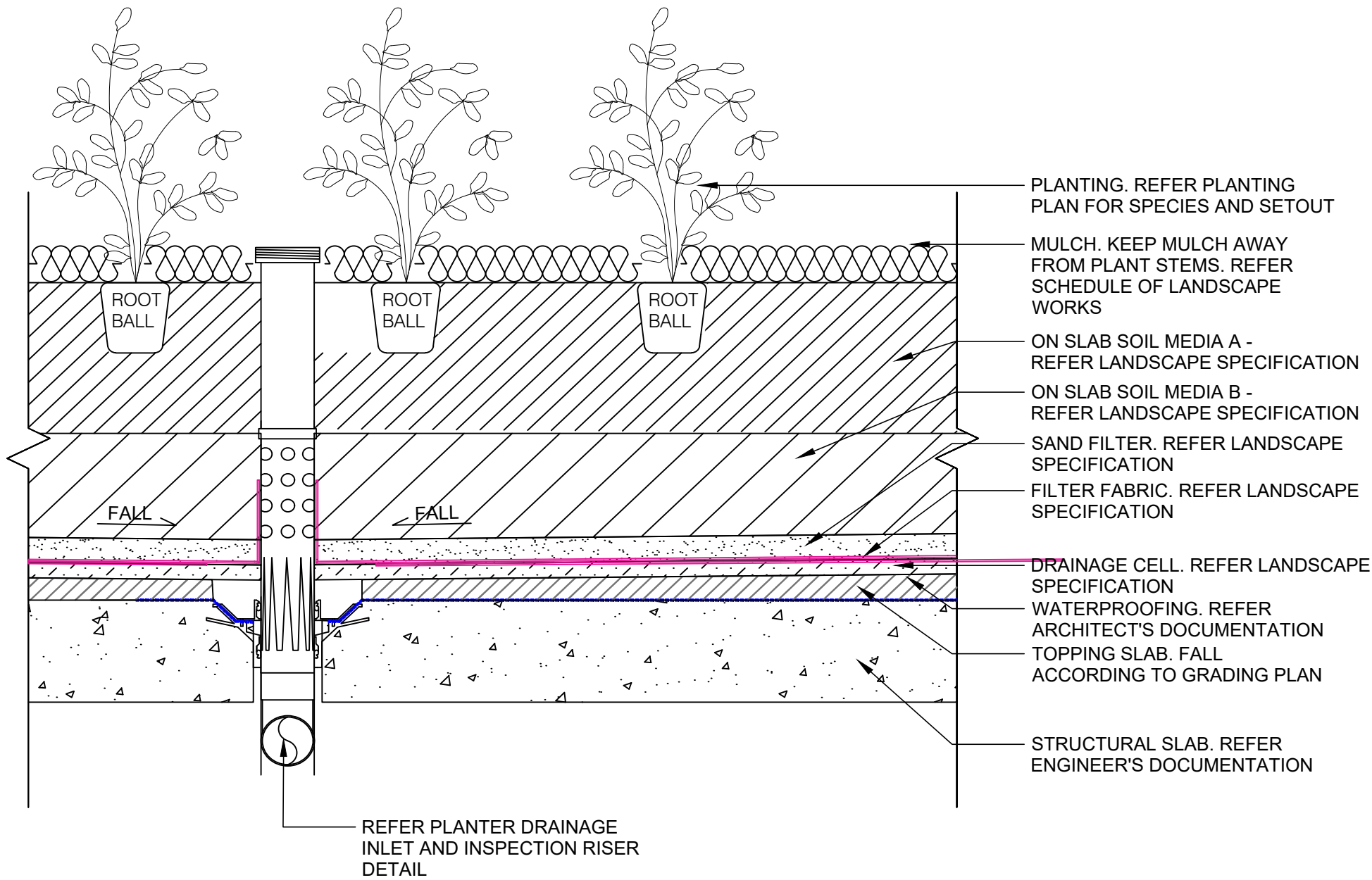
All Drawings To Be Read In Conjunction With Structural, Mechanical, Hydraulic and Electrical Engineers' Detail Drawings And Specifications.

**** ALL WORKS WITHIN THE PUBLIC DOMAIN IN ACCORDANCE WITH FAIRFIELD CITY COUNCIL SPECIFICATION AND DETAILS**

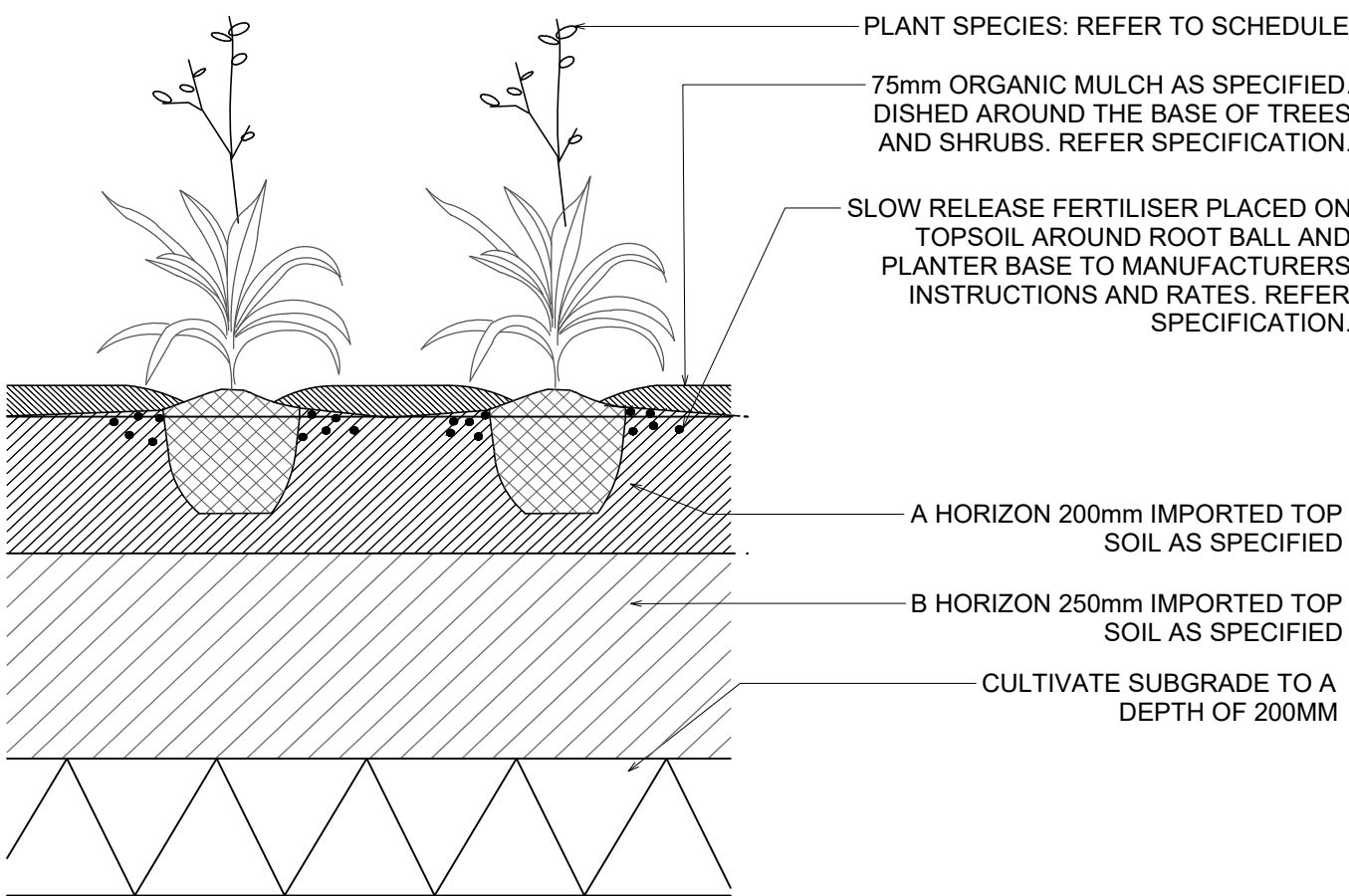
All Levels Indicated Taken To Australian Height Datum (AHD)

Refer to Detail Drawings For Typical Details.

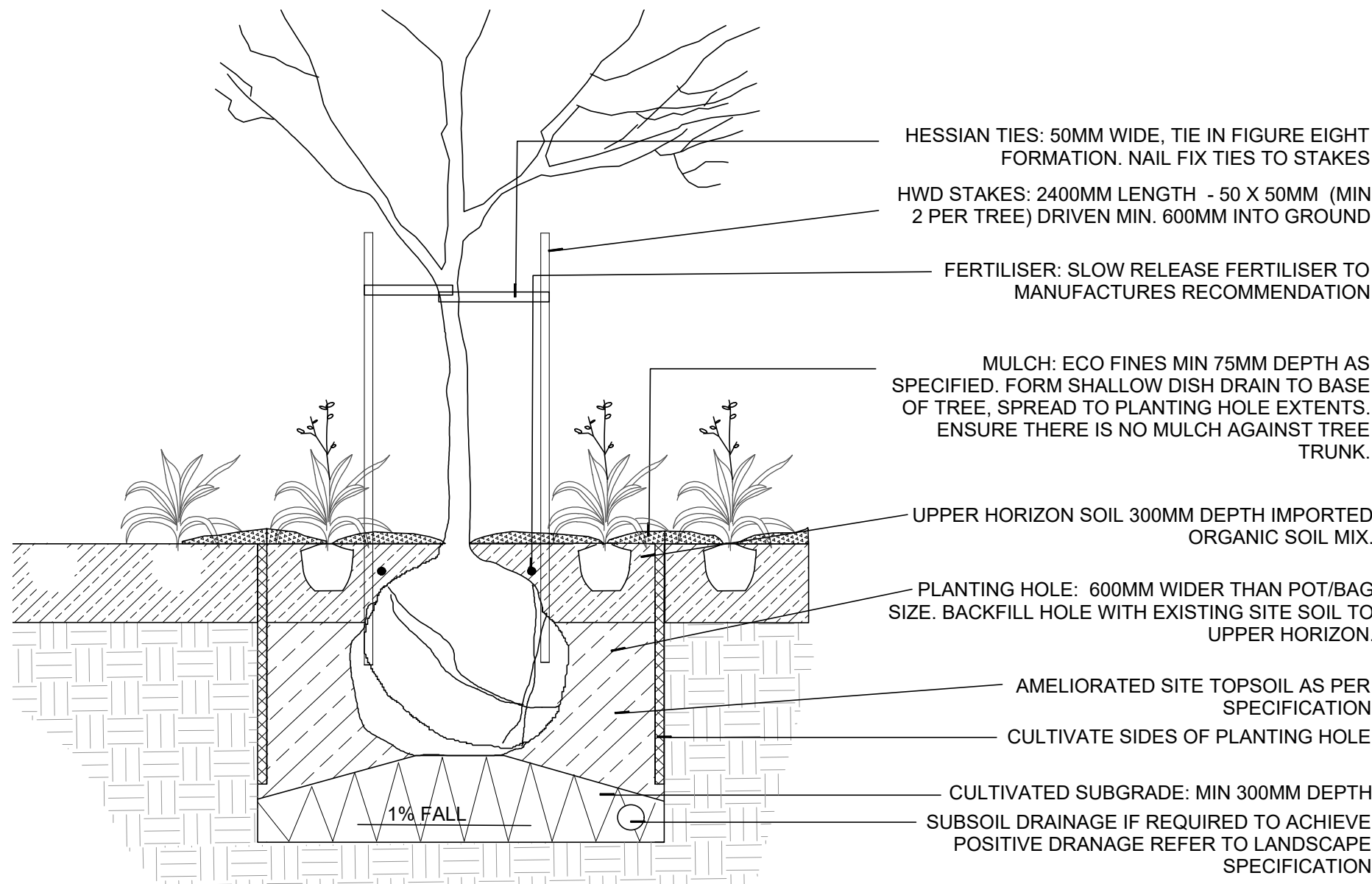
Generally All Materials & Construction to Comply To AS 3700



01 TYPICAL DETAIL: PLANTING ON PODIUM
1:10



02 TYPICAL DETAIL: MASS PLANTING ON NATURAL GROUND
1:10



03 TYPICAL TREE DETAIL IN DEEP SOIL
1:20

NOT FOR CONSTRUCTION
LAND
AND
FORM

[Project] Stage 1 Kamira Avenue - Villawood
[Client] TRADERS IN PURPLE

OUTLINE SPECIFICATION & TYPICAL DETAILS

[Ref] 2021002 [Dwg No] LD DA900 1

[Status]		RE-VISED DA
[Nom. Architect]		RI RLA #7993
[2021002 _LD DA100[4].DWG]		
[Print Date]		AUG 2022
		History
[Rev#]	[Description]	[Date]
1	RE-VISED DA	05.08.2022

13 February 2023

Liam Hawke

Coordinator Development Planning

Fairfield City Council

(Attention : Miss G Pham – gpham@fairfieldcity.nsw.gov.au)

RE: DA 384.1/2021 | 2 KAMIRA AVENUE VILLAWOOD

Reference is made to the Planning Panel's recommendation that the applicant provide to the Council its commentary on the Council's Report to the Panel received on 21 December 2022. It is noted that the determination meeting has shifted from early February to late February and this submission aligns with the shift in timing.

To assist both the Planning Panel and the Council a table has been prepared that notes the reasons for refusal set out by the Council and articulates our client's response adjacent each reason. Please find attached the table.

In additional, we have included links via email and placed on the Planning Portal, the following additional documents:

1. Reviewed DA Conditions with edits and comments from the Applicant, being a crown development;
2. Updated architectural plans to address Council's requests; and
3. Updated BASIX and NatHERS to align with this set.

In the coming days Council will also receive a letter from our clients lawyers addressing the social housing on the site. If you require any further clarity as you finalise your response report to the SWCPP, please let us know and we are happy to meet via Teams or in person.

