

In reply please quote: DA 303.1/2022

Contact: Mr L Hawke on 9725 0274

6 December 2023

Traders in Purple
PO Box W287
PARRAMATTA NSW 2150

Dear Sir/Madam,

PREMISES: LOT: 37 DP: 202006, LOT: 39 DP: 202006, LOT: 136 DP: 16186,
LOT: 381 DP: 1232437, LOT: 382 DP: 1232437 NO. 2 KAMIRA
AVENUE VILLAWOOD

PROPOSAL: STAGE 2 OF THE REDEVELOPMENT OF VILLAWOOD TOWN
CENTRE COMPRISING A SERIES OF TWO (2) 8-11 STOREY
MIXED USE BUILDINGS AND THE FOLLOWING:

- A COMMUNITY FACILITY
- A SUPERMARKET
- 9 X RETAIL PREMISES
- A MEDICAL CENTRE
- 2 X HEALTH SERVICES FACILITY
- 228 RESIDENTIAL UNITS
- 400 CAR PARKING SPACES
- 2,000M2 OF PROPOSED PARK

APPLICATION NO.: 303 303.1/2022

PAN NO.: PAN-238065

I refer to Development Application No.303.1/2022 proposing Stage 2 of the Redevelopment of Villawood Town Centre comprising a combination of 8-11 storey Mixed Use buildings containing a total of 222 residential units including a community facility, supermarket, retail premises, health service facilities, medical centre, associated landscaping and car parking as well as 2000m2 of public open space at the abovementioned premises.

As you are aware, Council assessed the subject Application and raised concerns regarding the proposed development as detailed in Council's letters dated 22 February, 10th March and 17th March 2023. Furthermore, a Preliminary Briefing was held with the Sydney Western City Planning panel on 13th March 2023 who raised issues regarding Vehicle & Pedestrian Access, Design Excellence and Social Housing. The Panel also requested that Council and its independent Architect hold a design meeting with the Applicant and their Architect. This meeting between Council and the Applicant was held on 24th March 2023.

It is noted that the proposed development has been amended and accordingly Council officers have undertaken a further assessment. A number of issues have been identified regarding the amended proposal. The following matters are raised below for the Applicant's consideration.

Provision of Social Housing

The proposal involves the redevelopment of the LAHC site which previously contained 111 social housing units. The subject application now proposes 228 private units and no social housing units are proposed in this stage. As you are aware, on 23rd March 2023 Development Application No. 384.1/2021 was approved for Stage 1 which comprised of 32 social housing units and 80 private units. Presently, the total amount of social housing units proposed on the overall site once both stages are completed will represent 9.4% of the housing stock. The development does not achieve the 30:70 social to private tenure mix set out in the Future Directions for Social Housing in NSW (Future Directions).

Furthermore, at the Panel Preliminary Briefing the Applicant advised that they were applying for Grant Funding to enable further social housing or affordable housing. The amended Application does not provide any Social Housing and at the time of preparing this letter, there has been no formal request to increase social housing or affordable housing Stage 1. It is noted that the amended Application does not provide information that details how this arrangement continues to provide for the social housing needs of the community.

Given the above, the Applicant shall reconsider the number of social housing units and provide additional social housing on the subject site in order to be consistent with the Future Directions for Social Housing in NSW Policy.

Above Ground Car Parking

The proposal involves 2 levels of podium parking on levels 1 and 2 on both buildings. Clause 4.8.4 (2) of the Villawood Town Centre DCP states that car parking is to be provided in an underground basement, or where appropriate, sleeved with active uses to main street frontages. Furthermore, Clause 4.8.4 (3) states that sleeved car parking at ground level or above ground level must be architecturally designed and meet design excellence controls outlined within Fairfield LEP 2013. It is considered that the parking spaces are not in a sleeved arrangement on the southern elevation of Building A and south-west elevation of Building C. This is not considered appropriate for the following reasons:

- This façade for 2 levels will not be optimised and will directly face Kamira Ave, existing and new development residential development to the West and a major edge to the park.

- This results in impacts such as noise, light glare and fumes to the proposed residential properties.
- The split parking system arrangement may cause difficulty in wayfinding and access to the parking spaces for the different landuses on the site.

