

**SYDNEY WESTERN CITY PLANNING PANEL
COUNCIL ASSESSMENT REPORT**

Panel Reference	2017SSW057
DA Number	DA-767/2017
LGA	Liverpool City Council
Proposed Development	Creation of town centre core east comprising of commercial floor space at ground and podium levels with 6 residential flat buildings ranging from 6 to 14 storeys above; all over two levels of basement parking. The town centre core east includes the creation of a town square, an Eat Street, a public laneway, Main Street and Henderson Lane, with associated landscaping and public domain embellishments, and connection to services with stratum subdivision of the site.
Street Address	Lot 100 Campbelltown Road, Edmondson Park Lot 100 DP 1238023
Applicant	Frasers Property Group
Owner	Australand Residential Edmondson Park Pty Ltd
Date of DA Lodgement	26 September 2017
Number of Submissions	Nil
Recommendation	Deferred Commencement
Regional Development Criteria (Schedule 7 of the SEPP 2011)	Development with a Capital Investment Value (CIV) of \$278,933,962.
List of all relevant Section 4.15(1)(a) matters	<p><i>List all of the relevant environmental planning instruments: Section 4.15(1)(a)(i)</i></p> <ul style="list-style-type: none"> • State Environmental Planning Policy No.55 – Remediation of Land. • State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development. • State Environmental Planning Policy (State and Regional Development) 2011. • State Environmental Planning Policy (Infrastructure) 2007. • State Environmental Planning Policy (State Significant Precincts) 2005, Schedule 3, Part 31 Edmondson Park South Site (SEPP 2005).

	<ul style="list-style-type: none"> Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment. State Environmental Planning Policy (BASIX) 2004. <p><i>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: Section 4.15(1)(a)(ii)</i></p> <ul style="list-style-type: none"> No draft Environmental Planning Instruments apply to the site. <p><i>List any relevant development control plan: Section 4.15(1)(a)(iii)</i></p> <ul style="list-style-type: none"> Edmondson Park Fraser Town Centre Design Guidelines <p><i>List any relevant planning agreement that has been entered into under section 7.14, or any draft planning agreement that a developer has offered to enter into under section 7.14: Section 4.15(1)(a)(iia)</i></p> <ul style="list-style-type: none"> No planning agreement relates to the site or proposed development. <p><i>List any relevant regulations: Section 4.15(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</i></p> <ul style="list-style-type: none"> Consideration of the provisions of the Building Code of Australia.
<p>List all documents submitted with this report for the Panel's consideration</p>	<ol style="list-style-type: none"> Architectural Plans Landscape Plans Acoustic Consultant Letter – Rail Noise and Vibration Applicants response to JRPP and Council Deferral Matters MOD 4 Instrument of Modification MOD 6 Instrument of Modification Master Plan Landscape Architect and Soil Scientist Response Edmondson Park FTC Design Guidelines 2017 Accessibility Statement Access Consultant HDR Design Response – Architectural Diversity in the Town Centre Core Consolidated DEP Minutes Legal Advice VPA Statement of Environmental Effects Urban Design Report for the Town Centre Core East Sydney Trains Concurrence Design Excellence Strategy – Market Hall Recommended Conditions of Consent
<p>Report prepared by</p>	<p>Michael Oliveiro, Senior Development Planner</p>
<p>Report date</p>	<p>31 August 2018</p>

<p>Summary of s4.15C matters Have all recommendations in relation to relevant s4.15C matters been summarised in the Executive Summary of the assessment report?</p>	<p>Yes</p>
--	-------------------

Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP	Yes
Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S7.11EF)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Yes
Conditions Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	Yes

1. EXECUTIVE SUMMARY

1.1 Reasons for the report

The Sydney Western City Planning Panel (SWCPP) is the determining body as the development has a Capital Investment Value (CIV) in excess of \$30 million, pursuant to Clause 2 of Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011. The CIV is \$278,933,962.

1.2 The proposal

The application seeks consent for the creation of the town centre core east, which forms part of the Frasers Town Centre within Edmondson Park South. The town centre core east will introduce a mixed use development that comprises of approximately 30,000m² of commercial floor space at ground and podium levels with 6 residential flat buildings (RFB) ranging from 6 to 14 storey above; all over two levels of basement parking. The town centre core east seeks the use of various commercial and retail tenancies, with the fit-out of these tenancies being sought as part of separate applications. The town centre core east also includes the creation of a town square, an Eat Street, a public laneway, Main Street and Henderson Lane, with associated landscaping and public domain embellishments. The proposal will also include connection to services and the stratum subdivision of the site.

1.3 The site

The site is currently identified as Lot 100 Campbelltown Road, Edmondson Park, is legally described as Lot 100 DP 1238023 and forms part of the Edmondson Park South Concept Approval. The area subject to this application is known as town centre core east, has an area of 2.9ha (29,935m²) and is located in the north-eastern corner of Lot 100.

1.4 The issues

The main issues identified during the assessment of the application related to:

- Consistency with the master plan for the site and the provision of a Through Site Link aligning with the railway station entrance on Henderson Road into the north-east quadrant;
- The provision of deep soil zone at the site and the adequacy of on-slab planter boxes;
- Activation of Soldiers Parade and the streetscapes associated with the town centre core;

- Compliance with the concept approval for Edmondson Park South and the relevant modifications to the concept plan;
- Compliance with the Apartment Design Guide (ADG) and the Edmondson Park Frasers Town Centre Design Guidelines 2017;
- Creation of a 'sense of place' and promoting social interaction within the town centre core east, instead of creating a 'shopping centre' environment; and
- Ensuring the proposal portrays design excellence.

The applicant has responded to these matters with additional information and by amending the application. As a result of the assessment of the DA it is considered that the above listed matters have been resolved.

1.5 Exhibition of the proposal

In accordance with LDCP 2008, Section 18 the DA was required to be notified and advertised. The development was on notification for 14 days from 1 November to 16 November 2017. No submissions have been received in respect of the proposal.

The development was referred to a number of internal and external departments, agencies and stakeholders, all of which raised no objection to the proposed development. Sydney Trains provided their concurrence to the proposal on the provision that it be determined as a Deferred Commencement.