Regards

Adam Byrnes
Think Planners Pty Ltd

PO BOX W287
PARRAMATTA NSW 2150
www.thinkplanners.com.au
PAGE 1



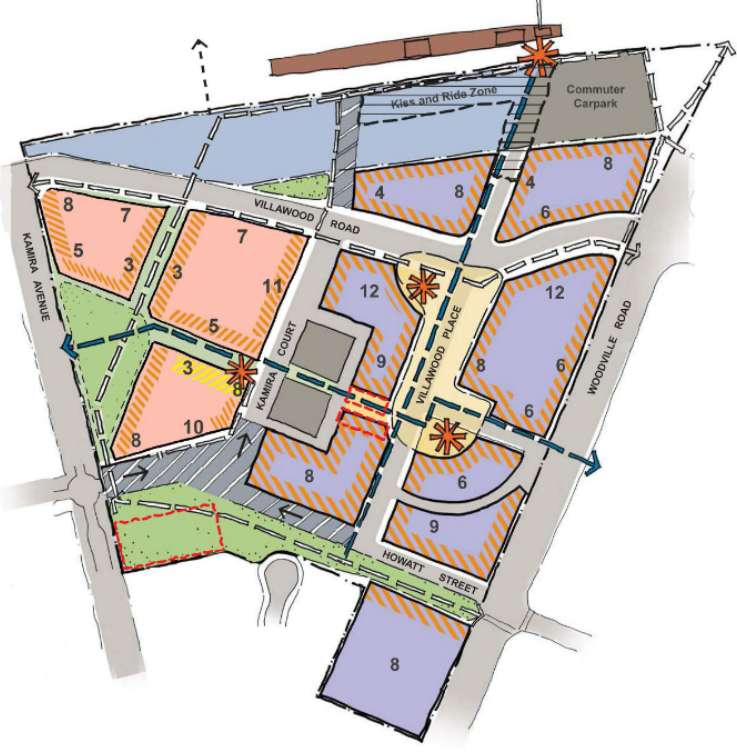
Item	Council’s Position as per report 16 December 2022	Applicant Response
1	<p>Inconsistent with Draft Villawood DCP 2020</p> <p>Pursuant to the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development does not comply with the Draft Villawood DCP 2020. The proposed development does not comply with Clause 4.2.2 and the maximum building heights. The number of stories exceeds the maximum permitted storeys as identified within the DCP.</p>	<p>Fairfield Council is changing the DCP to be consistent with the proposal.</p> <p>Villawood Town Centre DCP will be reported to Council’s Outcomes Committee on 18 February 2023.</p> <p>The Applicant has worked collaboratively with Council strategic staff that will see the Villawood DCP amended to be consistent with that proposed in the Development Application, with respect to massing and height.</p> <p>The process of review undertaken with the Council’s strategic town planners and their advisers (Gyde) supported a more thoughtful approach to the site and this has subsequently aligned the proposed masterplan with that of the DCP.</p> <p>Further, the liveable areas are compliant with the LEP height limits as stated in the Fairfield Local Environmental Plan 2013.</p> <p>Below are the figures from the newly created Villawood Town Centre DCP showing permitted compliance from the proposed Stage 1 DA massing and floor levels.</p>  <p>Figure 1: The Council proposed Villawood Town Centre DCP Height Controls</p>



Figure 2: Proposed Height Controls by Applicant – completely aligned with Councils proposed DCP changes

Notwithstanding liveable areas are already compliant under the existing LEP, the amended DCP (once endorsed) will ensure massing/buildings heights are also consistent.

2

Development Fails to Demonstrate Design Excellence

Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate design excellence in accordance with Clause 6.12 of the Fairfield Local Environmental Plan 2013. The proposal fails to exhibit design excellence regarding the building façade colours, building massing, podium car park, signage and artwork and treatment of pocket park.

Overarching response:

As requested by the Panel, the architects DKO worked with the Councils design expert to resolve the façade articulation and materiality which was agreed in December 2022, as noted in Councils planning report.

The proposal achieves design excellence as defined in the Fairfield LEP 2013. More specifically, as it relates to building materials, massing, signage and proposed artwork – and how this proposal will not only complement the surrounding context, the proposed development will elevate the standard of building expression in the Villawood Town Centre.

The proposals response to respective design excellence items are listed below:

Fairfield LEP 2013

6.12 Design excellence

The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Fairfield.

Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.

In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—

whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

Response:

The proposal incorporates a broad range of materials including brick, metal, fibre cement panel and different uses of those materials throughout the building.

These materials are considered a premium treatment in external building finish, complements and in some cases elevates the level of finish in context of the surrounding Villawood Town Centre buildings.

This high standard of architectural design and external materials finish is shown in the *Urban Design Report – November 2022* by DKO, PDF pages 17-32.

whether the form and external appearance of the development will improve the quality and amenity of the public domain,

Response:

The abovementioned materials are further improved through vertically and horizontally separating building forms through articulation and stepping of their elements. This breaks up the building scale on a whole building level.

Further, at the public domain level, the ground level car parking is sleeved on all 4 sides and on 82% of the building frontage (see PDF pg. 48 of the *UDR*). This active frontage is over and above the requirements of the DCP – see PDF pg. 49 for comparison of the proposal vs. DCP requirements.

This area is activated with ground level terrace units providing passive surveillance to the park and street areas, residential lobby entries on three building frontages to promote thoroughfare into the surrounding Town Centre, and a proposed community centre on the corner of the east-west pedestrian link – welcoming visitors and users from the existing Villawood Town Centre.

The public domain will be further improved through the welcoming area of the community centre and awnings along building's north and eastern façade as shown in PDF page 41 and 63 of the *UDR*.

whether the development detrimentally impacts on view corridors,

Response:

The proposed heights are consistent with the draft DCP reported to the Council for this site. The proposed development does not detrimentally impact existing views from neighbouring properties. The large vacant site is bordered by single story residential to the west and south (as well as Howatt St parklands), to the north is the NSW Sydney Trains rail line and to the east is Council owned car parking.

how the development addresses the following matters—
the suitability of the land for development,
existing and proposed uses and use mix,
heritage issues and streetscape constraints,

Response:

The land has been vacant for many years and is perfectly situated for new high density development and the revitalisation of the Villawood Town Centre as contemplated in Council's DCP. There are no existing heritage or streetscape issues. This proposal looks to include additional road and pedestrian link infrastructure for community benefit.

the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

Response:

The master-planned scheme of which this proposal makes up Stage 1 includes complementary links to the surrounding neighbourhood via the formal 'east-west' pedestrian link connecting the community to the existing Villawood Town Centre.

Building setback and separations are all compliant and the building form steps down from the high density of Villawood Town Centre to the east, down to the central Villawood Park in the west as it meets single story residential to the site's west.

This has been outlined in PDF pages 24-34 in the *Council Response Report* dated July 2022 by DKO.

Vast amounts of public domain and private realm amenity is provided as detailed in DKO's Architectural Plan pack and PDF pg. 24 of the *Council Response Report* dated July 2022 by DKO.

bulk, massing and modulation of buildings, street frontage heights,

Response:

In consultation with Councils design expert the following amendments have been agreed that relate directly to this matter:

- Modulation of the top of the building to create variety in height
- Introduction of additional vertical breaks to articulate the façade
- Double height façade expressions to address vertical scale

Street frontage heights have been explored in the last *UDR* November 2022 by DKO Architecture. The three options offered in PDF pages 16-32 explores differing façade treatments, materials and podium expression to break up any views of a singular block expression.

At the request of the Planning Panel the design team, in late 2022, worked with the council appointed urban design expert to work up variations to

		<p>the scheme that provide greater modulation and articulation of the building and the team is satisfied the plans achieved the desired outcome.</p> <p><i>environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</i></p> <p>Response:</p> <p>The proposal includes a large array of solar panels producing 70 kW of power to the building. The articulation in façade and tower elements also maximises cross-ventilation of the units.</p> <p>The proposal incorporates passive solar design in the façade through the application of vertical and horizontal elements.</p> <p>Balancing the density and scale that this site requires has been thoughtfully explored to maximise solar opportunities and minimise overshadowing where possible. This has been outlined in PDF pages 24-34 in the <i>Council Response Report</i> dated July 2022 by DKO.</p> <p>The design considers solar gain to apartments and solar impacts to other spaces. It is important to understand the proposal in its context as it is Stage 1 of a scheme that will deliver substantial public open space (that receives significant solar penetration throughout the year). We note that the provision of some areas of shade is important having regard to the climate in Villawood.</p> <p><i>the achievement of the principles of ecologically sustainable development, pedestrian, cycle, vehicular and service access, circulation and requirements,</i></p> <p><i>the impact on, and any proposed improvements to, the public domain, the interface with the public domain,</i></p> <p>Response:</p> <p>The proposal provides ample solar power to the site and provides 43% of site area as landscaped amenity for residential owners and the community alike.</p> <p>Cycle and pedestrian pathways are provided connecting to all public edges of the proposed building.</p> <p>The necessary vehicular and service access required to maintain such a building is isolated to a small portion on the southern façade of the building. This access area makes up just 18% of the total building frontage and provides access on the edge of the building with the least solar opportunity (southern) and hence is limited in its residential and commercial value. The internal loading and access moves up through the building for service and car parking which is open to air for natural (non-mechanised) ventilation. This will also open for future opportunities if parking becomes redundant with the advance of car share, bicycle, and public transport opportunities. The above grade car parking can be repurposed in future for alternate valuable uses that are unavailable if car parking were placed underground.</p>
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As previously mentioned, the interface with the public domain has the building sleeved on 82% of it's frontage with residential, lobby and community space uses. Awnings are provided for common thoroughfare of the most active links and large privately owned forecourt spaces and pedestrian links will be made available for community use with the opportunity for public art, market stalls and seating in shaded areas of the public park which 1,000 sq.m. will be dedicated to Council.

Full details are provided in the DA Architectural Plans by DKO provided in support of this submission.

the quality and integration of landscape design.

Response:

The proposal has 43% of site area dedicated to landscaping which is well above the 35% ADG requirement. This is broken up into different levels of landscape offering with 1,001m² of landscape area at the ground floor, 1,149m² of landscape area at level 3 and 218m² provided at level 8.

The landscaped areas will provide a high degree of amenity to residential owners and their visitors, as well as the public parkland for the broader community benefit. This is provided with public and private seating nooks, shallow and deep soil planting of native plants, and active play areas for children in both communal open space and public park lands in the 1,000 sq.m. dedicated parkland.

Further details on the full landscaping offering is included in the DA Landscape Plan Set by Land and Form.

It is noted that Fairfield Council in their report, *DRAFT SWCPP Report* dated 16 December 2022, pg. 46, offer some more specifics on Design Excellence which are responded to below:

Overshadowing of Hilwa Park and 47 Pedestrian Mall:

Previously shared shadow and solar studies from November 2022 submission have shown the negligible difference to shadowing of both locations when comparing to both the LEP allowable height and the Draft DCP massing.

The DCP completely aligns with the proposed DA massing and so it's considered that the solar impacts have been considered already at the strategic level.

Building Façade:

Building façade materials is subject to the inaccuracies of render production and perceived shadowing.

In response and to provide a lighter brick colour at the request of Council the amended bricks will comprise:

EF-06: PGH Opaline Tourmaline with Running Bond

EF-11: Austral Bricks Metallix Platinum with Stack Bond

		<p>It is recommended that a condition of consent require a change of brick to these above (or similar).</p> <p><u>Podium Car Park</u></p> <p>The podium car parking item has been explored and responded to in previous correspondence and throughout this document. It is noted that there is an in principle acceptance of solid to void and materials massing of the podium. For further clarity the metal screen detail is currently call as:</p> <p>EF-04: FC Sheeting Ribbed Profile. James Hardie – Axon Cladding with Dulux TeaHouse paint finish.</p> <p>This will similarly be detailed and final selected during design development and CC but should be considered suitable in this case given Council’s report comments.</p> <p><u>Signage</u></p> <p>Art opportunities will be subject to future liaison with Council, the community and an art specialist and is not an element of the Application. It was agreed with Councils design consultant that future opportunity for art was available in the design at the north east podium area.</p> <p><u>Pocket Park</u></p> <p>Council’s Report refers to the absence of landscape plans. These were provided in the Applicant’s first response from July 2022 and also referred to in the November 2022 submission. These same Landscape Plans include the required level of DA detail and are included herein.</p> <p>Further details on the full landscaping offering is included in the DA Landscape Plan Set by Land and Form.</p>
3	<p>Excessive Height/Bulk/Scale</p> <p>Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is excessive in height and bulk and scale. The proposal is non-compliant with the built form and massing envisioned in the Draft Villawood DCP 2020 and results in an unacceptable overshadowing to Hilwa Park as well as residential properties adjoining the park to the south.</p>	<p>The proposal is compliant with the proposed Villawood Town Centre DCP changes, to go before the Outcomes Committee on 18 February 2023. The contemplated floors in the DCP masterplan align with the current DA proposal.</p> <p>The scale of the building has not changed since the original DRAFT Villawood Town Centre DCP with the difference being in some sections of building form as it has evolved during the Planning Proposal process for retail areas and now the final proposal which aligns with the final DCP.</p> <p>The overshadowing impacts of the proposal has been compared to the previous DRAFT DCP masterplan to show the negligible differences in overshadowing between the proposals.</p> <p>Full details are available in the PDF pages 2-6 in the ‘<i>Urban Design Report – November 2022</i>’ by DKO</p> <p>Importantly, this shows that in all cases the proposed massing and resulting shadowing is under the LEP allowable limit. In Council’s “<i>DRAFT SWCPP Report</i>” dated 16 December 2022, pg. 38 of the report supports this position: “<i>the Applicant’s written request for variation of the standard has met the tests set out in Clause 4.6 of the LEP.</i>” It is therefore agreed by both parties that the governing LEP height limit has been satisfied.</p>

		<p>Secondly, the <i>UDR</i> by DKO shows minor differences between the DRAFT DCP and the current proposal (shadow area difference ranging from 0.2-6.7%) – which may not be relevant given the proposed changes to the Villawood Town Centre DCP. This is explained in PDF pg. 9.</p> <p>Further, the neighbours overshadowing is explored in pages 10-11 in the '<i>Urban Design Report – November 2022</i>' by DKO. This compares the allowable solar received by these buildings as a result of the LEP approved building height vs. the proposed building providing solar allowance.</p> <p>Access to sunlight is substantially maintained in the existing public and private open spaces, and the existing windows of all habitable rooms in adjoining buildings receives at least 3 hours of between 9am -3pm at June 21st.</p>
4	<p>Impact Upon Existing and Future Desired Streetscape</p> <p>Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development does not achieve a high quality design and would adversely impact upon the existing and future desired streetscape due to the provision of podium car parking that has not been sleeved.</p>	<p>This project proposal offering seeks to provide the most significant streetscape improvements to the Villawood Town Centre and the surrounding Villawood residential community – more so than any recent application to Fairfield Council. Including intentional connection to Hilwa Park incorporated into the design.</p> <p>This offering is through the following:</p> <ul style="list-style-type: none"> - Upgrade of existing Kamira Court roadway; - Extension of the Howatt St roadway westbound to meet Kamira Ave; - Upgrading of the street verges of Kamira Ave bounded on the project west side; - Facilitating east-west pedestrian thoroughfare through a privately-owned pedestrian link to the Stage 1 northern boundary; - Proposing 1,000 sq.m. of public parkland at the end of this pedestrian link for use by the Town Centre to the east and the residential community to the site's west; and - Proposing to activate the east-west link with a community hub including library and café. <p>As mentioned in previous sections, the ground floor edge has been sleeved for 82% of the building frontage and provides activation and passive surveillance to:</p> <p>Northern boundary, pedestrian link: East-west link activated with community hub.</p> <p>West boundary, parklands landscape: terraced units providing passive surveillance to parklands.</p>

