

21 December 2023

Fairfield City Council

Liam Hawke

Coordinator Development Planning

RE: DA 303.1/2022 | 2 KAMIRA AVENUE VILLAWOOD

Reference is made to Council's letter dated 6 December 2023 in relation to the above application. This letter provides a summary response to the matters raised within the letter. We also make opening comments in regard to the determination of the application.

It is noted that since receipt of Council's letter that a number of consultants have been engaged to respond to matters raised. Having regard to the time of year, it is necessary that these responses will be provided after the Christmas / New Year break in January 2024.

1. DETERMINATION OF THE APPLICATION

We seek the finalisation of the assessment of this application, and reporting to the Planning Panel in the first quarter of 2024 for determination.

This application has been lodged as a Crown DA with the property owner being NSW Land and Housing Corporation.

The application directly proposes to contribute to the supply of housing in Villawood and will be instrumental in delivering a positive contribution to Place Making of the Villawood Centre. The merits of the application warrants the finalisation of assessment and speedy approval.

2. PROVISION OF SOCIAL HOUSING

This matter was previously considered by the Council and the Regional Panel for Stage 1 of the project.

In prior interactions with Council in the assessment of the Stage 1 DA NSW Land and Housing Corporation (LAHC) clarified that it has undertaken an evaluation across the entire project of the proposed social housing dwellings and is satisfied the proportion

of social housing dwellings is within the maximum ratio of 30:70 social to private tenure mix set out in Future Direction for Social Housing in NSW.

LAHC are aware of their own policy, and it is their responsibility to administer and respond to their own policy. As the lead expert on the provision of Social Housing; that includes a practical and working understanding of the needs across the broader region and not the site alone, we accept LAHC's position that the social housing needs of the area have been considered and that the Government Authority is acting in a proper manner consistent with their policies and mandate. We do not accept that the Council has a role to play in managing the application of LAHC's policy upon LAHC.

Furthermore, there is no evidence proffered by the Council that the delivery of social housing across the region by LAHC is inconsistent with the Future Directions for Social Housing in NSW Policy, which cannot be measured in the manner that Council does on a site by site basis, but must be analysed at a broader level.

3. ABOVE GROUND PARKING


Above Ground Parking is an appropriate response to the improved urban design approach to the site, that intentionally contributes to the place making of Villawood. Above ground parking also has immediate long term ESD benefits and future use opportunities.

The above ground parking is an appropriate "outcome" in the circumstances, noting that –

- This application intentionally contributes to place making of Villawood village by introducing a human scale form at street edges, with recessed tower above. As a result, the built form results in podiums of 3-4 storeys
- The outcome of the provision of podiums is that the podiums, while being of a human scale at the edges and contribute to place making, also become grand spaces below refined towers. These spaces are appropriate for the provision of car parking. There is no opportunity to place residential apartments in these wide and deep spaces, as the amenity would be impossible to provide. Commercial floor plates are not appropriate for Villawood village.

There are strong ESD reasons to support above ground parking within podiums as:

- There is a reduction in mechanical ventilation requirements from that of below ground parking; and
- The above ground parking spaces provide opportunity for some time in the future these spaces to be retro fitted for alternative uses such as recreation, storage, etc.



This would arise when the projected and hoped reduction in vehicle ownership in the Sydney metro comes to fruition.

Practical matters of noise, light glare and fumes have been assessed previously for the site as being appropriately managed and subsequently approved. The same methodology for this part of the project is applied.

4. LOADING AREAS AND DRIVEWAYS ON VILLAWOOD ROAD

This matter was previously responded to in July 2023 for this application. It was noted at the time that the design had been amended and that Villawood Road has been activated with the two residential lobbies of Building C now facing Villawood Road. Retail and community facilities also front Villawood Road which will suitably activate the Buildings A and C and will not result in an “unappealing streetscape”. A series of diagrams accompanied that submission and are included in the attachments to this submission. These diagrams include an analysis of the activation spaces along Villawood Road.

It is noted that the crossovers are appropriately located to Villawood Road, which is preferred to Kamira Court or Kamira Road. Sightlines to the crossovers are generous and the crossovers have different functions that are unlikely to be all active at the same time.

5. DESIGN EXCELLENCE AND SEPP 65

DKO Architecture are responding to these matters and will be providing a response pack to the Council in January 2024.

6. TRAFFIC AND PARKING CONSIDERATIONS

The Traffic and Parking consultants are responding to these matters and will be providing a response to the Council in January 2024.

7. NON-RESIDENTIAL USES

The proposed non residential uses are permissible and the parking calculations submitted with the application have factored this into the application. This matter has been previously responded to in July 2023.

The final fit out and operational details will be subject to future development applications and nothing prevents the Council from approving the application as submitted.

The concern of the Council is stated to be:

Council is unable to undertake a complete assessment of the site suitability, parking requirement and any potential amenity impacts of these uses without details on their operation

The uses are suitable having regard to them being permissible uses consistent with the zone and the intent of the Villawood town centre.

The parking requirements have been factored into the submitted application.

Amenity impacts will be considered as part of the future Development Applications for their fit out and operation.

8. VILLAWOOD TOWN CENTRE DEVELOPMENT CONTROL PLAN 2020

This matter was previously responded to in July 2023. The proposal has been previously amended to provide in excess of the minimum 25% required under the ADG, and provides 30% total under the DCP.

The provision of communal open space in one contiguous area would result in a poor outcome as it would be located at either Building A or Building C, leading to one of the buildings being prejudiced as residents would need to travel to another building to access the communal open space. The proposal submitted exceeds the ADG quantum, and importantly provides the communal open space across both sites and over more than one level, giving rise to variation in spaces, design, mix of functions, and introduces more than one option for residents to choose from.

It is important to note that the application will deliver a series of two 8-11 storey mixed use buildings, that at the completion of the proposal is to deliver a new park which will ensure future residents have both passive and active recreational opportunities.

The mix of spaces and recreational opportunities proposed in the application is superior to the requirement set out in the DCP.

9. WASTE MANAGEMENT

The Waste Management consultants are responding to these matters and will be providing a response to the Council in January 2024.

10. TRANSPORT FOR NSW

Noted, thank you.



CONCLUSION

We note that the Council has identified the period of days that the application has been lodged as being 422 days. Our client is concerned that it took 132 days for Council to provide a RFI following DA lodgement. Furthermore, after submitting an RFI response on 14 July 2023 it has taken a further 146 days to receive a further RFI request.

Our client looks forward to a more expeditious assessment in 2024 and the Council completing its assessment and recommending approval to the Planning Panel in the first quarter of 2024.

Regards

Adam Byrnes
Think Planners Pty Ltd