1.6 Conclusion

The application has been assessed pursuant to the provisions of the Environmental Planning and Assessment Act (EP&A Act) 1979. The proposal is generally compliant with the applicable provisions of the State Environmental Planning Policy (State Significant Precincts) 2005, Edmondson Park South Concept Approval (MP 10_0118), MOD 4 of Concept Plan (MP 10_0118), MOD 6 of Concept Plan (MP 10_0118) and the Edmondson Park FTC Design Guidelines.

Based on the assessment of the application, it is recommended that the application be approved subject to a Deferred Commencement consent, in order to resolve Sydney Trains' pre-development requirements.

2. SITE DESCRIPTION, LOCALITY AND SITE HISTORY

2.1 The site

The site is currently identified as Lot 100 Campbelltown Road, Edmondson Park, is legally described as Lot 100 DP 1238023 and forms part of the Edmondson Park South Concept Approval. The site has an area of approximately 13.58Ha (135,800m²) and is situated on the northern side of Campbelltown Road (which marks the boundary between the Liverpool and Campbelltown LGA's) and the southern side of the South West Railway. The site is also bound by Soldiers Parade to the east and Lot 710 DP 1215666 and Lot 2 DP 1220978 to the west. These two adjoining lots are identified as a being part of a future regional park and residential subdivision. Figure 1 below demonstrates the subject site in the context of the locality.



Figure 1: Subject Site overlaid in yellow and outlined in red.

The approved road layout associated with the subject site is indicated in the following figure.

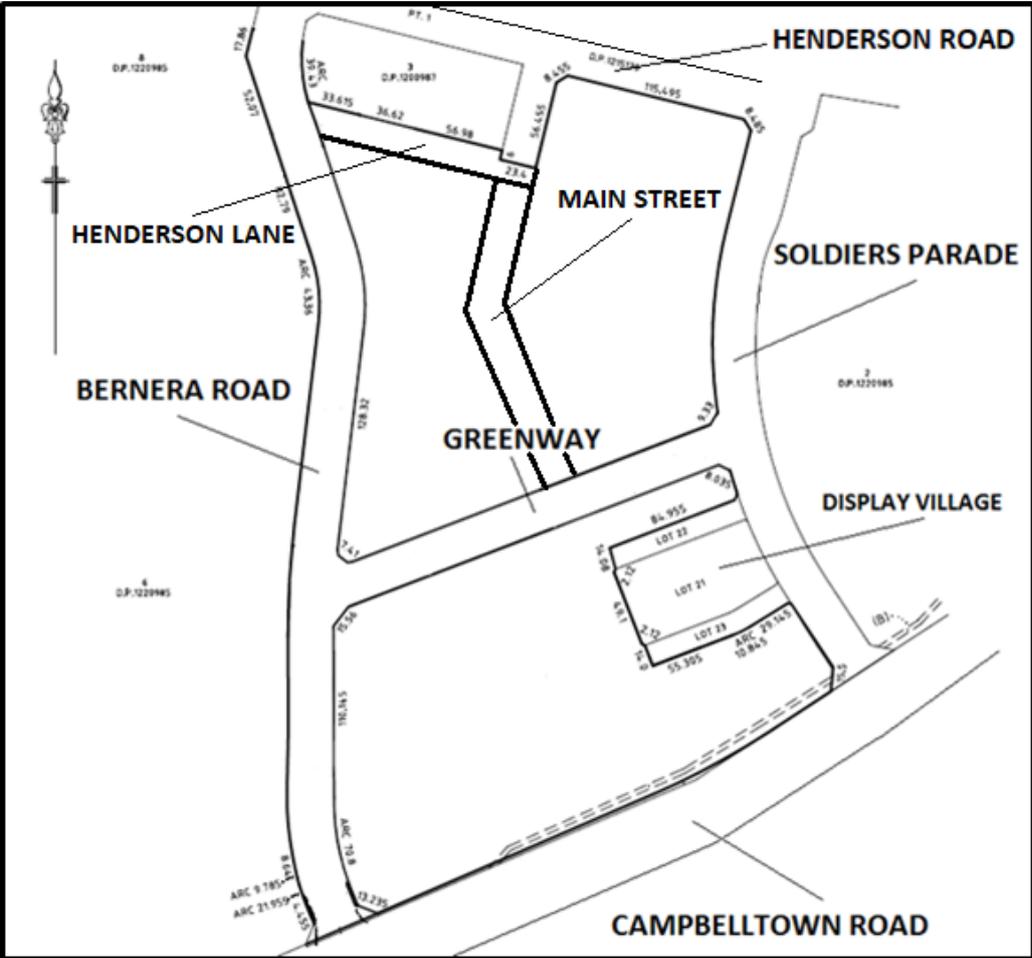


Figure 2: Roads adjoining the subject site.

The subject site was formerly occupied by defence buildings associated with the Ingleburn Army Village. These buildings were demolished by Landcom (formerly Urban Growth NSW) in preparation of the creation of the future town centre. The site currently has approval for and is undergoing clearing, excavation and regrading. The construction of roads and associated infrastructure (drainage and services) has also been approved onsite. Along the eastern site boundary and approximately 70m north of the intersection of Soldiers Parade and Campbelltown Road, a display centre has been constructed at the site. The display centre is operational.

The following image supplied by the applicant in March 2018, represents the current status of works at the site. The image shows the erected display centre fronting Soldiers Parade and the excavation and grading work done to Bernera Road and Residential Precinct 1 bound by Greenway to the north and Campbelltown Road to the south. It also shows the excavation work conducted within the town centre core east site bound by Soldiers Parade to the east and Edmondson Park Railway Station to the north.



Figure 3: Photo indicating the current progress of works at the subject site.

2.2 Town Centre Core East

The town centre core east is highlighted in red in Figure 4 below.