		<p>South boundary, Howatt St streetscape: residential lobby access, passive surveillance of terrace units overlooking Howatt St extension and Hilwa Park, building's back of house appropriately placed on the southern façade of the building where the best access for service vehicle entry is available on Howatt and there's otherwise minimal solar opportunity is available for residential and commercial offering.</p> <p>East boundary, Kamira Court streetscape: Community hub's ancillary café addresses this streetscape and offer an opening connection from the site's east, residential lobby connection provided to activate Kamira Court and residential terraces provided to sleeve the back of house in this area and provide passive surveillance to Kamira Court.</p> <p>Given the above, it's considered that the building at ground level is more than adequately sleeved and preserving streetscape on the ground plane. Further, awnings will be provided along the community hub and pedestrian connections which will screen any un-sleeved car parking on the levels above. Keeping the car parking unsleeved in levels above provides appropriate natural ventilation of the car park for a more sustainable outcome (rather than relying upon constant mechanical ventilation of a sleeved scheme).</p> <p>The proposal as presented in this scheme appropriately balances the need of a successful streetscape, and design excellence of the building's exterior, whilst preserving the parking needs of the project primarily within the building's interior.</p> <p>Please refer to previous sections for references to the Urban Design Report by DKO detailing these building areas and façade treatment to show design excellence in the streetscape offering and the architectural elevation plans detailing the ground levels and car parking above.</p> <p>In the Draft Villawood Town Centre Development Control Plan, Clause 4.8 is as follows:</p> <p><i>1. Car parking is to be provided in an underground basement, or where appropriate, sleeved with active uses to main street frontages.</i></p> <p><i>2. Sleeved car parking at ground level or above ground level must be architecturally designed and meet design excellence controls outlined within Fairfield LEP 2013.</i></p> <p>To point 1 above, the car parking is sleeved with active uses on the ground level to the main street frontages and the east/west pedestrian link, as described prior.</p> <p>To point 2, in the levels 1 and 2 above the car parking is partially sleeved with apartments but not wholly sleeved as once the building is above ground plane the perceived streetscape impact is outweighed by the opportunity to naturally ventilate the parking area.</p> <p>As shown in the UDR – November 2022 by DKO and the full architectural plans, the building on all levels is architecturally treated to align with the expression of the broader building and achieves design excellence as addressed in the above sections of this document.</p>
41		

	<p>Privacy Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the development would have an adverse impact on the future neighbouring residents with respect to overlooking and privacy due to the non-compliant ADG separation distance on northern setback on Level 4.</p>	<p>Council's Report dated 16 December 2022 states the following ADG Point 7. Safety & Security (pg.39):</p> <p><i>"The proposal is considered to be satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy."</i></p> <p>The northern setback of the building to a future contemplated building is a matter to be assessed on the merits of the Stage 2 application for 2 Kamira Ave. In the Stage 2 application the architectural plans detail the required privacy screening to the benefit of both building occupants and remove privacy issues which may arise of ADG guided building separations.</p> <p>It is requested that the Stage 1 building be assessed on the merits as it currently stands and provide assessment to the Level 4 setback when it becomes relevant in the Stage 2 development assessment.</p>
4j	<p>Usability of Private Open Spaces Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the development would have an adverse impact on the usability and accessibility of the private open spaces due to the positioning of the air-conditioning units.</p>	<p>The DA architectural plans show private open spaces with air conditioning units included.</p> <p>This provision for air conditioning units has been outlined in the 'Urban Design Report – November 2022' by DKO. It is considered that the condenser units will not be a hinderance to private open space but serve as utility in the back corner of a balcony area which otherwise has minimal use. The condenser units will be placed on the slab and not "wall hung" so they cannot be seen by a person on the ground plane when looking up to the building.</p> <p>It is also noted that air conditioning is not proposed for social housing units and so the visibility of condenser units from ground level terraces, level 1, level 2, and partial level 3 units will not be an issue as the private open spaces will not include these units.</p> <p>Further, for the privately owned units on level 3 and above, the visibility of condenser units from the street will not be possible given they will be set back from balcony edges.</p> <p>This provision for air conditioning units has been outlined in the 'Urban Design Report – November 2022' by DKO on pg. 65 as a case in point study.</p> <p>Objection is raised to a condition of consent requiring a further application be submitted to show the location of the A/C Units. Amended plans have been submitted to illustrate this, and should be incorporated into the approval.</p>
5	<p>Vehicle Access Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and</p>	<p>Council's report is not clear which door in question is both 'inwardly opening' and also 'obstructs waste truck access'. This issue can be addressed by a condition of consent if required and amended during design development plans before Construction Certificate through the supply of a reverse opening door or a roller door solution as presented in other bin storage areas.</p>

	<p>Assessment Act 1979, it is considered that the development would have an adverse impact on traffic and vehicular access due to the positioning of the inward opening door design which can obstruct vehicle access and circulation on the ground floor.</p>	<p><i>'Urban Design Report – November 2022'</i> by DKO pg. 72 provides the latest ground level layout with all areas in question.</p> <p>The Applicant appreciates that this item is not grounds for an application refusal but just requires clarification and refinement in design development.</p> <p>If Council can clearly identify the required change through the wording of a consent condition, this will be updated prior to the relevant Construction Certificate.</p>
6	<p>Traffic and Pedestrian Access Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the development would have an adverse impact on traffic and pedestrian access due to insufficient road widths and inappropriate location of pedestrian crossings.</p>	<p>The pedestrian crossings and road widths have been considered by Council and their independent consultants (Stantec) between January and July 2022 as a part of the precinct assessment for a Planning Proposal for the retail precinct on Stage 2 lands. This was subsequently endorsed by Council Outcomes Committee on 6 July 2022. The reason for refusal contradicts the endorsement provided to us previously by Council.</p> <p>This consultation with Council drove the layouts widths, alignments and pedestrian orientation of Howatt St and Kamira Court roadways. The road widths were approved at this time and vehicles crossing road centrelines is a standard traffic risk management practice which is treated through signage, traffic speed management and a risk assessment as a part of the roads design development (CC) stage.</p> <p>All of the DA-specific matters raised in Council's Report were either addressed in the subsequent RFI response lodged by the applicant in July 2022 (see letter from THINK Planners dated 8 August 2022) or were already agreed by Council and Council's independent consultant (Stantec) during the finalisation of the retail Planning Proposal matters in early 2022 and summarised in a Stantec report dated 7 April 2022.</p> <p>Further, a road safety assessment was conducted by an independent authority and provided recommendations. No recommendations resulted in issues preventing the issuing of a DA for the site and remarked on design development items to be resolved prior to the issuing of a construction certificate.</p> <p>It is considered that any traffic items from Council's report can be resolved during design development and prior to Council issuing a CC.</p>
7	<p>Ground Floor Layout Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the development would have an adverse impact on the usability of</p>	<p>The subject site has a 360 degree frontage to public spaces. The proposal has sensitively and appropriately located back of house where visual and movement impacts are reduced, while prioritising entry and activation uses at the most visible and useful locations.</p> <p>As mentioned in previous sections, the back of house access is considered most appropriately placed on the southern façade of the building.</p> <p>Refer to UDR – November 2022 for plans which detail the parking and back of house layout.</p>

	<p>the ground floor areas due to the provision of back of house areas on the ground floor and provision of a substation in the corner pocket park.</p>	<p>The previously noted 'pocket park' is inadequate in area as a result of road infrastructure requirements with the extension of Howatt St requiring road widening (i.e. the requirement raised in the last point) to accommodate local buses through the town centre.</p> <p>It's noted that this area is shaded for the entire day of 21 June solstice and as such is not deemed to be a successful or safe open space area in future. There is ample parkland offering to the north in Villawood Park and south in Hilwa Park.</p> <p>Therefore, a back of house area and including a substation with the appropriate required blast clearances is proposed to be the most effective use of space in this area.</p>
8	<p>Adverse Social Impact Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development would have an adverse social impact upon the locality due to the insufficient supply of social housing apartments. The subject application does not provide the 30:70 social to private housing ratio as set out in the Future Directions for Social Housing in NSW (Future Directions).</p>	<p>The application includes LAHC who are the authority on social housing in the State. No demographic, market, or feasibility evidence from the Council has been provided that would support the assertion that the site must provide a 30:70 split. Nor is it a requirement of the planning controls broadly at a State level or within the local Fairfield EPI's</p> <p>This matter has been responded to Council a number of times by the Applicant. NSW LaHC and the Applicant strongly refute this statement by council.</p> <p>It is our view that this reason for refusal is unsubstantiated and irrelevant.</p>
9	<p>Insufficient Information Insufficient information has been submitted to allow Council to carry out a full assessment of the application. In this regard, no response has been received to Council's letters dated 24 October 2022, requesting additional information/amended plans addressing the outstanding landscaping</p>	<p>Landscape Plans have been provided in support of this response detailing the required items for DA assessment and stamped approval.</p> <p>The tree preservation officer noted a number of trees shall be removed as a result of root impacts. This has been covered by a draft condition of consent which is agreeable by the Applicant.</p>

	concerns. (Environmental Planning & Assessment Act, 1979, Section 4.16(b)).	
10	<p>Public Interest</p> <p>Pursuant to the provisions of Section 4.16(1)(e) of the Environmental Planning and Assessment Act 1979, it is considered that in the circumstances of the case, approval of the development would set an undesirable precedent for similar inappropriate development and is therefore not in the public interest.</p>	<p>The proposal is consistent with the Planning controls for the site as set out in the Local Environmental Plan that has been the subject of public exhibition and authority consultation. The public interest is served by implementing the planning controls set out for the site.</p> <p>Additionally, the proposal incorporates a number of features over and above what is required by the planning controls, each of which serve a public purpose or have a positive net benefit to the site and surrounds, including:</p> <ul style="list-style-type: none"> - Social, Affordable and private housing across a mix of unit types; - 1,000 sqm parkland; - 43% landscape site coverage; - 70kW of solar panels; - Section 7.11 contributions; - Upgrades of both Howatt St and Kamira Court Roads at no cost to Council; and - Advances in sustainability metrics which outperform the Water and Energy requirements of both BASIX and NatHERS.

Villawood Stage 1 – Draft Condition of Consent Checklist

Conditions	Description	Comments	Actions/Status	Completed
1	Compliance with Plans and Docs.	<p>Documentation references needing replacement:</p> <p>"Fire Engineering Report prepared by INCODE Solutions, dated 20 July 2022"</p> <p>To be replaced with:</p> <p>"Memo: Preliminary Fire Engineering Advice prepared by INCODE Solutions, dated 20 July 2022"</p> <p>"Waste Management Plan as prepared by Dickens Solutions, dated August 2022."</p> <p>To be replaced with:</p> <p>"Waste Management Plan as prepared by Dickens Solutions, dated November 2022."</p> <p>"Traffic Impact Assessment Report as prepared by Traffwise Consultants, Version 8, dated 31 March 2022."</p> <p>To be replaced with:</p> <p>"Traffic Impact Assessment Report as prepared by Traffwise Consultants, Version 10, dated 20 November 2022."</p> <p>Documentation references to be added:</p> <p>Civil Plans: C-4.20 Howatt Street Functional Layout Plan. Revision D.</p> <p>"Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021."</p>		
Prior to the issue of a CC				

2	\$7.11 Contribution - \$1,279,327.	<p>Our calculation for Contributions on Stage 1:</p> <p>Contribution payable based on Indexation No. 31, effective on 18 January 2023:</p> <p>\$1,750,957</p> <p>Credit for existing social housing on the site based on Indexation No. 31, effective on 18 January 2023:</p> <p>\$1,950,329</p> <p>Net: \$199,327 in credit.</p> <p>A separate condition should be considered referencing the VPA to determine these contribution amounts.</p>		
3	LSLL	Agreed		
4	Landscape Plans Certified by Landscape Architect.	Agreed		
4I	Soil depth in C.O.S. on levels 3&8 – min. 1m.	<p>This condition currently reads that all soil within landscaped areas of Level 3 & 8 areas are to be min. 1m which is not appropriate.</p> <p>Suggested wording:</p> <p>"i. The soil depth within the landscaped areas in the communal open space on levels 3 and 8 must be a minimum of those soil depths outlined in the Apartment Design Guidelines Section 4P.</p>		
4J	Trees no. 62-65 must be removed and replaced with suitable sizes and species.	<p>This condition does not provide approval to the trees proposed for removal in the Allied Tree Consultancy Report.</p> <p>Suggested wording:</p> <p>"4. J. In addition to the proposed treatment of site trees outlined in 'Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021', trees labelled as No. 62, 63, 64 & 65 on the architectural plans must be removed and replaced with a suitable size and species within an appropriate area on site."</p>		
5	Design Verification – SEPP65 Part 2 Statement by the qualified designer must be submitted to the Certifier.	Agreed		
6	A Stormwater Drainage Certificate must be submitted to the Certifier.	Agreed		
7	An OSD Certificate must be submitted to the Certifier.	Agreed		
8	A CC (Engineering Approval) for the footpath must be submitted to the Certifier.	Agreed		
9	The Final Stormwater Drainage Plan must be submitted to the Certifier.	Agreed		

10	A Vehicular Crossing Application must be submitted to and approved by the Council.	Agreed		
11	Ongoing maintenance of the awning in accordance with the Awnings Maintenance Plan .	No awnings maintenance plan Proposed to delete or edit		
12	Compensation to the Council for the removal of any street trees.	This masterplan project proposes to delete those trees required to be removed for development and replanting a complete new street tree scheme. Proposed to delete condition given all street trees will be replaced by applicant and recommendations as outlined in Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021', are to be adopted.		
13	A 5-year Landscape Management Plan must be submitted to the Certifier.	Propose to change: "issue of Construction Certificate", with "issue of Occupation Certificate"		
14	Sydney Water Consent & Stamped Plans.	Agreed		
15	A Construction Traffic Management Plan must be submitted to the Certifier.	Agreed		
16	A Traffic Control Devices Plan must be submitted to and approved by the Council.	Agreed		
17	A Loading Dock Management Plan must be submitted to and approved by the Council.	Agreed		
18	Road Construction Plans must be approved and issued a CC (Engineering Approval) by the Certifier/Council.	Agreed		
19	An Acoustic Assessment Report (Development Near Rail Corridors and Busy Roads) must be provided to the Principal Certifying Authority and the Council. All recommendations must be incorporated in the construction drawings and docs.	The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'. Also, the last sentence of the condition is incomplete. Propose to delete condition.		
20	An Electrolysis Risk Report must be submitted to the Principal Certifying Authority. All recommendations must be incorporated in the construction drawings and docs.	Condition not applicable given the distance from rail line. Propose to delete condition		
21	Sydney Trains confirms that its requirements/conditions on Craneage and Other Aerial Operations have been satisfied and are showing on plans if required.	The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'. Propose to delete condition.		
Prior to Construction				
22	A CC is issued by the Certifier.	Agreed		
23	Notify Council of Intention to Commence Works – at least 2 days prior.	Agreed		
24	The documented Erosion and sediment Control Plan must be available on-site and implemented.	Agreed		
25	Toilet facility – connected and approved by the Council.	Agreed		
26	Signage detailing the names and details of the Principal Certifier and Principal Contractor must be installed and maintained.	Agreed		
Prior to the issue of an OC				