The Applicant shall reconsider this arrangement as it is considered more appropriate to provide additional levels of basement car park to conceal additional parking spaces.

Loading areas and driveways on Villawood Road

The proposal seeks 5 vehicle crossings along Villawood Road comprising access to 2 car parking podiums, 1 basement car park and 2 loading docks. This arrangement is not considered appropriate as it would create an unappealing streetscape along Villawood Road and will increase pedestrian safety risks. This was also expressed by the Panel in the Preliminary Briefing. It is therefore requested that the Applicant further investigate ways to address this matter such as increasing basement car parking and rationalising vehicle access points.

Design Excellence and SEPP 65

Council has engaged the services of an independent consultant urban designer/architect to conduct a SEPP 65 and Urban Design peer review of the proposed development. The following comments from the independent consultant are provided below for your consideration:

1. The proposal includes major truck, delivery, car access driveways and services along Villawood Road, which effectively locks this corridor as a secondary pedestrian zone and negatively impacts on the development of an appropriate street/precinct character.
2. The current design contains substantial above ground carparking within Building C that is not considered to be sleeved appropriately. This sterilises 2 levels of facade facing Kamira Avenue and residential developments to the west, as well as a major edge to the park. This also results in issues of noise, light glare and service /inactive facades to these important new addresses.
3. The design of the single level residential at Ground level in Building C to replace the childcare centre, while providing for a better activation to the park at ground level, is not ideal as its design is largely recessed under two levels of carparking which now presents as a commercial/service frontage to both Kamira Avenue and the new park.
4. The large footprint has effectively locked many uses into internalised spaces without access to natural light ventilation or outlook. It has also created an access system to the apartments which is excessively long, dog legged and without adequate relief for natural light. Given the size of the block it is recommended that a courtyard be considered to provide light, ventilation and landscaped outlet to these central areas.
5. A large external electrical substation is located within the public domain NW corner of Building C on Kamira Ave. This shall be located within the building.
6. The proposal does not look at the setback of the recently developed Mixed Use Building on No. 1 Villawood Place. This shall be provided to ensure appropriate ADG setbacks are provided along Kamira Court.

7. The separation between habitable spaces on the North South Laneway is less than the required ADG 12 metres. This is considered to result in privacy impacts.
8. It appears that Building A facing onto east west laneway will overshadow residential dwellings within Stage 1. More details are required to determine if the proposal will impact the required 70% solar access achieved for the Stage 1 development.
9. Building separation distances do not comply for Building C as there are several situations where bedrooms face living areas across a building gap of 3 to 4 metres.
10. The wayfinding strategy indicates that only one address point is to be used within each for both Building A and C. This does not seem adequate as Building C has 2 main lobbies with street address and Building A 4 residential lobbies with street /plaza address. It is not clear how the practical day to day deliveries will operate for each apartment building especially considering the growing need for courier deliveries, food deliveries, pickup/drop off and visitors etc.
11. It is proposed that major deliveries and removalists will access loading areas at grade from Villawood Road. The Loading docks do not appear to connect to residential lobbies.
12. Most of the balconies just meet the minimum size as required in the ADGs. There is no clear location for AC or clothes drying identified on the plans. It is recommended that this be clarified as balconies are to meet minimum ADG areas separately to AC.

Traffic and Parking Considerations

The following issues have been identified in regards to Traffic and Parking Impacts:

- Based on the traffic generation, the Applicant shall submit to Council an operational traffic management plan (OTMP) and Plan of Management for the site detailing how peak traffic generation will be managed within the site without creating internal manoeuvring issues or without adversely impacting traffic flows on the external adjoining road network particularly Villawood Road. The plan shall detail how the turn table will operate in a power outage, mechanical breakdown or when a truck arrives to the site when the turntable is in use by another truck.
- It is noted that the SIDRA Modelling that was submitted for the Planning Proposal used data in the covid pandemic, to rely upon this data now as part of this Development Application is not considered appropriate. This data does not reflect current traffic conditions and therefore should not be used. The modelling therefore shall be updated for a thorough assessment of the traffic impact the proposed development will have on the surrounding network. The Panel at the Preliminary Briefing had also requested that the traffic surveys be updated.
- Furthermore, the SIDRA modelling result provided indicates certain locations are proposed to be working at level of service E and F in 2031 post development and not pre development which is considered to be inappropriate. The applicant shall undertake investigations and determine possible mitigation measures to help reduce traffic congestion and related issues post development. Mitigation measures such as relocating a pedestrian crossing at the signalised intersection of Woodville Road and Kirrang Avenue is not supported from a pedestrian accessibility and safety perspective. Or