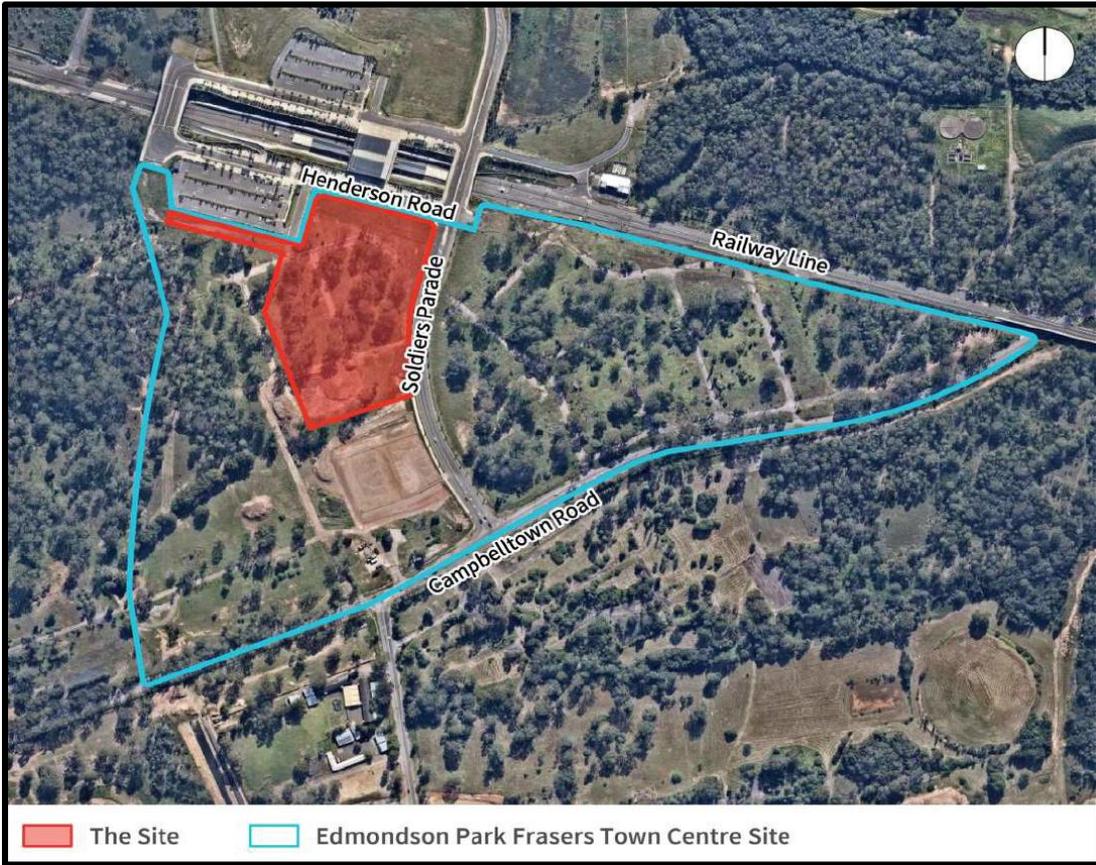


Figure 4: Town centre core east highlighted in red.

The town centre core east has an area of approximately 2.9Ha (29,935m²). It has an approximate northern boundary of 140m to Henderson Road, an eastern boundary of 200m to Soldiers Parade, a western side boundary of 230m to Main Street and a southern boundary of 120m to Greenway. As depicted in Figure No.3 above, the town centre core east has been excavated in order to facilitate the proposal. The development site also includes the creation of Henderson Lane that will connect the development to Bernera Road to the west.

The town centre core east is broken into two sections, the north-east quadrant and the south-east quadrant, as depicted in the following figure:

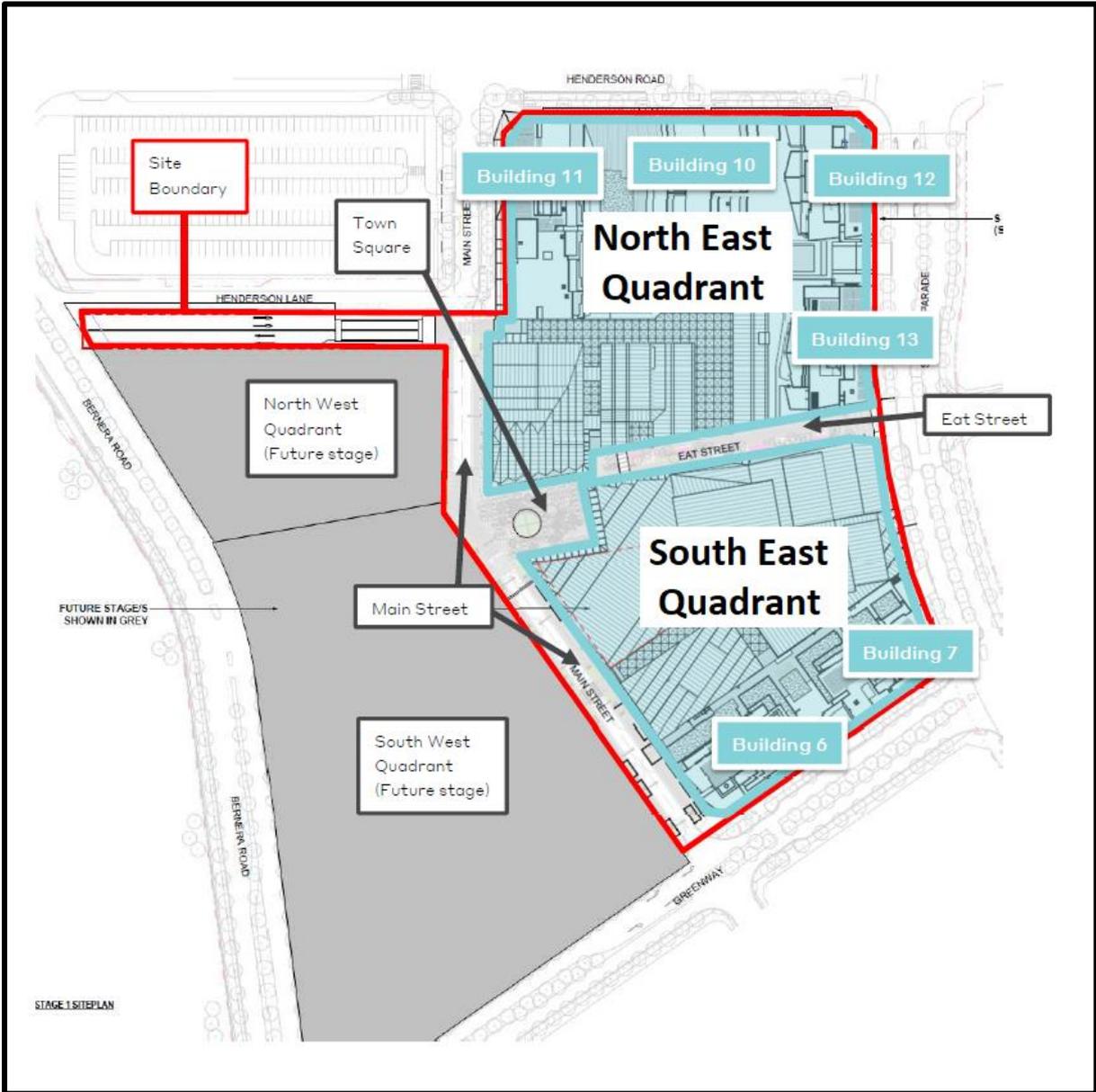


Figure 5: Layout of the town centre east, with north-east and south-east quadrants.