27	The Principal Certifier must be satisfied that the development is as consent and CC.	Agreed		
28	All Works on Adjacent Roads (footway/kerb/gutter) should be completed in accordance with the standard/specifications of the Council.	Agreed		
29	Works-As-Executed Plans for Stormwater Drainage must be signed by a surveyor and submitted to the Principal Certifier.	Agreed		
30	Work-As-Executed Plans for OSD must be certified by a surveyor and submitted to the Certifying Authority.	Agreed		
31	Proof of the creation of a Restriction on the Use of Land and Positive Covenant over the OSD.	Agreed		
32	Certification of the OSD – a certificate must be submitted to the Principal Certifier upon completion of the OSD.	Agreed		
33	BASIX Certification – updated BASIX Certificate and Compliance Certificate must be submitted to the Principal Certifier.	Agreed		
34	Any adjustments to public utilities are to be completed in accordance with the requirements of the relevant Authority.	Agreed		
35	Request with the Council the allocation of house/unit numbers.	Agreed		
36	Mailboxes required should be provided on-site.	Agreed		
37	OSD Marker Plate must be attached.	Agreed		
38	Documentary evidence must be submitted to the Principal Certifier, certifying that the development has been constructed in accordance with the Council's Building in Saline Environments Policy.	Agreed		
39	A Road Reserve Clearance Certificate must be applied for and issued by the Council.	Agreed		
40	A Landscape Certificate from a landscape architect must be submitted to the Principal Certifier and the Council.	Agreed		
41	Environmental Reports Certification from a suitably qualified person(s), certifying that all works/methods/procedures/control measures/recommendations approved by the Council and the following reports have been completed: - Noise Impact Assessment Ref 20210202.1 - Remediation Action Plan Ref R.001.Rev0	Agreed		
General Conditions				
42	Compliance with BCA.	Agreed		
43	Compliance with approved Waste Management Plan. The applicant must provide the Council with the name and address of the disposal facility and is required to keep supporting docs (receipt/docket) of reuse/recycling/disposal methods/disposal carried out.	Agreed		
44	Excavation and Backfilling must be carried out safely and in accordance with professional standards.	Edit condition Saturday work hours be amended to 7:00am – 5:00pm <i>This is standard in other LGAs</i>		
45	Admin Fee for the lodgement of CC&OC will be charged if the Principal Certifier is other than the Council.	Agreed		
46	When Demolition/Building and Other Works are undertaken: - Trade waste service must be provided - Plant equipment, fencing, materials, etc. must not be placed on public footpaths/roads - Work hours: Mon-Fri 07-18:00, Sat 08-13:00, no work on Sun and Public Holidays	Edit condition Saturday work hours be amended to 7:00am – 5:00pm <i>This is standard in other LGAs</i>		

47	Method of Stormwater Drainage: <ul style="list-style-type: none"> - Must be diverted to the Council's channel at the rear of the site. <ul style="list-style-type: none"> o Drainage lines across the footpath and street outlets, if required, must be installed/constructed as per the Council's standards/specifications. - Roof guttering system must be operational as soon as the roof is clad - Surface of stormwater shall not be directed or cause nuisances to adjoining properties. 	Clarity of condition required: "The stormwater drainage generated from the development shall be directed to Council's channel at the rear of the site." Potential replacement wording: "The stormwater drainage generated from the development shall be directed to Council's existing stormwater network."		
48	Critical Stage Inspections – the applicant must request the Certifying Authority to undertake the mandatory inspections prescribed under s61 of EP&A (Development Certification & fire Safety) Regulation 2000.	Agreed		
49	Tree Preservation Order must be complied with.	Further to the point raised in Condition 4 regarding the approval to remove trees as outlined in arborist report. Suggested wording: You are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside of those approved in Condition 4.j. of this consent and those listed in the Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021. For any other tree not listed, you must have obtained prior written consent from Council. Fines may be imposed if you contravene Council's Tree Preservation Order.		
50	Disable Access must be provided in accordance with clauses in BCA, standards in AS 1428.1 and Disability (Access to Premises – Buildings) Standards.	Agreed		

51	Maintenance of the Construction Site <ul style="list-style-type: none"> - Adequately maintained so as not to be prejudicial to the surrounding neighbourhood - If the site remains dormant for more than 3 months, permanent security fencing/hoarding/scaffolding and visual shielding should be installed and maintained - Alert signages must be displayed in prominent positions. 	<p>This condition would require permanent fencing if we don't commence within 3 months of receipt of DA.</p> <p>Suggested wording: <i>Once site works has formally commenced and during the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months after construction has commenced, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.</i></p>		
52	Switchboards for utilities must not be attached to the front elevation of the building(s).	Agreed		
53	Clothes Drying Areas for the individual units must be positioned and screened from public view.	Agreed		
54	Driveways and Parking/Manoeuvring Areas Designs must be in accordance with AS 2890 parts 1 and 2.	Agreed		
55	Carparking – Residential – Total 119 spaces <ul style="list-style-type: none"> - 16 for social units - 105 for private units - 7 for visitors 	<p>Agree on the total of 119 spaces. 112 for residential use and 7 for visitors. The traffic report breakdown proposed is:</p> <ul style="list-style-type: none"> - 32 social housing spaces, - 80 private spaces, - 7 visitor spaces. <p>However, this may be subject to change and the SEPP requirements listed in the traffic report provides this flexibility of use. Therefore, proposed to amend parking condition to align with the development proposal:</p> <ul style="list-style-type: none"> - 112 residential spaces, - 7 visitor spaces. 		

56	Carparking and Vehicle Conditions <ul style="list-style-type: none"> - All vehicles should enter and exit in a forward direction - Min. clear head heights of 2.2m for all areas within the basement, 2.5m for all accessible spaces and shared zones - Appropriate signages/clearance signages/convex mirrors/wheel stops/posts must be installed - Allocation/disabled parking signposted - Smaller servicing vehicles are to be accommodated in visitor parking spaces - Loading Bay on-site - All vehicles awaiting loading or unloading should be parked on-site - Car/bicycle parking spaces in accordance with relevant sections in AS 2890. - Any redundant driveways and laybacks must be reinstated to standard kerb and gutter to Council's standards. 	Agreed		
57	Deliveries <ul style="list-style-type: none"> - All vehicles should enter and exit in a forward direction - All vehicles awaiting loading or unloading should be parked on-site - All deliveries should be made to the internal loading bay on the ground floor - Vehicles servicing the site should be restricted to 12.5m HRVs and restricted to off-peak hours only. 	Agreed		
58	Monitoring of State Roadways – the applicant should monitor the state of roadways leading to and from the site and take steps to clean up any adversely impacted road pavements.	Agreed		
59	Security Requirements <ul style="list-style-type: none"> - Security lighting in the loading area and C.O.S - Security measures including self-locking doors at the entrance. 	Agreed		
60	Use of Building Not Approved. A separate development consent is required for the use of the ground floor information and education facility.	<p>Applicant is seeking approval of the use, being information and education facility.</p> <p>Understood that further consent is required for fit out of the premises.</p> <p>Suggested wording:</p> <p>"Separate development consent is required for the building fit out and improvement of the ground floor information and education facility. The information and education facility shall comply with the Fairfield Local Environmental Plan 2013 definition as follows:</p> <p>information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like."</p>		
61	No Advertising Signs or Structures will be erected without the Council's approval.	Agreed		

62	The Number of Social Housing Units should comply with the 30:70 social to private tenure mix set out in the Future Directions Policy. i.e.,34 in stage 1 and 66 in stage 2. Total of 100.	Delete condition. Council does not have the delegation under EP&A Act to compel this tenure mix and Stage 2 is irrelevant to this Consent.		
63	OSD must be constructed in accordance with the approved design and Council's OSD Handbook.	Civil consultant ok		
64	A Validation Report should be prepared and submitted to the Council for review not later than 60 days after the remediation is completed.	Agreed		
65	Unreasonable Noise and Vibration should be avoided. Investigation and mitigation steps should be carried out should a noise or vibration problem arise at the time.	Agreed		
66	Garbage Rooms should: <ul style="list-style-type: none"> - be fully enclosed - be provided with a concrete floor with concrete or cement-rendered wall coved to the floor - be graded to an approved sewer connection incorporating a sump and grate cover or basket - be provided with a hose cock - vented to the external air by natural or artificial means - have designated space for dry recycling facilities. 	Agreed		
67	Compliance with Food Act 2003	Condition is not applicable. Propose to delete condition.		
68	Grease Arrestor	Condition is not applicable. Propose to delete condition.		
69	All uses of the premises should operate in accordance with the NSW Protection of the Environment Operations Act 1997 . All activities/operations carried out should not create air pollution, odour, offensive noise, and pollution to land/water.	Agreed		
70	Waste Storage Area. Waste must be secured and contained within designated waste areas. Bins must not overflow into parking, landscaping areas, and neighbouring public/private properties.	Agreed		
71	Graffiti Removal. The owner/lessee of the building should remove any graffiti which appears on any surfaces of the property within 48hr of its application.	Agreed		
72	No Public Address System or Sound Amplifying Equipment should be installed to permit the emission of offensive noise onto any private premises or public place.	Agreed		
73	Lighting. Illumination of the site is to be arranged in accordance with the AS4282 1997.	Agreed		

74	Clothes Drying Facilities	<p>Condition is poorly worded and mandating clothes dryers in social housing units where tenants may not use them is not practical. Not all tenants can afford their operation.</p> <p>Also condition 53 covers the screening of clothes drying facilities.</p> <p>Propose to delete condition.</p> <p>It's agreed that a clothes drying solution should be provided for all units.</p> <p>Suggested wording: "Individual clothes drying facilities shall be provided to each unit."</p> <p>Condition 53 covers the screening of clothes drying facilities.</p>		
75	Air-con Unit Approval. A separate DA should be lodged for any air-con unit that does not meet the requirements of the Council's City-Wide DCP and ADG.	<p>A development application for an individual air-conditioning unit is not practical.</p> <p>Air conditioner locations are included on the architectural plans.</p> <p>Propose to delete condition.</p>		
76	Prevent pollution of any form entering the rail corridor	Agreed		
77	Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor and its easements, and must be adequately managed/disposed of.	<p>Condition is not applicable.</p> <p>Propose to delete condition.</p>		
78	Drainage Disposed. All drainage from the development should not be discharged into the rail corridor unless prior approval has been obtained from Sydney Trains.	<p>Noted as condition 73 in draft conditions.</p> <p>Delete condition. Redundant condition as the development is not able to drain into the rail corridor. The project will only discharge into Council's existing stormwater network.</p>		
79	Copies of Documents Submitted to Council. Copies of any certificates, drawings, approvals, and documents endorsed by, given to, or issued by Sydney Trains or TAHE must be submitted to the Council for its record before the issuing of CC&OC.	Agreed		
80	Communication with Sydney Trains. The Applicant should have a representative who is available on a 7-day-a-week basis to liaise with Sydney Trains and oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains.	The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'.		
81	During Demolition, Excavation & Construction Works, the applicant must consult in good faith with Sydney Trains in relation to the carrying out of the development works.	The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'.		

82*	<p>The Applicant should forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team should a condition of consent requires consultation with Sydney Trains.</p> <p>West_interface@transport.nsw.gov.au</p>	<p>The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'.</p>		
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*All highlighted conditions need to be renumbered so they are sequential throughout the Consent.

TO: Sydney Western City Planning Panel

REPORT: Supplementary SWCPP Report

FILE No: DA 384.1/2021
PAN-138481
PPSSWC-221

SUBJECT:

Property:	Lot 37 in DP202006, Lot 39 in DP202006, Lot 136 in DP16186, Lot 381 in DP1232437 and Lot 382 in DP1232437 at No. 2 Kamira Court, Villawood (Total of five (5) lots).
Application lodged	21 October 2021
Applicant	Adam Byrnes (Think Planners)
Owner	NSW Land and Housing Corporation
Application No.	DA 384.1/2021
NSW Planning Portal Application No.	PAN-138481
Planning Panel Reference No.	PPSSWC-221
Proposed Development	Stage 1 of the Redevelopment of No. 2 Kamira Court within the Villawood Town Centre, involving Tree Removal, Construction of a 8-10 Storey Mixed Use Development comprising Information and Education facility with ancillary Cafe on the ground floor, 112 Residential Units, Public Open Space, a Podium Car Park comprising 119 Car Parking Spaces, associated Road Works and Landscaping pursuant to the State Environmental Planning Policy (Affordable Rental Housing) 2009.
Cost of Works	CIV = \$29,271,348
Zoning	R4 High Residential under the Fairfield LEP 2013

Assessing Officer: Geraldine Pham – Senior Development Planner

Date of Report: 24 February 2023

ATTACHMENTS

Attachment A – Additional information submitted by the Applicant

Attachment B – Council's response to Applicant's proposed changes to Conditions of Consent

Attachment C – Updated draft Conditions of Consent

Reference is made to the abovementioned development application and the Final Briefing Meeting to be held via Microsoft Teams on Monday 27 February 2023. Council received additional information from the Applicant on Monday 13 February 2023 including revised plans, proposed amendments to Council's draft conditions and responses to Council's reasons for refusal. Council has reviewed the additional information submitted and Council's responses are provided in the body of this Supplementary report and the attached documents (Attachment B – Responses to the proposed changes to Conditions of Consent).

BACKGROUND

The proposal is for Stage 1 of the Redevelopment of No. 2 Kamira Court within the Villawood Town Centre, involving Tree Removal, Construction of a 8-10 Storey Mixed Use Development comprising Information and Education facility with ancillary Cafe on the ground floor, 112 Residential Units, Public Open Space, a Podium Car Park comprising 119 Car Parking Spaces, associated Road Works and Landscaping pursuant to the State Environmental Planning Policy (Affordable Rental Housing) 2009.

The last Panel meeting was held on 16 December 2022 where the Panel was briefed on Council's assessment of the amended application. A number of issues were discussed including the development achieving design excellence, the provision of podium parking and the number of social housing units provided. During the meeting, the Panel requested that Council complete its assessment report including draft conditions. On the 21st of December 2022 Council provided the assessment report, reasons for refusal as well as draft conditions of consent in the event that the Panel decided to determine the application by way of approval.

The Panel also requested that the Applicant provide its response to the report and conditions in writing by 20 January 2023. On 27 January 2023, Council received a notification from the NSW Planning Panel with a note from the Applicant stating "This matter has been attended to and addressed in submitted amended information that was made to a subsequent RFI received from Council."

Despite the above, on the 13th of February 2023 Council received additional information from the Applicant including amended plans, amended landscape plans, amended BASIX certificate, a written response to the reasons for refusal and proposed amendments to the conditions of consent.

Council has been requested by the Panel's secretariat to prepare a supplementary report in response to the information provided by the applicant.

These documents have been assessed by Council Officers and Council's consultant urban designer/architect and a number of issues were still found to be unresolved. These are discussed further in the body of this supplementary report.

VILLAWOOD TOWN CENTRE DCP 2020

The proposal involves the redevelopment of the LAHC site in which the development controls within the Villawood Town Centre Development Control Plan 2020 applies. The Proposed development relies upon a separate Planning Proposal and an amendment to the DCP 2020. On 23 September 2023, Fairfield Local Environmental Plan (LEP) 2013 (Amendment No.43) was gazetted. Council went through the process of updating the Villawood Town Centre 2020.