alternatively amend the proposal to ensure there is no adverse impact to the local road network.

- The swept paths provided for areas between the ramps and circulating roadways shall comply with Clause 2.5.2 (c) of AS/NZS 2890.1:2004. According to AS/NZS 2890.1:2004, intersections between circulation roadways and ramps and with parking aisles shall be designed so that both approach roadways and the intersection areas are adequate to accommodate turning vehicles for a B85 vehicle to pass a B99 vehicle and there is adequate intersection sight distance. Swept path analysis provided for the proposed circulating areas at various levels of car park is not clear and it appears a B85 would not be able to pass a B99. Concerns are also raised regarding the swept path diagrams provided for parking spaces on level 1 building A particularly the Tandem parking spaces and visitor parking spaces. Concerns are also raised regarding the remaining swept diagrams provided, in some cases it appears that the vehicle body is hitting the wall, see Level 2 Building A.
- All parking spaces shall show dimensions on plan and comply with the Australian Standards AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022. Staff, visitor, accessible and resident parking spaces should be clearly marked to deter confusion and mis-use.
- The sight triangle is kept clear for pedestrian safety and is not to be located on or over neighbouring land. The sight triangle to the left of the driver is to be kept clear of obstructions to visibility as shown in figure 3.3 of AS2890.1:2004. This is required to ensure the motorist can have sight of a pedestrian who may be a child or pram being pushed. This area should not include the neighbouring properties land.
- The gradient of the access driveways and ramps must comply with AS2890.1.
- Applicant should submit ground clearance checks using method shown in Appendix C of AS2890.1 to show vehicles do not scrape at driveway access to ramp and then from ramp to circulating roadway/landing.
- The proposed accessible parking spaces shall comply with the requirements of AS2890.6:2022, this includes signage, bollard and linemarking. Spaces shown on Level 1 and 2 are 3.8m wide with no shared area. No detail is provided on how close the accessible parking spaces are to an accessible entry to the building.

Non-Residential Uses

The submitted Statement of Environmental Effects states that the subject application is only seeking consent for the use of these non-residential uses, with fit out works and operational details to be addressed by subsequent development applications. Council considers it essential that operational details are provided in the subject application should the applicant wish to pursue these uses. 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 floor area and parking spaces for these uses are proposed in the subject application and the approval of the uses will effectively allow these uses without proper consideration.

Villawood Town Centre Development Control Plan 2020

Clause 4.18.2 of the DCP requires the development to provide a communal open space with an area equivalent to 30% of the site area or 200m² (whichever is the greater) on the podium level in one contiguous area. Assessment of the application identifies that 30% of the COS is not provided on the podium level. Consideration

shall be given to providing additional communal open space to facilitate a wide range of outdoor recreational uses and provide a high level of amenity for residents on the development.

Waste management

A detailed assessment of the application has been conducted by Council's Waste Service officer and the following comments are provided for consideration:

Waste Cupboard/Room

The waste cupboard/rooms to permit unobstructed resident access to Council's waste streams, Garbage (chute inlet), Recycling (240L bin) and Organics (240L bin).

The infrastructure to incorporate:

- Accessed via, self-closing, sealed doors
- Mechanically ventilated
- Water & tile to permit schedule cleaning
- Hot & cold tap facilities

The architectural plans to be updated accordingly to demonstrate accessible resident access it provided to all waste streams (addition of Organics – Green Bin) within each of the respective towers/rooms.

Chute Room

A linear or circular carousel system is to be provided under each chute outlet within the respective chute room/s located in basement 1 (operational clearances displayed). The plans to be updated accordingly.