The western portion of the town centre core will be subject to a separate development application. This portion is bound by Henderson Lane to the north, Bernera Road to the west, Main Street to the east and Greenway to the south.

2.3 The locality

Edmondson Park is undergoing significant transformation from rural to urban land centred on the Edmondson Park railway station and the creation of a new town centre. The following figure demonstrates the transition of existing rural land being subdivided and developed for mainly low to medium density housing.

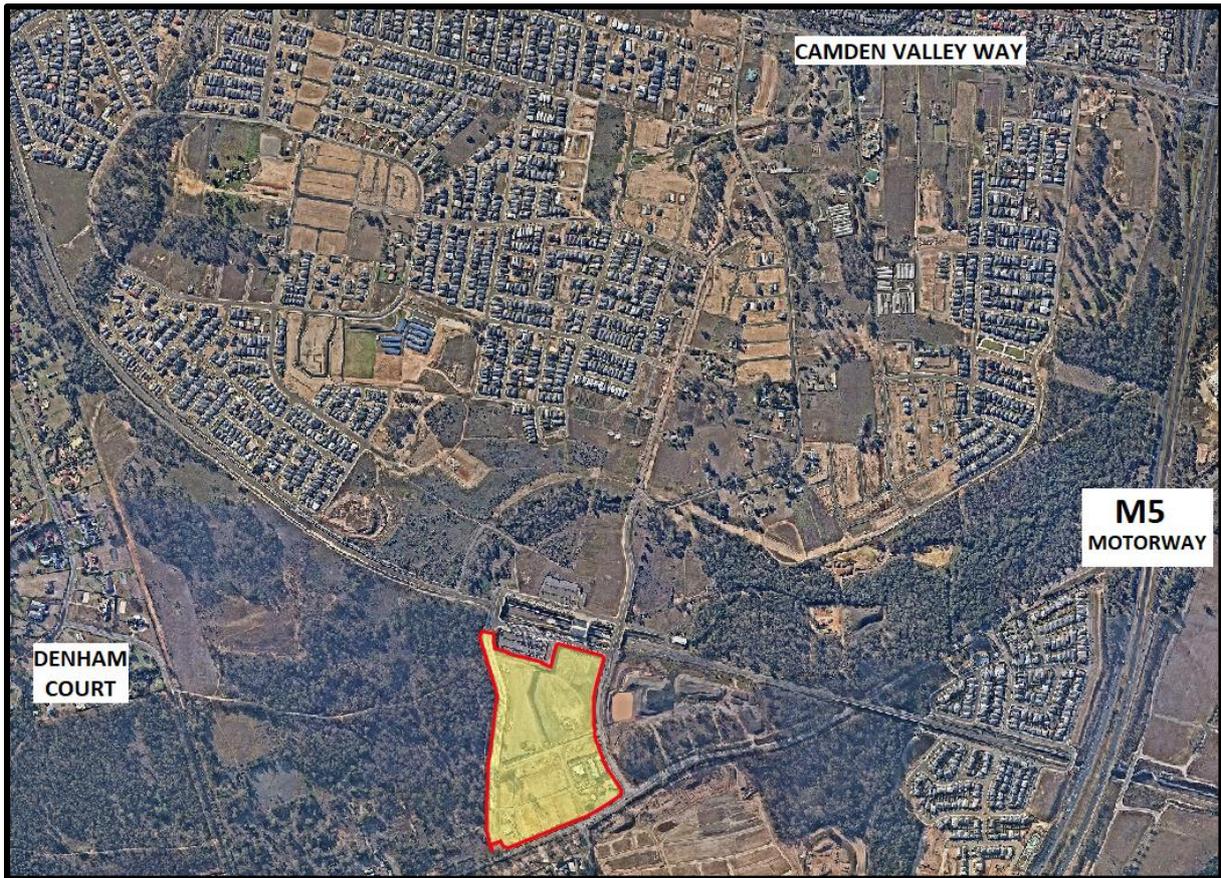


Figure 6: Subject site overlaid in yellow and outlined in red within the surrounding context.

The suburb of Edmondson Park is bound by Camden Valley Way to the north (approximately 2km north of the subject site), which is an arterial roadway running east-west as shown in Figure No.6. To the west it is bound by the border line with the suburb of Denham Court, which is approximately 1km from the subject site. It is bound by Campbelltown Road to the south which adjoins the subject site and is bound by M5 Motorway to the east, which is approximately 1.5km from the subject site.

Edmondson Park is located outside of the South West Growth Centre, as per the Growth Centre SEPP 2006. The suburb is approximately 40km southwest of Sydney CBD and is located approximately 9km southwest of Liverpool city centre, as seen in the following figure.