The amended Villawood Town Centre DCP was endorsed at Council's Outcomes Committee meeting on 6 December 2022 and was placed on public exhibition commencing from the 15th December 2022. The built form envisaged on the site in the Draft DCP is depicted below:



The proposed development has the following built form for Stage 1:



When Council was requested to provide an Assessment Report to the Panel, the assessment of the applicant's proposal against the building height controls within the draft DCP that was exhibited revealed a non-compliant building height within the 10 storey component on the south western corner of the building (as marked in blue).

Since the assessment report, the exhibition of the Draft Villawood DCP 2020 was adopted at Council's Outcomes Committee on 14 February 2023. The adopted DCP has further altered the build heights and forms and area as follows:



The applicant's proposal is consistent with the building height controls in the adopted DCP.

ASSESSMENT OF AMENDED APPLICATION

Council in its Assessment Report dated 21 December 2022, identified a number of concerns and non-compliances which is as follows:

- Non-compliance with the Draft Villawood DCP 2020 noting that the number of stories exceeds the maximum permitted storeys as identified within the DCP
- Design Excellence has not been achieved as required by Clause 6.12 within Fairfield LEP 2013
- Above ground parking in the form of a 3-storey podium arrangement has not been appropriately sleeved, as required in the Draft DCP.
- Non-compliance with the number of social housing units provided
- Non-compliant building setback

- Pocket Park and Active uses
- Air-conditioning units located within balconies resulting in non-compliance with balcony sizes
- Tree Retention
- Podium planting
- Traffic matters
- Waste matters

In response to these matters the applicant has submitted further additional/amended documentation on 13 February 2023 in order to address the matters raised. The Applicant's amended documentation within attachment A of this report, includes the following;

- Amended Architectural Plans which include further façade articulation, RL level changes, changes to the size of the waste room, amendments to the Road alignment, updates to the Landscaping, addition of window hoods for visual privacy, new louvres, amendments to window locations, changes to internal seating arrangement, additions to skylights, changes to face material, introduction of new balconies and change to the composition of several units to a 2 bedroom and 1 bathroom unit.
- Amended Landscape Plans
- A Response from the Applicant to each of the Reasons for Refusal
- Revised BASIX certificate
- Response to the Draft Conditions of Consent

Council technical officers including the Independent Architect have assessed the amended documentation and responses submitted by the Applicant, and the key planning considerations with the application are identified below.

Non-compliance with the Draft Villawood DCP 2020

As discussed above in this report, the Draft DCP was on public exhibition when Council's Assessment report was requested by the Sydney Western City Planning Panel to be prepared and submitted to the Panel for determination. Since the exhibition of the Draft DCP, further changes to the built form and heights have been made and the final DCP has since been adopted on 14 February 2023. The proposed built form and heights are now consistent with the recently adopted DCP 2020 and therefore this matter is considered addressed.

Design Excellence

Council's Independent Architect has reviewed the amended information and the following is considered not to have been adequately addressed.

- ***Selection of preferred facade approach for upper building***

The bricks proposed look to provide good contrast/ mix and I would expect the normal design /documentation/sampling process during construction to be managed by the

current architects to provide an acceptable outcome with conditions as proposed expanded to ensure this sampling/mock-up and approval process.

- **Further detail of the podium carparking**

There is a in principle acceptance of solid to void and materials massing of the podium however more detail on the actual metal screen detail is requested. Ideally it is of some depth 100 to 150 mm folded perforated or louvre not plate/ perforated flat sheet. The drawings are still not clear as the perspectives indicate louvre of folded element but sections show flush flat sheet. In addition a baffle needs to be designed and included on ceiling(or other effective area) to exclude lighting and reduce impact on neighbours and public domain when viewed from exterior.

The applicants recent letter included the description as EF-04: FC Sheeting Ribbed Profile. James Hardie – Axon Cladding with Dulux TeaHouse paint finish. This will similarly be detailed and final selected during design is not adequate.

There does need to be a detail that shows the construction outcome and illustrates the % of open area and depth of any ribbed metal so a full understanding of the sight and light impacts can be understood by council. This can be resolved potentially with condition (subject to council agreement) as proposed however it does need to include a detailed drawing and accurate description of what is proposed and lighting solution.

- **Inclusion of artwork/lighting/signage on upper building facade at entry to laneway**

While some signage appears at lower level walkway it does not incorporate artwork or is it at a height which would be effective as focal point when viewed across the carpark. This was discussed in some detail at the workshop however does not seem to have been included within the updated plans. It is recommended that an artwork be included as part of the DA and a process for design and installation as well as budget be included. It would also be wise to allow structure and power/digital connection point at high level for some future installation.

- **POS and air conditioning**

The Location of air conditioners on minimal balconies is not ideal as it will reduce the minimum POS m2. The drawings are also not clear as to where AC units and clothes lines will be located. The plans included show AC on balconies at level 3 only (DA203C), yet correspondence suggests there could be more locations. This level 3 is also an atypical level with larger balconies than the levels above. DKO design report page 65 also indicates clothes lines over AC units and pot plants which does have practical implications. While the applicant has stated that no ACs will be required for the social housing element, there have been instances within FCC jurisdictions where this has been requested later in the development phases leading to issues as

described here. Experience indicates that AC will be desirable.

The key issues are that of amenity and an issue of NCC safety when positioning any item on a balcony so as not to constitute a climbable object. The ADG requires minimum 2000mm width for 1 bed and the ability to comfortably fit an outdoor setting. (refer ADG 4E)

It is recommended that all balconies where AC is proposed to be indicated on plans together with clothes drying and where the balconies challenge the minimum requirements for amenity and safety, at the very least demonstrate the ADG amenity capability and meet NCC requirements through detailed furniture layouts.

Given the above, it is not considered that sufficient information has been submitted to demonstrate that the proposal in its current form meets the requirements of Clause 6.12 Design Excellence given the above.

Above Ground Car Parking

In Council's Assessment report, it was stated the following:

The application in its current form involves the provision of car parking in a podium arrangement, which is considered an inappropriate arrangement. This arrangement results in design issues such as excessive bulk and scale, elongated corridors, car park façade, extensive distances to lifts and lost opportunities to provide high quality ground floor apartments and position back house areas in inconspicuous areas. If a basement car parking was provided (and it would appear even 1 level of basement car parking) then further GFA could be provided. In the redevelopment of Villawood Town Centre, there has been three (3) recent large Mixed Use Developments that have been approved all with basement car parking and no above ground car parking. No 1 Villawood that is adjacent to the site to the immediate east has been constructed with 4 levels of basement car parking and it is within the building envelopes envisaged in the DCP.

It also noted that on Level 1 and 2 the podium car parking will face the Internal East/West pedestrian link and the Stage 2 development as well as face Howatt Street and Kamira Court.

The amended Application still maintains the podium car parking and therefore it is not considered that this matter has been resolved satisfactorily.

Social Housing Apartments

The subject site contained 111 social housing units prior to them being demolished in 2006. The subject application involves the provision of 112 apartments including 32 social housing units. This represents a 28.6% of social housing apartments within the housing stock of

Stage 1.

Council has recently received the development application for Stage 2 which involves the provision of 222 private units and no social housing units. Accordingly, the completed development will comprise of 32 social housing units and 302 private units. The amount of social housing units provided within the overall site once both stages are completed represents 9.6% of the housing stock. The redeveloped LAHC site will increase the dwelling yield on the site by 223 dwellings, however, will reduce the amount of social housing units by 79.

No changes have been made to the number of social units provided within Stage 1. Council has completed the assessment of the Stage 2 Application (No. 303.1/2022) which does not propose any social housing units within this application. Accordingly, Council's concerns remain in relation to this matter.

Furthermore, in the applicant's response letter dated 13 February 2023, the applicant advised that "In the coming days Council will also receive a letter from our clients lawyers addressing the social housing on the site." During the time of writing this report, no further information was received from the applicant regarding the social housing units. Accordingly, it is considered appropriate that if the Panel is of a mind to approve the Application, it is considered essential that a condition be imposed that requires the development provide a 30:70 ratio of social to private housing.

Setback to Future Development (Stage 2)

It is noted that the northern setback on Level 4 does not comply with the setback requirements in the ADG. The proposed setback is 15.2m, the ADG requires 18m. The applicant has responded that "It is requested that the Stage 1 building be assessed on the merits as it currently stands and provide assessment to the Level 4 setback when it becomes relevant in the Stage 2 development assessment."

The Stage 2 application has been submitted to Council for assessment. Council has issued a letter to the Applicant which raises the non-compliance as a concern. Given that the site is an undeveloped Greenfield site located over a large parcel of land and is capable of complying with these standards, variations to building separation controls as proposed are considered unnecessary and therefore unacceptable in this circumstance.

Pocket Park and Active Uses

The Amended Urban Design Study refers to the creation of a pocket park at the corner of Kamira Avenue and Howett Street. As outlined above, the peer review that was undertaken supported the introduction of this and recommended that non-residential uses address the park given the commercial uses that would face this park from the adjoining approved Mixed Use development at No. 47 Pedestrian Mall. In support of this recommendation the DCP acknowledges this and therefore seeks an active street frontage to this park. This is depicted

in the figure below:



The amended application has not satisfactorily addressed this as the proposed development has been designed with limited active uses facing the Pocket park with most of the Back of House and services addressing it. Furthermore, the proposal still seeks to construct a substation within the park instead of within the built form which is inconsistent with all the other recent Mixed use Developments within Villawood Town Centre.

Air conditioning Units on Balconies

Council raised concerns that the documentation does not clearly demonstrate that the dimensions and areas of the private open spaces (balconies) is compliant with the ADG development standards as a result of the exclusion of the area used to store the air conditioning units. It is not considered that an air-conditioning unit can be considered as an overall balcony furniture, and provide a useful addition to the balcony space. It appears that the air-conditioning unit is an obstruction to usable private open space.

The Applicant has responded to this matter and it is noted that air conditioning is not proposed for the social housing units. In the event that the developer does not wish to provide air conditioning units, ceiling fans should be provided and this will be recommended as a condition of consent.

In relation to the private apartments, the updated plans indicate AC units on the balconies of the apartments. Furthermore, there are clothes lines located over the AC units which may have practical implications.

In the applicant's response, the applicant stated "It is considered that the condenser units will not be a hinderance to private open space but serve as utility in the back corner of a balcony area which otherwise has minimal use. The condenser units will be placed on the slab and not "wall hung" so they cannot be seen by a person on the ground plane when looking up to the building." Council's concern relates to the loss of usable area within the private open spaces (balconies). As shown in the image below, Units 304 and 305 on Level 3 are provided with A/C units which reduce the total area of usable private open space within the minimum area of 15m². This effectively results in a non-compliant POS, and is a matter that has also been raised by Council's urban Designer/Architect.



This matter is therefore considered not to be resolved satisfactorily.

Tree Retention

At the time of writing this report Council's Tree Preservation Officer is still in the process of reviewing the amended application including the response provided by the Applicant. Once this is completed, their comments will be forwarded to the Panel.

Podium Planting

At the time of writing this report Council's Tree Preservation Officer is still in the process of reviewing the amended application including the response provided by the Applicant. Once this is completed, their comments will be forwarded to the Panel.

Traffic Engineering

At the time of writing this report Council's Traffic Engineering Officer is still in the process of

reviewing the amended application including the response provided by the Applicant. Once this is completed, their comments will be forwarded to the Panel.

Waste Engineering

The amended application was referred to Council's Waste Officer. Council's Waste Branch does not raise any further concerns to the Application and has provided the following condition which will be included in the draft consent:

Waste Room Door

An alternative door arrangement for the door blocking the vehicle path on the ground floor shall be implemented into the plans prior to the issue of the Construction Certificate.

Some of the matters raised in Council's Assessment report have been addressed however, there are still concerns that remain and have not been satisfactorily addressed.

RESPONSE TO DRAFT CONDITIONS OF CONSENT

In the Applicant's submission on the 13th February, a response to the Draft Conditions of Consent were provided. A response to this is provided within Attachment B of this report.

RECOMMENDATION

Council's reassessment of the amended documentation has determined that not all the concerns raised in Council's original assessment have been satisfactorily addressed. Council's concerns raised in the assessment report dated 21 December 2022 remain unresolved and considered relevant. Accordingly, Council is not in a position to support the proposal and it is considered that the following options identified below would be available to the Panel as part of its deliberation and/or determination of the application as follows;

- I. Provide a further opportunity to the Applicant to amend the Application to ensure the development exhibits design excellence, appropriately sleeve the 3-storey podium car parking spaces and provide further social housing units.
- II. Refuse the Application as submitted in accordance with the reasons within Attachment T of the assessment report dated 21 December 2022.
- III. If the Panel forms an alternate view regarding the assessment of the Application, then the application be approved. Should the Panel decide to approve the Application, it is considered appropriate that a Deferred Commencement be issued subject to the VPA presently under consideration being executed with respect to the subject site and in accordance with the updated draft conditions in Attachment C of this supplementary report.

