

**DRAFT REASONS FOR REFUSAL
DEVELOPMENT APPLICATION NO. 303.1/2022**

Stage 2 of the Redevelopment of No. 2 Kamira Court within the Villawood Town Centre comprising a combination of 8-11 storey Mixed Use buildings containing a total of 228 residential units, a community facility, supermarket, retail premises, medical centre, associated landscaping and road works, car parking located with a basement and above ground and 2000m² of public open space

Lot: 37, DP: 202006, No. 2 Kamira Avenue, Villawood

REASONS FOR REFUSAL

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).

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 above ground car park, streetscape treatment to Villawood Road, isolated ground floor apartments and location of substation.

Inconsistent with Villawood DCP 2020

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 Villawood DCP 2020. The proposed development does not comply with Clause 4.8 which requires car parking to be located within a basement and where appropriate sleeved with active uses.

Inconsistent with Fairfield City Wide DCP 2013

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 Chapter 7 of the Fairfield City Wide DCP 2013. The proposed development does not comply with Clause 7.7.1 as the proposal does not demonstrate that waste collection is appropriate and would not impact the surrounding locality.

Impact Upon Existing and Future Desired Streetscape

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 and the number of vehicle crossings along Villawood Road.

Lack of Car Parking

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 inconsistent with Clause 12.1 of the Fairfield City Wide Development Control Plan 2013 with respect to car parking. The proposal does not provide the required number of car parking spaces for the non-residential uses and therefore will likely have an adverse impact to the locality.

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 the eastern setback of Building A to No. 1 Villawood from levels 9 and above.

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.

Traffic Impact

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 local road system due to the traffic generation of the development and its impact on nearby intersections.

Public Submissions

Pursuant to the provisions of Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979, it is considered that having regard to public submissions, the information has not provided sufficient operational details of the non-residential uses and therefore the impacts are unknown.

Insufficient Details

Pursuant to the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, Insufficient information has been submitted to Council to enable a thorough assessment of the potential impact of the proposed development on the amenity of the surrounding locality. No fit-out and operational details have been provided for the non-residential uses proposed in the application.

Public Interest

Pursuant to the provisions of Section 4.15(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 does not provide sufficient social housing and is therefore not in the public interest.