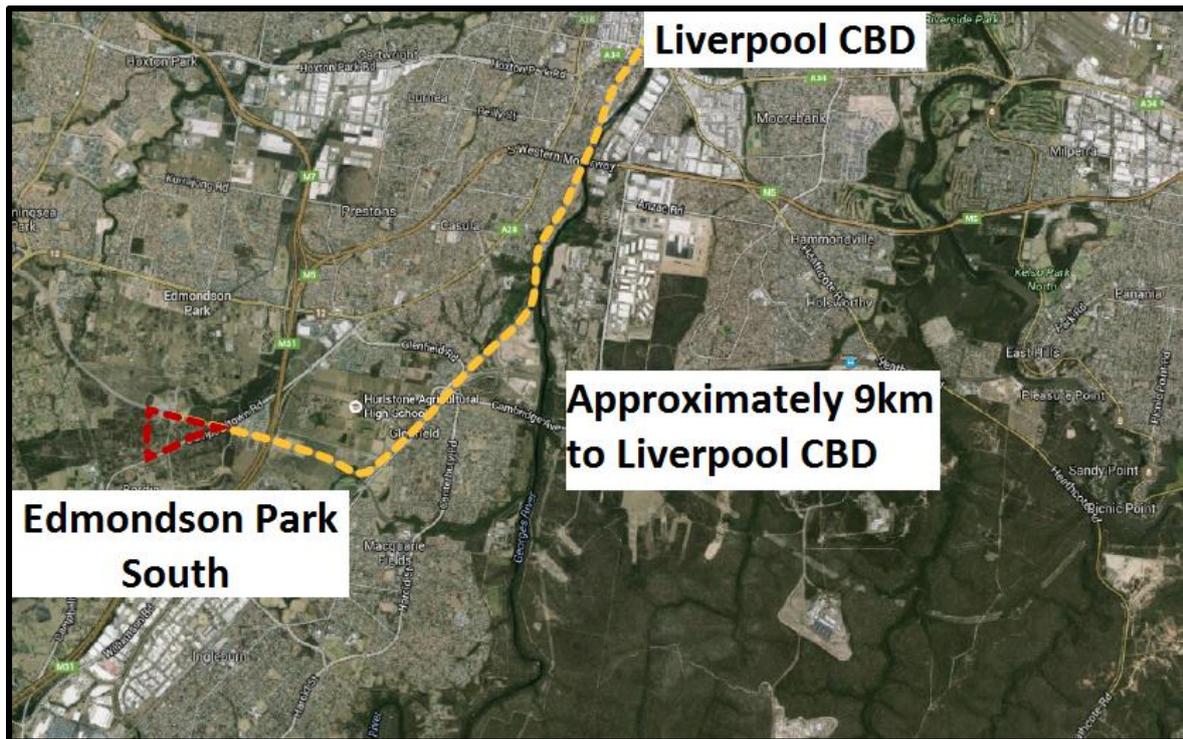


Figure 7: Edmondson Park South in red dashed line, with route to Liverpool CBD in yellow dashed line.

2.4 Site affectations

The site is affected by the following:

- Bushfire Prone Land (Vegetation Category 1 and Vegetation Buffer);
- Moderate Salinity Potential;
- Native Vegetation;
- Land Acquisition;
- Heritage; and
- Road and Rail Noise from the South West Rail Line and Campbelltown Road.

2.4.1 Bushfire Prone Land

The subject site is identified on Council's mapping system as being partly affected by Bushfire Prone Land (Vegetation Category 1 and Vegetation Buffer).

The application was referred to the NSW Rural Fire Service (RFS) as part of the assessment of the application and as per Section 4.46 of the Act, for Integrated Development. The NSW RFS provided general terms of approval for the construction of the town centre core east. Accordingly, the proposal is considered acceptable with regards to the bushfire affectation onsite.

2.4.2 Salinity

The subject site is identified on Council's mapping system as being affected by moderate salinity potential. Appropriate conditions will be imposed on the subject application in order to mitigate the effects of salinity soils at the site during the construction stages.

2.4.3 Native Vegetation

The subject site is identified on Council's mapping system as containing significant native vegetation. However, this is limited to land reserved for Bernera Road that does not encroach into the town centre core east and does not form part of this application.

It should be noted that DA-628/2016, approved by the JRPP on the 13 March 2017, allowed the removal of vegetation at the site, inclusive of land within the town centre core. Accordingly, there will be no vegetation removal as part of the subject application.

2.4.4 Land Acquisition

The subject site is identified on Council's mapping system as being affected by Land Acquisition. This is limited to Bernera Road and Campbelltown Road and does not encroach into the town centre core east.

2.4.5 Heritage

At the time that the Concept Plan for Edmondson Park South was approved by the Planning and Assessment Commission (PAC), three buildings were heritage listed onsite. These buildings formed part of the 'Ingleburn Village' site and were known as Riley Newsum Prefabricated cottages. These buildings were approved to be demolished by Liverpool Council under DA-595/2014. See Section 2.5.3 of this report for further details on DA-595/2014.

Although these buildings are still listed as Item Number 3, local heritage items under the State Environmental Planning Policy (State Significant Precincts) 2005, they were demolished in accordance with DA-595/2014 and are no longer at the site. Council's heritage advisor has provided the following comments with regards to heritage considerations for the development of the site:

"The item was removed as a part of the initial development works within the Edmondson Precinct, with no evidence of the structures remaining on site.

Despite the development being approved by Planning and Infrastructure NSW, the item was not removed from the SEPP once the demolition was approved.

I have no objections to the development and state that the development will not impact on any listed heritage item."

Accordingly, the development is considered acceptable with regards to heritage matters.

2.4.6 Road and Rail Noise

The subject site is identified on Council's mapping system as being affected by both rail and road noise. Road noise affecting the site is from Campbelltown Road and will not impact the town centre core east.

Rail noise affecting the site comes from the South West Rail line and will affect approximately the first 60m of the north-east quadrant measured from the boundary of Henderson Road in a southerly direction. Accordingly, noise attenuation measures will be required to be incorporated into the building design for the north-east quadrant and are recommended to be imposed as conditions.

The applicant has provided written confirmation from their acoustic consultants, dated 13 August 2018, stating that rail noise and vibration assessment has been conducted for the proposal in accordance with the concept approval for Edmondson Park South and the Infrastructure SEPP 2007. See Attachment No.3 of this report. Accordingly, the development is considered acceptable with regards to road and rail noise.

2.5 Site History

2.5.1 Concept Approval

In March 2010, Landcom (formerly UrbanGrowth NSW) lodged a Concept Plan (MP 10_0118) and concurrent Project Application (MP 10_0119) for the development of Edmondson Park South. The area subject to the approval is located in both Liverpool and Campbelltown LGA's. The Concept Plan was approved by the PAC on 18 August 2011 and provides for a development over approximately 413 hectares comprising:

- residential development of 3,530 dwellings;
- development of the Edmondson Park Town Centre including 35,000-45,000m² of retail, business and commercial floor space, along with associated uses, including a single 'landmark development' of up to 30 metres in height within 300 metres of the proposed station;
- protection of approximately 150 hectares of conservation lands within regional parklands;
- upgrade of Campbelltown Road with a maximum road width of 38.8 metres, and construction of three signalised intersections within Campbelltown Road;
- a temporary sales and information office and temporary signage associated with the sale of land;
- site remediation works;
- demolition of a number of existing buildings across the site; and
- associated infrastructure.

The following figure is the approved concept plan for the Edmondson Park South precinct.