Council's Responses to the Applicant's Proposed Changes to the Conditions of Consent

Condition Number	Description	Applicant's Proposal	Council's Responses
1	Compliance with Plans and Docs.	<i>Documentation references needing replacement: "Fire Engineering Report prepared by INCODE Solutions, dated 20 July 2022" To be replaced with: "Memo: Preliminary Fire Engineering Advice prepared by INCODE Solutions, dated 20 July 2022" "Waste Management Plan as prepared by Dickens Solutions, dated August 2022." To be replaced with: "Waste Management Plan as prepared by Dickens Solutions, dated November 2022." "Traffic Impact Assessment Report as prepared by Traffwise Consultants, Version 8, dated 31 March 2022." To be replaced with: "Traffic Impact Assessment Report as prepared by Traffwise Consultants, Version 10, dated 20 November 2022." Documentation references to be added: Civil Plans: C-4.20 Howatt Street Functional Layout Plan. Revision D. "Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021."</i>	Council agrees to the proposed changes involving updated documents.
2	S7.11 Contribution - \$1,279,327	<i>Our calculation for Contributions on Stage 1: Contribution payable based on Indexation No. 31, effective on 18 January 2023: \$1,750,957 Credit for existing social housing on the site based on Indexation No. 31, effective on 18 January 2023: \$1,950,329 Net: \$199,327 in credit. A separate condition should be considered referencing the VPA to determine these contribution amounts.</i>	<p>Advise from Councils contributions office has reviewed the existing credits on the site and considers it appropriate that the credit required to be imposed is distributed across each respective stage. In this regard, the condition has been amended to reflect these changes;</p> <p>Section 7.11 Contributions</p> <p>Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 7.11 contributions (pursuant to the Environmental Planning and Assessment Act 1979) for works detailed in the administration sheet attached to this consent shall be submitted to the Certifier.</p> <p>The total contribution to be paid to Council (as applicable at the date of this consent) is \$699,310.00</p> <p>The contribution amount payable will be adjusted at the date of payment to account for changes in infrastructure costs in line with</p>

			<p>the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales) and will be adjusted on a quarterly basis.</p> <p>Council may allow for deferred payment of the monetary contribution in accordance with the provisions set out in the Direct (Section 7.11) Development Contributions Plan 2011. If approval to allow deferred payment is sought, such approval must be sought and obtained from Council prior to the issue of a Construction Certificate for the development. Council may refuse to allow deferred payment of the monetary contribution in its absolute discretion.</p> <p>Refer to the Direct (Section 7.11) Development Contributions Plan 2011 for more information.</p>
4I	Soil depth in C.O.S. on levels 3&8 – min. 1m	<p><i>this condition currently reads that all soil within landscaped areas of Level 3 & 8 areas are to be min. 1m which is not appropriate.</i></p> <p><i>Suggested wording:</i></p> <p><i>“i. The soil depth within the landscaped areas in the communal open space on levels 3 and 8 must be a minimum of those soil depths outlined in the Apartment Design Guidelines Section 4P.</i></p>	Council agrees to the proposed recommended condition
4J	Trees no. 62-65 must be removed and replaced with suitable sizes and species.	<p><i>This condition does not provide approval to the trees proposed for removal in the Allied Tree Consultancy Report. Suggested wording: “4. J. In addition to the proposed treatment of site trees outlined in ‘Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021’, trees labelled as No. 62, 63, 64 & 65 on the architectural plans must be removed and replaced with a suitable size and species within an appropriate area on site.”</i></p>	Awaiting further advice from Council Tree Preservation Officer.
11	Ongoing maintenance of the awning in accordance with the Awnings Maintenance Plan	<p><i>No awnings maintenance plan</i></p> <p><i>Proposed to delete or edit</i></p>	An Awnings Maintenance Plan has been prepared and attached to this report which shall be complied with during the life of the development.
12	Compensation to the Council for the removal of any street trees.	<p><i>This masterplan project proposes to delete those trees required to be removed for development and replanting a complete new street tree scheme.</i></p> <p><i>Proposed to delete condition</i></p>	Council agrees with the changes as requested by the applicant. Accordingly, this condition has been deleted.

		<i>given all street trees will be replaced by applicant and recommendations as outlined in Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021', are to be adopted.</i>	
13	A 5-year Landscape Management Plan must be submitted to the Certifier.	<i>Propose to change: "issue of Construction Certificate", with "issue of Occupation Certificate"</i>	Council agrees to the proposed changes.
19	An Acoustic Assessment Report (Development Near Rail Corridors and Busy Roads) must be provided to the Principal Certifying Authority and the Council. All recommendations must be incorporated in the construction drawings and docs	<i>The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'. Also, the last sentence of the condition is incomplete. Propose to delete condition.</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
20	An Electrolysis Risk Report must be submitted to the Principal Certifying Authority. All recommendations must be incorporated in the construction drawings and docs.	<i>Condition not applicable given the distance from rail line. Propose to delete condition</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
21	Sydney Trains confirms that its requirements/conditions on Craneage and Other Aerial Operations have been satisfied and are showing on plans if required.	<i>The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'. Propose to delete condition</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
44	Excavation and Backfilling must be carried out safely and in accordance with professional standards.	<i>Edit condition Saturday work hours be amended to 7:00am – 5:00pm This is standard in other LGAs</i>	The hours imposed in the condition of consent is consistent with the hours set out in the Department of Environment and Climate Change's Interim Construction Noise Guidelines and therefore considered appropriate. Given that the site is surrounded by residential development, any additional hours should be supported by an Acoustic assessment. It is recommended that the condition remain unchanged.
46	When Demolition/Building and Other Works are undertaken:	<i>Edit condition Saturday work hours be amended to 7:00am – 5:00pm This is standard in other LGAs</i>	The hours imposed in the condition of consent is consistent with the hours set out in the Department of Environment and Climate Change's Interim

	<ul style="list-style-type: none"> - Trade waste service must be provided - Plant equipment, fencing, materials, etc. must not be placed on public footpaths/roads - Work hours: Mon-Fri 07-18:00, Sat 08-13:00, no work on Sun and Public Holidays 		Construction Noise Guidelines and therefore considered appropriate. Given that that site is surrounded by residential development, any additional hours should be supported by an Acoustic assessment. It is recommended that the condition remain unchanged.
47	<p>Method of Stormwater Drainage:</p> <ul style="list-style-type: none"> - Must be diverted to the Council's channel at the rear of the site. o Drainage lines across the footpath and street outlets, if required, must be installed/constructed as per the Council's standards/specifications. - Roof guttering system must be operational as soon as the roof is clad - Surface of stormwater shall not be directed or cause nuisances to adjoining properties 	<p><i>Clarity of condition required: "The stormwater drainage generated from the development shall be directed to Council's channel at the rear of the site."</i></p> <p><i>Potential replacement wording: "The stormwater drainage generated from the development shall be directed to Council's existing stormwater network."</i></p>	Council agrees with the changes as requested by the applicant.
49	Tree Preservation Order must be complied with.	<p><i>Further to the point raised in Condition 4 regarding the approval to remove trees as outlined in arborist report.</i></p> <p><i>Suggested wording:</i></p> <p><i>You are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside of those approved in Condition 4.j. of this consent and those listed in the Arboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021.</i></p> <p><i>For any other tree not listed, you must have obtained prior written consent from Council. Fines may be imposed if you contravene Council's Tree Preservation Order</i></p>	Council agrees with the changes as requested by the applicant.
51	<p>Maintenance of the Construction Site</p> <ul style="list-style-type: none"> - Adequately maintained so as not to be prejudicial to the surrounding neighbourhood 	<p><i>This condition would require permanent fencing if we don't commence within 3 months of receipt of DA. Suggested wording: Once site works has formally commenced and during the construction and any dormant period, the applicant must ensure that the construction and/or</i></p>	Council agrees with the changes as requested by the applicant.

	<p>- If the site remains dormant for more than 3 months, permanent security fencing/hoarding/scaffolding and visual shielding should be installed and maintained</p> <p>- Alert signages must be displayed in prominent positions</p>	<p><i>development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months after construction has commenced, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.</i></p>	
55	<p>Carparking – Residential</p> <p>– Total 119 spaces</p> <p>- 16 for social units</p> <p>- 105 for private units</p> <p>- 7 for visitors</p>	<p><i>Agree on the total of 119 spaces. 112 for residential use and 7 for visitors. The traffic report breakdown proposed is: - 32 social housing spaces, - 80 private spaces, - 7 visitor spaces. However, this may be subject to change and the SEPP requirements listed in the traffic report provides this flexibility of use. Therefore, proposed to amend parking condition to align with the development proposal: - 112 residential spaces, - 7 visitor spaces.</i></p>	<p>Council agrees with the changes as requested by the applicant.</p>
60	<p>Use of Building Not Approved. A separate development consent is required for the use of the ground floor information and education facility.</p>	<p><i>Applicant is seeking approval of the use, being information and education facility. Understood that further consent is required for fit out of the premises. Suggested wording: "Separate development consent is required for the building fit out and improvement of the ground floor information and education facility. The information and education facility shall comply with the Fairfield Local Environmental Plan 2013 definition as follows: information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like."</i></p>	<p>No information on the use of the ground floor Information and education facility (such as hours of operation, number of staff etc.) was provided in the application. Accordingly, a separate assessment is required to be undertaken for this use prior to any Development Consent being granted for the use.</p> <p>It is recommended that the condition remain unchanged.</p>
62	<p>The Number of Social Housing Units should comply with the 30:70 social to private tenure mix set out in the Future Directions Policy. i.e., 34 in stage 1 and 66 in stage 2. Total of 100.</p>	<p><i>Delete condition.</i></p> <p><i>Council does not have the delegation under EP&A Act to compel this tenure mix and Stage 2 is irrelevant to this Consent.</i></p>	<p>Council considers it appropriate and necessary that this condition is imposed to ensure that the development complies with the 30:70 social to private tenure mix set out in the Future Directions for Social Housing in NSW (Future Directions). It is recommended that the condition remain as proposed and subject to the following suggested amendments;</p> <p><i>The revitalisation of the site located at Lot 37, DP 138481, No. 2 Kamira Avenue, Villawood shall comply with the 30:70 social to private tenure mix set out in the</i></p>

			<p><i>Future Directions for Social Housing in NSW (Future Directions) Policy. Accordingly, a total of thirty four (34) social housing units shall be provided in the subject development as part of and a total of one hundred (100) units be provided in both Stages 1 and 2 of the redevelopment of the site.</i></p>
67	Compliance with Food Act 2003	<p><i>Condition is not applicable. Propose to delete condition.</i></p>	<p>This condition applies to the ancillary café within the information and education facility. Given that this use is subject of a separate development assessment and approval, this condition can be removed from this consent.</p> <p>Accordingly, Council agrees to the applicant request to delete this condition.</p>
68	Grease Arrestor	<p><i>Condition is not applicable. Propose to delete condition.</i></p>	<p>This condition applies to the ancillary café within the information and education facility. Given that this use is subject of a separate development assessment and approval, this condition can be removed from this consent.</p> <p>Accordingly, Council agrees to the applicant request to delete this condition.</p>
74	Clothes Drying Facilities	<p><i>Condition is poorly worded and mandating clothes dryers in social housing units where tenants may not use them is not practical. Not all tenants can afford their operation.</i></p> <p><i>Also condition 53 covers the screening of clothes drying facilities.</i></p> <p><i>Propose to delete condition.</i></p> <p><i>It's agreed that a clothes drying solution should be provided for all units.</i></p> <p><i>Suggested wording:</i></p> <p><i>"Individual clothes drying facilities shall be provided to each unit."</i></p> <p><i>Condition 53 covers the screening of clothes drying facilities.</i></p>	<p>Council agrees to amend the condition as requested by the applicant. However subject to the following wording;</p> <p>The following shall be complies with at all times:</p> <ol style="list-style-type: none"> <i>Individual clothes drying facilities shall be provided to each unit within the balcony (i.e. within a drying cupboard) and shall be fully screened from public view. Under no circumstances shall are any clothing, curtains, rugs, mops or the like, are to be placed to be or visible from any public place (i.e. from any window, railing or higher than the balcony balustrade).</i> <i>Clothes dryers are to be provided within the laundry of each unit, excluding the social housing units.</i>

			Based on the above recommended changed to Condition 74, it is recommended that Condition 53 be deleted.
75	Air-con Unit Approval. A separate DA should be lodged for any air-con unit that does not meet the requirements of the Council's City-Wide DCP and ADG.	<p><i>A development application for an individual air-conditioning unit is not practical.</i></p> <p><i>Air conditioner locations are included on the architectural plans.</i></p> <p><i>Propose to delete condition</i></p>	<p>The updated plans indicate the provision of A/C units on the balconies of the privately owned apartments. Furthermore, there are clothes lines located over the AC units which may have practical implications.</p> <p>It is considered that the existing arrangement is impractical and the plans do not indicate the dimensions of the air conditioning units. Accordingly, it is unclear how much area within the POS is lost as a result of the A/C units, particularly for the smaller balconies to the one bedroom units.</p> <p>The applicant has not demonstrated that the POS areas are still usable and have sufficient room for essential furniture and access and circulation with the placement of the A/C units. In this regard, the condition is recommended to remain until such time that full and proper details are provided demonstrating compliance with the ADGs.</p> <p>It is noted that the social housing units do not propose air conditioning units. It is therefore recommended that a condition be imposed that all social housing units be provided with ceiling fans within the living areas, as follows;</p> <p><i>Ceiling Fans</i></p> <p><i>The living areas to all the social housing units shall be provided with ceiling fans.</i></p>
77	Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor and its easements, and must be adequately managed/disposed of	<p><i>Condition is not applicable.</i></p> <p><i>Propose to delete condition.</i></p>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.

78	Drainage Disposed. All drainage from the development should not be discharged into the rail corridor unless prior approval has been obtained from Sydney Trains	<i>Delete condition. Redundant condition as the development is not able to drain into the rail corridor. The project will only discharge into Council's existing stormwater network</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
80	Communication with Sydney Trains. The Applicant should have a representative who is available on a 7-day-a-week basis to liaise with Sydney Trains and oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains.	<i>The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
81	During Demolition, Excavation & Construction Works, the applicant must consult in good faith with Sydney Trains in relation to the carrying out of the development works.	<i>The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'.</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
82	The Applicant should forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team should a condition of consent requires consultation with Sydney Trains. West_interface@transport.nsw.gov.au	<i>The proposed building is over 100m from rail line and therefore not applicable as the trigger for this requirement is 25m when referencing 'SEPP (Transport and Infrastructure) 2021'.</i>	This condition has been imposed by Sydney Trains as part of the referral requirements of the application. Council is not in a position to agree to its deletion.
NEW	Waste Room Door	As a result of comments received by Councils Waste Officer in response to the Applicant further information, the following additional condition is recommended to be imposed on the conditions of consent.	<i>Waste Room Door An alternative door arrangement for the door blocking the vehicle path on the ground floor shall be implemented into the plans prior to the issue of the Construction Certificate.</i>
NEW	Compliance with the VPA	It is recommended that a further condition be imposed that prior to the occupation of	<i>Compliance with the VPA</i>

		the development, all commitments as set out in the VPA have been completed.	<i>All commitments within the VPA in respect of the redevelopment of the subject site of LOT 37, DP 138481, No. 2 Kamira Ave, Villawood shall be satisfied prior to the issue of an Occupation Certificate.</i>
New	Public Domain Plan	A further review of the draft conditions identified the absence of a condition in relation to the proposed public domain works. In this regard, a new condition has been added to address this matter.	<p><i>Public Domain Plan</i></p> <p><i>Prior to the issue of a Construction Certificate, detailed plans shall be submitted to and approved by the Manager of Development Planning of Fairfield City Council for the following:</i></p> <ul style="list-style-type: none"> <i>• Upgrading of the pedestrian footpath area, including street tree planting and landscape mass planting areas, along the length of the site's front boundary on Villawood Place and Villawood Road out to the back of kerb. The pavement upgrade, street tree planting and mass planting works must be approved by Council and reflect the high quality pavement character already in use at the Centre.</i> <i>• Upgrading the secondary pedestrian footpath area along the rear of the site adjacent to the public carpark out to the back of kerb. The works must be approved by Council and reflect the character of similar secondary treatments in use at the Centre</i> <i>• Detailed plans of the awning which includes the installation of under awning lighting along the length of the cantilevered awning of the building frontage in Villawood Place and Villawood Road. The lighting shall meet Australian standards and be part of the awning infrastructure.</i>
Proposed amendment to Condition 8	Construction Certificate Engineering Approval – Section 138	Councils Development Engineer has reviewed condition number 8 and has identified some anomalies, and as such, amended the condition to address this matter.	<p>Construction Certificate Engineering Approval – Section 138 Council Approval</p> <p>Prior to the issue of a Building Construction Certificate, an Engineering Approval – Section 138 Council Approval shall be submitted to the Certifier for the</p>

			<p>construction of footpath and Stormwater Connection to Council pipe in accordance with approved plans and specifications at no cost to Council.</p> <p>For the issue of a Section 138 Approval, five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.</p> <p>Prior to release of the Building Construction Certificate, the applicant shall lodge with Council, a bank guarantee or a cash bond to the cost of all works required under this consent to be carried out within the road reserve or on land under the control of Council. The value of the bank guarantee or the cash bond will be determined by Council upon approval of the detailed engineering drawings.</p>
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DRAFT CONDITIONS OF CONSENT**DEVELOPMENT APPLICATION NO. 384.1/2021****SYDNEY WESTERN CITY PLANNING PANEL NO. PPSSWC-221****PROPERTY: LOT 37, DP 138481, NO. 2 KAMIRA AVENUE, VILLAWOOD****DESCRIPTION OF DEVELOPMENT:**

STAGE 1 OF THE REDEVELOPMENT OF VILLAWOOD TOWN CENTRE, INVOLVING TREE REMOVAL, CONSTRUCTION OF A 8-10 STOREY MIXED USE DEVELOPMENT COMPRISING COMMUNITY FACILITIES (LIBRARY) AND ANCILLARY CAFE ON THE GROUND FLOOR, 112 RESIDENTIAL UNITS, PUBLIC OPEN SPACE, A PODIUM CAR PARK COMPRISING 119 CAR PARKING SPACES, ASSOCIATED ROAD WORKS AND LANDSCAPING PURSUANT TO THE STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009.