Each of the chute rooms to incorporate the following infrastructure:

- Linear or circular carousel system large enough to accommodate 3x 660L bins
- Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm
- Bunted bin wash bay to permit scheduled washing of bin infrastructure
- Room enclosed, walled, and not permit through access to other on-site infrastructure

Bulk Goods Room

The architectural plans to be updated to show the rooms (ground floor) located in building A & C incorporate the following infrastructure:

- Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm.
 - Doors currently open inwards
 - Single 900mm to be replaced with dual doors
- A Bulky Waste room to be provided within Building A to accommodate the residential waste volumes (no room currently shown on plans).

Waste Collection Room

The waste collection room/s located on ground floor to be of sufficient size to accommodate the full bin allocations:

- Building A:
 - 11x 660L (Garbage) + 11x 240L (Recycling) + 6x 240L (Organics)

- Building C:
 - 11x 660L (Garbage) + 11x 240L (Recycling) + 6x 240L (Organics)

The architectural plans to be updated to show the room/s (ground floor) incorporate the following infrastructure:

- Accommodate the full bin allocation (refer above)
 - 200mm clearance provide between each bin (consistent with previous waste referral comments dated 12/03/23)
- Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm
 - Doors currently open inwards

Bin Tug/Towing Device

The architectural plans to be updated to show the bin tug device and trailer proposed to permit the movement of the full bin allocation from basement 1 (chute rooms) to ground floor (waste collection rooms) within Buildings A & C.

The storage area for the Bin Tug/Towing Device to incorporate the following infrastructure:

- Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm
- A designated storage room that is enclosed, walled, and not permit through access to other on-site infrastructure.
 - Current location is not within a designated/enclosed room
- Sufficient size to accommodate tug/towing device and trailer proposed
- Electrical charge capabilities (specific to system proposed) to permit scheduled charging

Waste Management Plan

An updated Waste Management Plan (WMP) to be provided to reflect the updated architectural plans and on-site infrastructure/service arrangements.

On-site Waste Infrastructure

All on-site waste infrastructure (chute room, waste collection and bulky waste) to accommodate the following infrastructure:

- Floor grade to central drainage point (connected to sewer)
- Floors waterproofed and extended 1200mm high on walls
- Hot & Cold water tap/s
- Mechanical ventilation & Sensor lighting
- Unobstructed minimum height clearance of 2700mm (elevations provided)

Transport for NSW

The amended Application was re-referred to Transport for NSW (TfNSW) for their comment particularly given they had raised issues with the initial application. At the time of writing this letter, TfNSW has not provided comments regarding the amended application. In the event that they provide comments and issues are raised this will be referred to you for your consideration.

Conclusion

Please be advised that Council has assessed the amended Development Application and raise concerns. Council's assessment of the amended documentation identifies numerous technical issues relating to the provision of social housing, podium parking, concentration of loading arrangements, Design Excellence, SEPP 65, Traffic and Parking Implications, insufficient details regarding the non residential uses and waste management. Given the matters raised in the assessment above, it is recommended that the Applicant further consider the proposal and the matters raised.

In accordance with Clause 36(3)(c) of the Environmental Planning and Assessment (EP&A) Regulations 2021, 422 days of the 'assessment period' have since elapsed from the date of this correspondence. Should the requested information not be submitted within the specified timeframe, then in accordance with the provisions of Clause 36(5) of the EP&A Regulations 2021, the applicant is taken to have notified Council that the requested information will not be provided. As such, Council will proceed to determine the application based on the information as submitted, resulting in a recommendation of refusal. Should any difficulties arise in responding to the matters raised within the timeframe noted above, then you may wish to withdraw the application until such time that the requested information is ready for submission. Any refund will be at the discretion of Council.

Should you wish to discuss the matter further, please contact Mr Liam Hawke via email at lhawke@fairfieldcity.nsw.gov.au or directly on Ph. 9725 0274 within Council's City Development and Compliance Group.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'L. Hawke', with a stylized flourish at the end.

Mr Liam Hawke
Coordinator, Development Planning