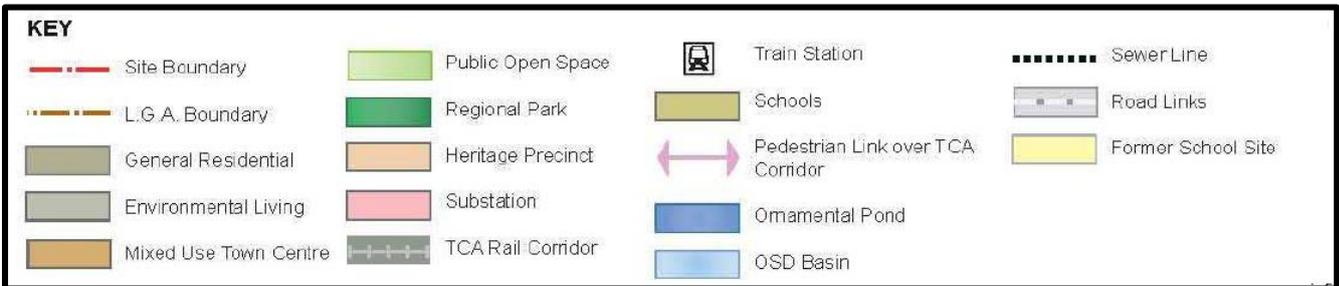
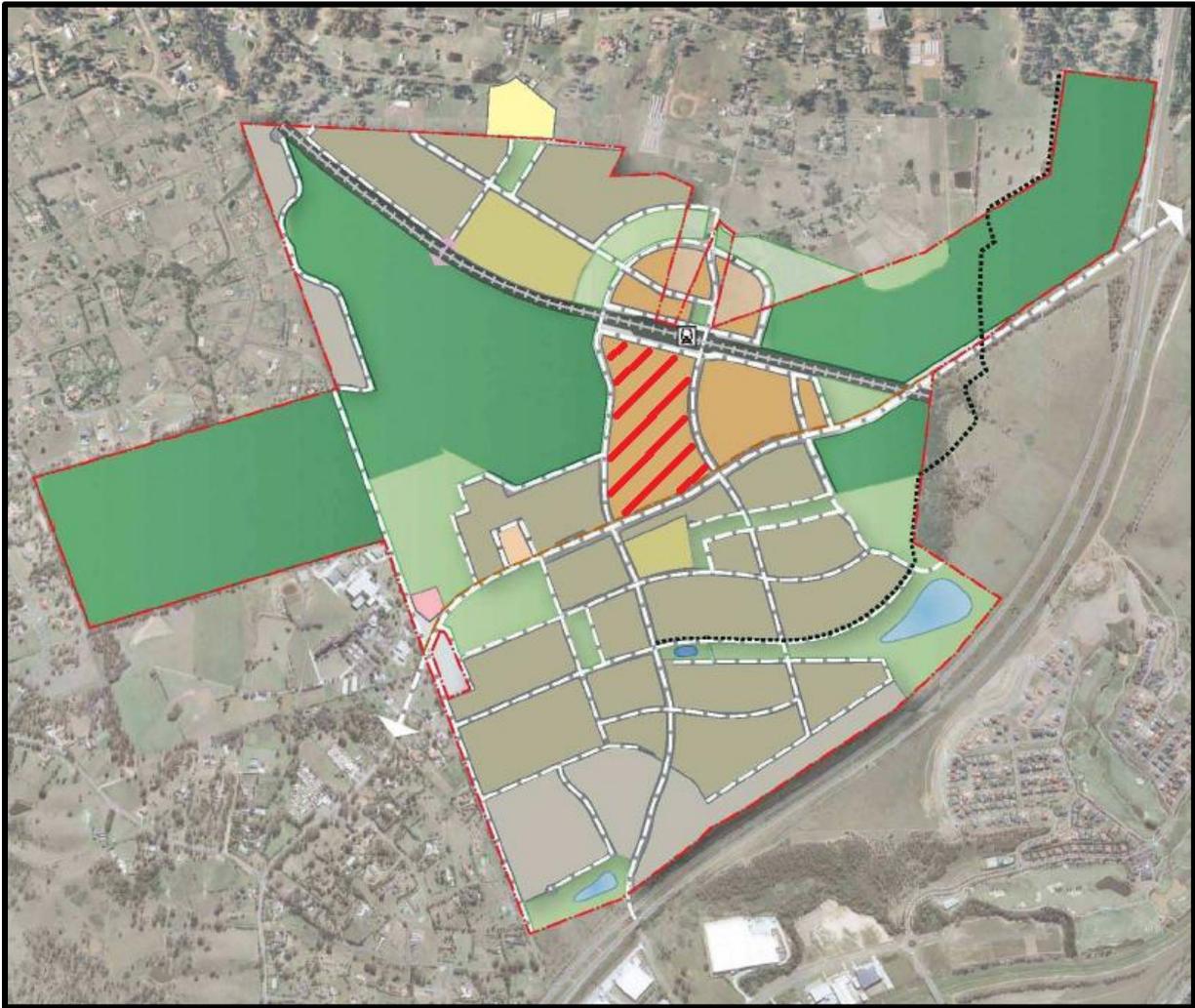


Figure 8: Edmondson Park South Concept Approval, with legend and subject site dashed in red.

2.5.2 Modifications to the Concept Approval

In August 2014 Landcom initiated a sale process to select a preferred tenderer to purchase and develop the future mixed use town centre site at Edmondson Park. As a result of this process in August 2015, Landcom confirmed that Frasers (formerly Australand), had been awarded the tender for the purchase and development of the Town Centre south of the railway line.

MP 10_0118 MOD 4:

In March 2016 Frasers lodged a Section 75W Modification to the Concept Plan (MP 10_0118 MOD 4) to incorporate the concepts of the tender process with a number of changes to the built form and public domain outcome for the site. The area subject to MOD 4 is known as

Fraser Town Centre (FTC). MOD 4 was approved by the PAC on 12 October 2017. The following figure demonstrates the PAC approved Illustrative Structure Plan for FTC.



Figure 9: Illustrative Structure Plan for FTC with town centre core east dashed in purple.

The key components of MOD 4 to the Concept Plan with regards to FTC are:

- Providing a maximum GFA limit for the Town Centre Core;
- Increasing the maximum building heights in the Town Centre Core;
- Increasing the approximate number of dwellings from 912 to 1884;
- Revising the road network and hierarchy;
- Introducing maximum car parking rates;
- Creation of the Edmondson Park Frasers Town Centre Public Domain Plan to guide the future design of the public domain; and
- Formulation of the Edmondson Park Frasers Town Centre Design Guidelines.