The consent does not become operative until the Applicant has satisfied the deferred commencement conditions in Schedule “A”. If the deferred commencement conditions in Schedule “A” are not satisfied within two (2) years of the date of determination, the consent lapses. If the conditions are satisfied prior to two (2) years from the date of determination, the consent will then become operative.

The condition/s of **Schedule “A”** are set out as follows:

The developer shall enter into a Planning Agreement with Council in respect of the redevelopment of the subject site of LOT 37, DP 138481, No. 2 Kamira Ave, Villawood on the terms offered to Council by NSW Land and Housing Corporation and Traders in Purple in their letters of offer dated 20th September 2022 and 30 August 2022.

The conditions of **Schedule “B”** are set out as follows:

1. Compliance with Plans and Documentation

The development shall take place in accordance with the following plans and documentation:

- Architectural Plans as prepared by DKO dated 18 November 2022.

SUBSET	DRAWING NO.	DESCRIPTION	ISSUE ID
Cover Pages			
	DA000	Coversheet	C
	DA001	Development Summary	C
	DA002	LAHC Apartment Summary	C
Site Series			
	DA100	Site Analysis	A
	DA101	Proposed Site Plan	A
	DA102	Demolition Plan	A
	DA103	Staging Plan	A

ATTACHMENT U

GA Plans			
	DA200	Ground Floor Plan	C
	DA201	Level 1	C
	DA202	Level 2	C
	DA203	Level 3	C
	DA204	Level 4	C
	DA205	Level 5-7 Typ.	C
	DA206	Level 8	C
	DA207	Level 9	C
	DA208	Roof Level	C
Elevations			
	DA300	Streetscape Elevation	C
	DA301	North & East Elevation	B
	DA302	South & West Elevation	B
	DA303	North West & West Elevation	B
	DA306	External Material Finishes Schedule	B
	DA320	Perspectives – Sheet 1	B
	DA321	Perspectives – Sheet 2	B
Sections			
	DA400	Building B N-S Section	C-WIP
	DA401	Interface Sections	C
	DA402	Interface Sections	C
Solar			
	DA500	Eye of the Sun	B
	DA 501	Shadow Diagram	B
Supporting Drawings			
	DA600	BLD B – ADG Solar	C
	DA601	BLD B – ADG – Ventilation	C
	DA602	GFA Calculations	C
	DA603	Masterplan – COS and Deep Soil	C
	DA605	Adaptable Unit Allocation Plans	A
	DA606	Adaptable Unit Layout Plans	A
	DA607	Adaptable Unit Layout Plans	A
	DA608	Perspective – LEP Height Limit	B
	DA609	Perspective – LEP Height Limit	B
	DA610	Section LEP Height Limit	B
	DA611	Apartment Mix	A
Notification			
	DA800	Notification – Site Plan	B
	DA801	Notification – Elevations	B

- **Landscape Plans as prepared by Land and Form, Reference No. 2021002.**

DESCRIPTION	REVISION NO.	DRAWING NO.	DATE
Public Domain and Ground Floor Plan	2	DA101	5/8/2022
Landscape Master Plan and Staging	2	DA100	5/8/2022
Level 3 Landscape Plan	2	DA110	5/8/2022
Ground Floor and Public Domain Planting Plan	1	DA200	5/8/2022
Planting Schedule and Legends	1	DA001	5/8/2022
Level 3 Planting Plan	1	DA210	5/8/2022
Cover Sheet and Design Statement	1	DA000	5/8/2022
Level 8 Planting Plan	1	DA220	5/8/2021
Level 8 Landscape Plan	2	DA120	5/8/2022
Outline Specifications and Typical Details	1	DA900	5/8/2022

- Remediation Action Plan as prepared by Douglas Partners dated July 2022.
- **Memo: Preliminary Fire Engineering Advice prepared by INCODE Solutions, dated 20 July 2022.**
- Cross Ventilation Report as prepared by SLR dated August 2022.
- Traffic Report Assessment as prepared by Stantec, dated 29 April 2022.
- **Traffic Impact Assessment Report as prepared by Traffwise Consultants, Version 10, dated 20 November 2022.**
- **Waste Management Plan as prepared by Dickens Solutions, dated November 2022.**
- Stormwater plans as prepared by MRC Consulting Engineers Project No J21115 Drawing Nos C-SMP1, C-SMP2 & C-SMP3 Rev- B dated 20 June 2021.
- **Civil Plans: C-4.20 Howatt Street Functional Layout Plan, Revision D**
- **Aboricultural Impact Assessment Report by Allied Tree Consultancy, dated June 2021**

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate by a Certifier. The Certifier can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

2. Section 7.11 Contributions

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 7.11 contributions (pursuant to the Environmental Planning and Assessment Act 1979) for works detailed in the administration sheet attached to this consent shall be submitted to the Certifier.

The total contribution to be paid to Council (as applicable at the date of this consent) is **\$699,310.00**

The contribution amount payable will be adjusted at the date of payment to account for changes in infrastructure costs in line with the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales) and will be adjusted on a quarterly basis.

Council may allow for deferred payment of the monetary contribution in accordance with the provisions set out in the Direct (Section 7.11) Development Contributions Plan 2011. If approval to allow deferred payment is sought, such approval must be sought and obtained from Council prior to the issue of a Construction Certificate for the development. Council may refuse to allow deferred payment of the monetary contribution in its absolute discretion.

Refer to the Direct (Section 7.11) Development Contributions Plan 2011 for more information.

3. Long Service Levy Fee

Prior to the issue of a Construction Certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifier.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment. Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

4. Landscape Plans Certified by Landscape Architect

Prior to the issue of a Construction Certificate, a landscape plan prepared and certified by a qualified landscape architect and designed in accordance with Fairfield Council's Landscape Policy shall be submitted to the Certifier.

Landscape plans shall contain the following information:

- a. Outline of the proposed building;
- b. Existing trees (height and location);
- c. Trees to be removed;
- d. Proposed planting (quantity, species, and expected mature height);
- e. Proposed earth mounding;
- f. Paths and paving (location and materials);
- g. The method of planting and the proposed maintenance program; and
- h. Details of lighting, fencing, seating and paving, where relevant.
- i. The soil depth within the landscaped areas in the communal open space on levels 3 and 8 must be a minimum of 1m.
- j. Trees labelled as No. 62, 63, 64 & 65 on the architectural plans must be removed and replaced with a suitable size and species within an appropriate area on site.

The landscaping shall be of a scale that will match the scale of the development. Landscaping shall be designed to complement and enhance the development and where applicable, screen such features as open storage areas, carparks, loading docks and garbage storage areas.

5. Design Verification

Prior to the issue of a Construction Certificate, a design verification from a qualified designer, being a statement in which the qualified designer verifies that the development as shown in the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development, shall be submitted to the Certifier.

6. Stormwater Drainage Certificate

Prior to the issue of a Construction Certificate, a certificate from a suitably qualified person shall be submitted to the Certifier certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;
- c. The piped drainage system has been designed to an Average Recurrence Interval of not less than that in accordance with Council's Stormwater Management Policy 2017.

7. On-site Detention Design Certificate

Prior to the issue of an Engineering Construction Certificate, a certificate from a suitably qualified person shall be submitted to the Certifying Authority certifying that the drainage system has been designed to comply with Council's Stormwater Management Policy 2017. In particular, the certification shall ensure the on-site detention system has been designed:

- i. To restrict the total discharge from the site to current site discharge for all storms up to and including the 100 year storm events (Urban Zone only);
- ii. To restrict the peak discharge from the site for 100 year 9-hour storm event to 140 L/s/ha (Urban Zone only).
- iii. To restrict the peak discharge from the site for all storm durations to 78 L/s/ha (Rural Zone only).

Note: If Council is requested to issue the Construction Certificate, three copies of the plans and specifications giving full details of the design and calculations in the form of ILSAX/DRAINS input and output files and details as specified in Council's OSD handbook shall be submitted to the Council.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for on site detention, the following details will be required:

- a. Full details, as per Council's Stormwater Management Policy, of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels, etc.

- b. A plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regrading of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot

8. **Construction Certificate (Engineering Approval)**

~~Prior to the issue of a Building Construction Certificate, a Construction Certificate (Engineering Approval) shall be submitted to the Certifier for the construction of footpath in accordance with approved plans and specifications at no cost to Council.~~

~~For the issue of a Subdivision Works Certificate or Construction Certificate (Engineering Approval), five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.~~

- a. ~~Prior to release of the Building Construction Certificate, the applicant shall lodge with Council, a bank guarantee or a cash bond to the cost of all works required under this consent to be carried out within the road reserve or on land under the control of Council. The value of the bank guarantee or the cash bond will be determined by Council upon approval of the detailed engineering drawings.~~

Construction Certificate Engineering Approval – Section 138 Council Approval

~~Prior to the issue of a Building Construction Certificate, an Engineering Approval – Section 138 Council Approval shall be submitted to the Certifier for the construction of footpath and Stormwater Connection to Council pipe in accordance with approved plans and specifications at no cost to Council.~~

~~For the issue of a Section 138 Approval, five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.~~

~~Prior to release of the Building Construction Certificate, the applicant shall lodge with Council, a bank guarantee or a cash bond to the cost of all works required under this consent to be carried out within the road reserve or on land under the control of Council. The value of the bank guarantee or the cash bond will be determined by Council upon approval of the detailed engineering drawings.~~

9. Final Stormwater Drainage Plan

A Final Stormwater Drainage Plan with details suitable for construction prepared by a suitably qualified and experienced stormwater drainage consultant shall be submitted with the application for the construction certificate. Final Stormwater plan shall comply with AS3500 and Council's Stormwater Drainage Policy

10. Vehicular Crossing Application

Prior to the issue of a Construction Certificate, a vehicular crossing application shall be submitted to and approved by Council. Access to the development shall be via a vehicular crossing in accordance with Council's requirements. All vehicular crossings shall be located a minimum of one (1) metre from any utility pillar/pole.

11. Awnings

Ongoing maintenance of the awning in accordance with the Awnings Maintenance Plan is required, to ensure maintenance will be carried out over the life of the consent in order to maintain the condition of the awning.

~~12. Existing Street Trees~~

~~Should the developer wish to remove a street tree, Council shall be compensated for the loss of any tree. A mature tree may have a value in excess of \$2,000. Prior to issue of the Construction Certificate, the applicant is to contact Council to organise a valuation and payment of the compensation. This money will be used for further street planting in the area.~~

13. Landscape Management Plan

Prior to the issue of a Construction Certificate, a Landscape Management Plan shall be submitted to, and approved in writing by Fairfield City Council. The Plan shall include details demonstrating how the proposed landscaping will be managed and maintained over a period of five (5) years from the issue of the Occupation Certificate.

14. Sydney Water Consent

The plans must be assessed by Sydney Water Tap in to determine whether the development will affect any Sydney Water asset and if any requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping.

Please refer to the web site <https://tap-in.sydneywater.com.au> for:

- See the Building plan approvals section on the Tap in site, and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and developing then Building and renovating

Or telephone 13 20 92

15. Construction Traffic Management Plan

A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, size of trucks entering and exiting Howatt Street, hours of operation, access arrangements and traffic control shall be submitted to and approved by Council's Co-Ordinator Traffic and Transport, prior to the issue of a Construction Certificate.

16. Installation of Traffic Devices

The installation of traffic calming devices, implementation of "No Stopping" restrictions, one-way traffic flows (signs and line markings) or turning restrictions on public road(s) require approval from the Fairfield Traffic Committee and Council. Detailed plans showing the key dimensions of the traffic control devices and their locations shall be submitted to Council for assessment and approval prior to the issue of a Construction Certificate.

17. Loading Dock Management Plan

Prior to the issue of a Construction Certificate for building works, a Loading Dock Management Plan (LDMP) shall be submitted to and approved by the Manager of Development Planning within Council, which provides details on all aspects of the operation of the proposed new loading dock, and demonstrates that the loading dock can operate without impact to passenger vehicles entering and exiting Howatt Street.

18. Road Construction Plans

Road construction shall not commence until the plans and specifications giving full details of the proposed construction have been issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council.

19. Acoustic Assessment

The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate. ~~♣Prior to the issue of a Construction Certificate the Applicant is to engage a~~

20. Electrolysis Risk

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.

21. Craneage and Other Aerial Operations

Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifier can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

22. Construction Certificate Required

Prior to the commencement of any building and construction works, a Construction Certificate is required to be issued by a Certifier.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

23. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

24. Erosion and Sedimentation Control

Prior to the commencement of any construction works on site, controls in accordance with **Chapter 3.12 of the Fairfield City Wide DCP 2013** shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

25. Toilet Facility

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

26. Required Signage

For building, subdivision or demolition work that will affect the external walls of the building, signage shall be installed in a prominent position detailing:

- The name, address and telephone number of the principal Certifier for the work; and
- The name of the principal contractor (if any) of the building work and a telephone number on which that person may be contacted outside working hours; and
- Stating that unauthorised entry to the work site is prohibited.

This sign shall be maintained while the building, subdivision or demolition work is being carried out and must be removed when the work has been completed.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Occupation Certificate by the Principal Certifier.

27. Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), an Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate, the Principal Certifier must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate.

28. Works on Adjacent Roads

Prior to the issue of an Occupation Certificate, the following works are to be completed:

- a. The footway adjacent to the development shall be regraded topsoiled and turfed in accordance with the approved levels.
- b. All redundant kerb laybacks shall be removed and replaced with Council's standard kerb and gutter. Any redundant crossings shall be removed and the footpath topsoiled and turfed.

All works to be carried out on adjacent lands under the control of Council, shall be in accordance with the standard requirements and specifications of Council.

29. Works-As-Executed Plans for Stormwater Drainage

Prior to the issue of an Occupation Certificate, Works-As-Executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to the Principal Certifier.

30. On Site Detention – Works-As-Executed

On completion of the drainage works and prior to the issue of an Occupation, Works-As-Executed plans certified by a Registered Surveyor are to be submitted to the Certifying Authority to verify that the drainage works have been completed in accordance with the approved plans. The following details are to be on the Works-As-Executed plans and shall be marked in red on a copy of the original plan approved at the Construction Certificate stage.

- a. Sufficient levels and dimensions to verify the On-Site Detention storage volumes.
- b. Location and surface levels of all drainage pits, weir levels and dimensions.
- c. Invert levels of - the internal drainage lines.
 - orifice plates.
 - outlet control pit.
- d. Finished floor levels of structures such as units and garages.
- e. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
- f. Verification that a trash screen is installed.
- g. Location and levels of any overland flow paths through the site.
- h. Details of any variations made from approved plans.

31. Registration of Restriction and Covenant over OSD System

Prior to the issue of an Occupation Certificate, proof of the creation of a 'Restriction on Use of Land' and 'Positive Covenant' over the on-site detention system in accordance with Council's Stormwater Management Policy.

32. On-Site Detention – Certification of Works

A Certificate shall be issued to the Principal Certifier upon completion of the drainage works and prior to issue of the Occupation Certificate certifying the following:

- a. That the on-site detention system will function in accordance with the approved drainage design.
- b. Any variations from the approved drainage design.
- c. That these variations will not impair the performance of the On-Site Detention system, or alternatively provide details of the remedial works required to make the system function according to design control standards.

33. BASIX Certification

Prior to the issue of an Occupation Certificate, an updated BASIX Certificate and Compliance Certificate shall be submitted to the Principal Certifier, confirming that the building has been constructed in accordance with the updated BASIX Certificate.

34. Adjustments to Public Utilities

Prior to the issue of an Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

35. Mailbox Required

Prior to the issue of an Occupation Certificate, a mailbox shall be provided on site in accordance with the requirements of Australia Post.

36. House Number Required

Prior to the issue of an Occupation Certificate, the applicant shall contact Council's Information Management branch on phone 9725 0384 to request allocation of house numbers, and where appropriate, unit numbers. The numbers shall be placed on the mailbox and on the building in a readily visible location.

37. OSD – Marker Plate

Each on-site detention basin shall be indicated by fixing a standard marker plate, details of which are as follows:

Minimum size: 150mm x 100mm

Material: Non Corrosive metal or 4mm thick laminated plastic

Location: Fixed in a prominent position to the nearest concrete or permanent surface and be above the expected water level in the basin. If in doubt, contact Council on 9725-0222.

Wording: A minimum letter height of 5mm is required.
The wording is to consist of:-

**THIS IS AN ON-SITE DETENTION STRUCTURE
DO NOT TAMPER WITH,
CONTACT FAIRFIELD CITY COUNCIL PRIOR
TO ANY PROPOSED WORKS IN THIS AREA**

The marker plate is to be attached prior to occupation of the proposed development.

38. Building in Saline Environments

The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate design features and building materials need to be incorporated into the construction of buildings, to minimise the risk of salt damage.

Prior to the issue of an Occupation Certificate, documentary evidence shall be submitted to the Principal Certifier, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

39. Road Reserve Clearance Certificate

Prior to the issue of an Occupation Certificate, a Satisfactory Road Reserve Clearance Certificate shall be issued by Fairfield City Council's Asset Management Branch certifying that the footpaths, kerbs, stormwater systems and general streetscape has been inspected and is to a satisfactory standard.

All damage shall be rectified by the developer to the satisfaction of Fairfield City Council. An application form accompanied with the appropriate fee at time of payment shall be submitted to Fairfield City Council.

40. Landscape Certificate

Prior to the issue of an Occupation Certificate, a Landscape Certificate from a qualified landscape architect, certifying that the completed landscape works on site are in accordance with the approved landscape plans shall be submitted to Principal Certifier and Fairfield City Council.

41. Environmental Reports Certification

Prior to the issue of an Occupation Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifier and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved by Fairfield City Council's Environmental Health Officer and the following reports have been completed:

- (a) Noise Impact Assessment prepared by Acoustic Logic, dated 23 July 2021, ref 20210202.1
- (b) Remediation Action Plan prepared by Douglas Partners, dated July 2022, Ref R.001.Rev0

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifier can either be Fairfield City Council or an accredited certifier.

42. Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
 - i. complies with the performance requirements; or
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

43. Compliance with Approved Waste Management Plan

The Waste Management Plan submitted to and approved by Council must be adhered to throughout all stages of the demolition and/or construction process. Source separation of materials and maximum reuse and recycling of materials are requirements of Fairfield City Council's Waste Not DCP. The applicant is required to keep supporting documentation (receipts/dockets), of reuse/recycling/disposal methods carried out, which are to be produced upon request by Council.

Note: Any non-compliance with this requirement will result in penalties being issued.

In addition, the applicant is to supply Council with the name and address of the waste disposal facility where the fill materials will be disposed. The applicant must keep supporting documentation (dockets/receipts), which is to be produced upon request by Council.

Note: Any non-compliance with this requirement will result in penalties being issued.

44. Excavation and Backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

45. Administration Fee for the Lodgement of Certificates

Where a Principal Certifier has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates and Occupation Certificates.

46. Demolition, Building and other Works

When demolition, building and other works are being undertaken on site:

- a. A trade waste service must be provided so as to ensure that all debris and waste material is removed from the site; and
- b. Plant equipment, fencing or other materials of any kind must not be placed or stored upon any public footpath or roadway; and
- c. Such works must only be carried out within the following hours:

Monday - Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones.

No work shall be carried out on Sundays or public holidays.

Note: *Council may issue a penalty infringement notice for the amount imposed under the Environmental Planning and Assessment Act 1979, for any non-compliance with this Development Consent.*

47. Method of Stormwater Drainage

The stormwater drainage generated from the development shall be directed to Council's channel at the rear of the site.

Note: Drainage lines across the footpath shall be of 75mm x 200mm galvanised R.H.S laid at a fall not exceeding 1:40 (A 100mm sewer grade pipe is an acceptable alternative for single lot residential applications).

Note: If a street outlet is required it shall be constructed using a 100mm x 50mm galvanised rectangular connector laid into the kerb with the invert of the connector to be 10mm above the invert of the gutter.

The complete roof guttering system must be operational as soon as the roof is clad. Surface stormwater shall not be directed or cause nuisance to adjoining properties.

48. Critical Stage Inspections

In accordance with Section 6.5 of the Environmental Planning and Assessment Act 1979 the Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Section 61 of the Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2000.

Note: Fines may be imposed if you fail to request the Certifying Authority to undertake the required mandatory inspections.

49. Tree Preservation Order

You are not permitted to ringbark, cut down, top, lop, remove, willfully injure or destroy a tree outside the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you contravene Council's Tree Preservation Order.

50. Disabled Access

Access for disabled people shall be provided in the building or portion of the building in accordance with Clause D3.2, D3.3 and Table D3.2 of the BCA and to the standards set out in AS 1428.1 and Disability (Access to Premises – Buildings) Standards.

51. **Maintenance of Construction Site**

Once site works have formally commenced and during the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighborhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months after construction has commenced, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Note: Fines may be imposed, be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

52. **Switchboards**

Switchboards for utilities must not be attached to the front elevations of the building(s).

~~53. **Clothes Drying Areas**~~

~~The clothes drying areas for the individual dwelling units shall be positioned and screened from public view.~~

54. **Driveway Gradient**

- a. The driveways and manoeuvring areas are to be designed in accordance with Australian Standard AS 2890 part 2.
- b. The internal driveways and parking areas are to be designed in accordance with AS 2890 part 1.

55. **Carparking – Residential**

The development shall provide and maintain the following number of carparking spaces on site:-

- a. A total of 119 car parking spaces on site. 16 spaces shall be allocated to the social housing units, 105 for private residential units and 7 for visitors.

Each space shall be permanently line marked and maintained free from obstruction at all times. Residents and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.

56. Carparking and Vehicle Conditions

The following parking and traffic conditions shall be complied with at all times:

- a. All vehicles shall enter and exit the site in a forward direction.
- b. The available clearance shall be signposted at the entrance.
- c. Convex mirrors shall be installed within the development's car parking area to improve the available sight distance of motorists and to help them negotiate intersections/corners.
- d. Wheel stops shall be provided within all parking areas to limit the travel of vehicle into a parking space.
- e. All parking spaces to be allocated to various users of the development shall be clearly signposted.
- f. Smaller vehicles servicing the site shall be accommodated within the visitor parking spaces.
- g. The disabled parking spaces shall be clearly signposted.
- h. All vehicles waiting loading or unloading shall be parked on site and not on adjacent or nearby public roads
- i. A minimum clear head height of 2.2m is required to be provided for all areas within the basement car park;
- j. A clear head height of 2.5m is required to be provided above all accessible spaces and shared zones;
- k. Design envelope around parked vehicle to be kept clear of columns, walls and obstructions as per Figure 5.2 of AS/NZS 2890.1:2004;
- l. The layout of any proposed bicycle parking spaces shall comply with section 2.1 of AS 2890.3:2015;
- m. Any redundant driveways and laybacks as a result of the development works shall be reinstated to standard kerb and gutter to the satisfaction of Council.

57. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading or unloading shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the internal loading bay located on the ground floor.
- d. Vehicles servicing the site shall be restricted to 12.5m heavy rigid vehicles (HRVs). 12.5m HRV servicing the site shall be restricted to off-peak hours only.

58. Monitoring of State Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

59. **Security Requirements**

The following shall be complies with at all times:

- a. The loading area and communal open space areas shall be provided with appropriate security lighting.
- b. The proposed development shall include appropriate security measures including restricted self-locking doors at the entrance to the foyers

60. **Use of Building Not Approved**

Separate development consent is required for the use of the ground floor information and education facility. The information and education facility shall comply with the Fairfield Local Environmental Plan 2013 definition as follows:

***information and education facility** means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.*

61. **Advertising Signs**

No advertising signs or structures associated with the use of the premises are to be erected or displayed without prior approval being obtained from Council.

This requirement relates to all advertising matter, including any promotional material, displayed on the premises or in any public place.

62. **Number of Social Housing Units**

The revitalization of the site located at Lot 37, DP 138481, No. 2 Kamira Avenue, Villawood shall comply with the 30:70 social to private tenure mix set out in the Future Directions for Social Housing in NSW (Future Directions) Policy. Accordingly, a total of thirty four (34) social housing units shall be provided in the subject development as part of ~~and a total of one hundred (100) units be provided in both Stages 1 and 2~~ of the redevelopment of the site.

63. **OSD Construction**

The on-site detention drainage system shall be constructed in accordance with the approved design and Council's On-Site Detention Handbook – February 1997 / Council's On-Site Detention Guidelines for Rural Areas.

64. **Validation Report**

A validation report shall be prepared by a suitably qualified contaminated land consultant and be provided to Fairfield City Council for review no later than sixty (60) days after the remediation is completed. The Validation Report shall be prepared in accordance with State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

65. Unreasonable Noise and Vibration

The use of premises shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

66. Garbage Rooms

The garbage storage room identified on the approved plans shall be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hose cock shall be provided within the room. Garbage rooms shall be vented to the external air by natural or artificial means. The garbage storage room will provide for a designated space for dry recycling facilities

~~67. Compliance with Food Act 2003~~

~~The premises shall comply with the requirements of the Food Act 2003, Australia New Zealand Food Standards Code, and the Australian Standard AS 4674-2004 Construction and fit out of food premises.~~

~~68. Grease Arrestor~~

~~A grease arrestor shall not be located in areas where food, equipment or packaging materials are handled or stored. Access to the grease arrestor for emptying shall not be through areas where open food is handled or stored or where food contact equipment and packaging materials are handled or stored.~~

69. NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the Protection of the Environment Operations Act (POEO) 1997. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the Protection of the Environment Operations Act 1997.

70. Waste Storage Area

Waste must be adequately secured and contained within designated waste areas. Bins must not be stored in or allowed to overflow into parking or landscaping areas, must not obstruct the exit of any building and must not be stored on any neighbouring public or private properties.

71. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner / lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

72. Public Address System

No public address system or sound amplifying equipment shall be installed so as to permit the emission of offensive noise, as defined by the Protection of the Environment Operations Act 1997, onto any private premises or public place.

73. Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

74. Clothes Drying Facilities

The following shall be complies with at all times:

- a. Individual clothes drying facilities shall be provided to each unit within the balcony (i.e. within a drying cupboard) and shall be fully screened from public view. Under no circumstances **shall are** any clothing, curtains, rugs, mops or the like, **are to** be placed **to be or** visible from any public place (i.e. from any window, railing or higher than the balcony balustrade).
- b. **Clothes dryers are to be provided within the laundry of each unit, excluding the social housing units.**

75. Air Conditioning Unit Approval

A separate Development Application shall be lodged for any air conditioning unit that does not meet the requirements of the Fairfield City – Wide Development Control Plan and Apartment Design Guidelines.

76. Pollution Entering the Rail Corridor

During all stages of the development the Applicant must take extreme care to prevent any form of pollution entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

77. Excess Soil

Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.

78. Drainage Disposed

The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains.

79. Copies of Documents Submitted to Council

Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

80. Communication with Sydney Trains

The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:

- oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
- acts as the authorised representative of the Applicant; and
- is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.

81. During Demolition, Excavation & Construction Works

Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.

82. All Requests and/or Documentation

Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is west and they can be contacted via email on West_Interface@transport.nsw.gov.au

83. Waste Room Door

An alternative door arrangement for the door blocking the vehicle path on the ground floor shall be implemented into the plans prior to the issue of the Construction Certificate.

84. Compliance with the VPA

All commitments within the VPA in respect of the redevelopment of the subject site of LOT 37, DP 138481, No. 2 Kamira Ave, Villawood shall be satisfied prior to the issue of an Occupation Certificate.

85. Ceiling Fans

The living areas to all the social housing units shall be provided with ceiling fans.

86. Public Domain Plan

Prior to the issue of a Construction Certificate, detailed plans shall be submitted to and approved by the Manager of Development Planning of Fairfield City Council for the following:

- Upgrading of the pedestrian footpath area, including street tree planting and landscape mass planting areas, along the length of the site's front boundary on Villawood Place and Villawood Road out to the back of kerb. The pavement upgrade, street tree planting and mass planting works must be approved by Council and reflect the high quality pavement character already in use at the Centre.
 - Upgrading the secondary pedestrian footpath area along the rear of the site adjacent to the public carpark out to the back of kerb. The works must be approved by Council and reflect the character of similar secondary treatments in use at the Centre.
 - Detailed plans of the awning which includes the installation of under awning lighting along the length of the cantilevered awning of the building frontage in Villawood Place and Villawood Road. The lighting shall meet Australian standards and be part of the awning infrastructure.
- **Covenants which may Affect this Proposal**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.