For the entire Edmondson Park South concept approval area, MOD 4 has resulted in an increase in the total number of dwellings from 3,530 to 4,502. Within the area known as the FTC specifically, the amount of dwellings has increased from 912 to 1884.

The subject development application seeks consent to carry out the town centre core east in accordance with MOD 4.

Design Excellence Strategy:

As part of part of the instrument of the modification of MOD 4 (see Attachment No.5), the Market Hall building in the south-east quadrant was required to demonstrate design excellence by responding to the site's character, suitability, layout, setbacks, architectural design,

materials and finishes, articulation and detailing, relationship to the public domain, connectivity and street activation. This was to be established through a design excellence strategy that included an independent peer review and be approved by Liverpool City Council, prior to the lodgement of the first development application for the market hall.

The design excellence strategy was not independently peer reviewed and approved by Council prior to the subject DA being lodged and was produced in tandem with the assessment of this application. The peer review was undertaken by a representative from the Government Architect NSW office, a representative of Council and one appointed by the applicant. All representatives were chosen based on their architectural knowledge and expertise.

The final design excellence strategy considered the Market Hall building in the context of the town centre core east and the surrounding locality, by specifically commenting on through site pedestrian connectivity, deep soil provision, roof design, Eat Street design, Town Square design, interface with Soldiers Parade and access from car parking areas to the public domain. The design excellence strategy panel chair noted that the above matters could be resolved by way of conditions of consent, which have been included in the recommended conditions of consent, see Attachment No.18 of this report. For the design excellence strategy notes please refer to Attachment No.17 of this report.

MP 10_0118 MOD 6:

In December 2017 Frasers lodged another Section 75W Modification to the Concept Plan (MP 10_0118 MOD 6) in order to redistribute GFA within the Town Centre Core to reflect the updated town centre design that has occurred since the original indicative scheme was approved by the PAC. The modification did not result in any increase in the total GFA, height or number of dwellings for the Frasers Town Centre and was approved by the PAC on 6 March 2018.

See the MOD 6 Assessment in Section 6 e) of this report for further details.

2.5.3 Development Application History Onsite

DA/ Applicant	Determination	Description	Status Onsite
595/2017	Approved under delegated authority, 28 October 2014	Demolition of three heritage listed cottages	Complete
621/2016 Frasers	Approved under delegated authority, 30 January 2017	Construction and operation of an exhibition village containing display homes, ancillary sales and marketing suite and café and associated civil works including road construction within RP1.	Complete and Open
628/2016 Frasers	Approved by South West Sydney Planning Panel,	Clearing of vegetation, bulk earthworks, temporary stormwater and drainage works and removal of services across the entire FTC.	Works Complete

	at its meeting of 13 March 2017		
925/2016 Australand Residential	Approved under delegated authority, 30 August 2017	Site clearing and excavation for Edmondson Park Town Centre (Land 20m south of Henderson road and the southern commuter carpark only)	Works Complete
1260/2016 Fraser's	Approved under delegated authority, 26 February 2018	Construction of roads and site infrastructure, landscaping works, public domain improvements and the subdivision of land for the creation of roads within FTC on the western side of Soldiers Parade.	Works started
583/2017 Australand Residential	Approved under delegated authority, 18 May 2018	Construction of Neighbourhood St, Local Street 7 & 9, Local Street 4 and Road 2, earthwork benching of development lots and future Mews, stormwater drainage, subdivision of new roads, eleven Torrens Title lots, landscaping and public domain improvements within RP1.	CC being sought
779/2017 Fraser's	Approved by Sydney Western City Planning Panel, at its meeting of 6 August 2018	Construction of 104 dwellings with associated car parking and landscape works, the creation of two pocket parks, a local park, Mews No.3 and Community title subdivision of the site.	CC being sought

3. BACKGROUND

3.1 Sydney Western City Planning Panel Briefing

A briefing was held on 13 November 2017 with the Sydney South West Planning Panel. The panel requested that the following issues be addressed as part of the assessment of the application.

Panel Comment	Applicant Response	Assessing Planner Response
Activation of streets required, especially Soldiers Parade and Henderson Road	<p><i>Between Eat Street and the 'green link' on Soldiers Parade the topography has not allowed for active uses to be level with the street. Along this section of Soldiers Parade part of Basement Level 1 protrudes above the Soldiers Parade street level, however this space has integrated many features to ensure the space is activated and provides the optimum design solution in the context of the site constraints.</i></p> <p><i>Whilst every effort has been made to ensure plant and services are located away from public view statutory authorities require services that provide direct access from the street. The section of Soldiers Parade south of the Eat</i></p>	<p>As a result of the Design Excellence Strategy, required under Condition 1.3B of the MOD4 approval, the Soldier Parade frontage of the Market Hall building has undergone significant design amendments since the panel briefing.</p> <p>The following design changes have been made by the applicant or imposed as conditions to further activate Soldiers Parade:</p> <ul style="list-style-type: none"> - The 'back of house' service openings at the lower ground level

	<p><i>Street ramp and north of the Green Link provides important access to a number of co-located street accessible services (refer to Drawing DA 11) including: fire control room, fire hydrant and sprinkler booster assembly, sprinkler alarm valve enclosure, south-east quadrant main switch room, south-east quadrant substation.</i></p> <p><i>Soldiers Parade is 376 metres long between Campbelltown Road and Henderson Road being predominantly activated by residential, retail and commercial land uses. Whilst the street accessible services are not an active land use, it accounts for approximately 25 metres in length or approximately 6 percent of Soldiers Parade. Soldiers Parade accordingly remains a highly activated street.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>have been conditioned to have all service doors and frames with matching finishes, and flush with the adjacent wall to create a smooth seamless wall and mitigate the utilitarian, 'back of house' character of this frontage. Furthermore, artwork from the public laneway (Green Link) will continue along this elevation for visual activation.</p> <ul style="list-style-type: none"> - The applicant has redesigned the upper ground level to provide a food and drink premises along Soldiers Parade, taking advantage of the outlook towards the park. This will have full floor to ceiling glazing in order to visually activate this space. - The applicant has redesigned the ground floor of B7 to include a commercial tenancy at the corner of Soldiers Parade and Greenway for further activation. <p>It is now considered that only parts of the Soldiers Parade frontage that are not activated are the car parking entries.</p> <p>The rest of the town centre core east is considered to be adequately activated by way of commercial/retail tenancies and residential uses in accordance with the master plan for FTC.</p>
<p>Whole development to function as a 'place' – not a shopping centre</p> <p>Applicant to clearly demonstrate how the street uses provide social interaction</p> <p>Close examination of the active areas especially street frontages, so large commercial tenancies do not inhabit social interaction</p>	<p><i>The Town Centre is dominated by external facing environment that features awnings to provide protection from the elements to provide a comfortable environment to spend time. This is at odds with a traditional shopping centre that would typically be dominated by an enclosed air conditioned space.</i></p> <p><i>It is important to consider the Town Centre as a whole, inclusive of future Stages 2 and 3 as envisioned by the Concept Plan. Edmondson Park will be a thriving and authentic Town Centre with a variety of programmed spaces around pedestrian focused streets.</i></p> <p><i>Whilst modern shopping and commercial realities necessitate the provision of anchor tenants within successful shopping precincts, Frasers do not accept the suggestion that the Town Centre is centred on large commercial tenancies at the expense of social interaction within the Town Centre.</i></p>	<p>The applicant has amended the DA to facilitate the future provision of a Through Site Link from Henderson Road into the north-east quadrant. This is considered to provide the fine grain permeability and pedestrian opportunities that is consistent with a successful town centre.</p> <p>The applicant has also provided additional activation along the Soldiers Parade frontage of the development, which is considered to ensure that the town centre core responds appropriately to its immediately adjacent uses. This is considered to establish a sense of place and invites users into the space from the east.</p> <p>In accordance with comments from Council's DEP, the applicant has provided plans which indicate public vs private seating arrangements at the site to indicate where the public can enjoy</p>

<p>within the town centre</p>	<p><i>Edmondson Park is proposed to have a 4,000m² full line supermarket and 3,600m² cinema over 24,000m² equating to approximately 31.5% of anchor tenants. The remainder of tenancies feature a significant proportion of tenants that are small specialty retail and food and drink tenancies made up of largely non national or international brands, far in excess of other sub-regional shopping centres in the sub-catchment.</i></p> <p><i>Beyond the retail component, the town centre features high quality public domain and amenity for users. Town Square and Eat Street are designed as places for people to dwell, spend time and ensure social interaction. Eat Street features play equipment whilst Town Square features water play and significant quantum of outdoor seating and planting creating a thriving community focused heart. Consistent with the Public Domain Plan the streetscape is provided with generous pedestrian spaces appropriate for a walkable town centre. The Town Centre is provided with a variety of open spaces including parks, pocket parks and pedestrian spaces like Eat Street and Town Square where there is opportunity to stop and enjoy the atmosphere and facilities of these spaces. In addition the town centre itself features built elements, landscaping and public art that enhance the community feel of the town centre, ensuring it is a place that people want to visit and dwell time.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>the centre without needing to be retail patrons. This plan is endorsed as a condition of consent. Confirmation from the applicant that the public can use the space without having the service retail tenancies reinforces the creation of 'place' and not a shopping centre.</p> <p>As a result of the Design Excellence Strategy, as per Condition 1.3B of the MOD4 approval, the applicant is required amend the design of the Market Hall building to provide greater legibility of the basement car parking areas. This is considered to provide users with better visual relationship of the town centre and reduces the feel of 'rigid shopping centre' type development.</p> <p>The applicant has provided a Playspaces Strategy to include additional 'non-paying' uses within the town centre core east. This is recommended as a condition of consent and is considered to add to the creation of the sense of place.</p> <p>Throughout the development it has been designed to mix residential apartments and lobbies at the ground level with retail and commercial tenancies. This is considered to create social interaction beyond a shopping centre.</p> <p>The completed town centre core east will provide a range of uses including: retail, commercial, business, childcare, gymnasium, cinema, medical and offices, at the site. The mix of uses is considered to assist in providing a focal point for the provision of services (community and commercial) to the locality beyond a typical shopping centre environment.</p>
-------------------------------	--	---

<p>Design, over shadowing of Residential Precinct 1, COS areas and Childcare centre</p>	<p><u>Residential Precinct 1:</u> <i>The Department considered potential overshadowing impacts from the Town Centre on surrounding land uses as part of the Concept Plan (refer to page 20 of the Departments Environmental Assessment Report). The Department found the Town Centre would not create unacceptable overshadowing impacts on residential land or public open space outside the Town Centre.</i></p> <p><i>Built form guidelines for the Residential Precincts are established by the Design Guidelines that require 70% of multi-dwelling and attached dwellings achieve at least two hours' solar access between 9am and 3pm mid-winter. All development applications in the Residential Precinct will be required to demonstrate that development meets the solar access requirements of the Design Guidelines. The Department found these requirements provide suitable controls for managing overshadowing within the Residential Precincts.</i></p> <p><u>Childcare Centre:</u></p> <p><i>The child care centre at the Mezzanine Level is north facing with openings (glazing and perforated screen) along the length of the façade. In addition there is a sky light opening above the eastern outdoor area on Mezzanine. During mid-winter the child care centre will receive uninterrupted daylight from the northern sun along the length of Henderson Road as there is no intervening development to the north.</i></p> <p><i>The indoor child care centre at Level 2 has been designed to accommodate back of house facilities including corridor, storage and kitchen facilities in the northern portion of Level 2 where the solid wall forms the Henderson Road architectural façade.</i></p> <p><i>The shadow diagrams provided by HDR at DA 07 of the Architectural Plans show that during mid-winter the outdoor play area progressively receives direct sunlight between 9.00am and 12.00pm. The diagrams show that the outdoor play area is provided with solar access to greater than 30 percent of the ground area at mid-winter, consistent with the Draft Child Care Centre Guidelines.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>The applicant has demonstrated through shadow diagrams submitted with the DA that Residential Precinct 1 will not be unreasonably overshadowed by the subject proposal. The applicant has indicated that Residential Precinct 1 will be able to comply with the solar access requirement stipulated under the FTC Design Guidelines. Accordingly compliance with solar access to this precinct will be required when these development applications are submitted to Council.</p> <p>The applicant has demonstrated through shadow diagrams that the area intended for a future childcare centre (indoor and outdoor) will receive sufficient solar access during mid-winter.</p>
<p>Stairs to Eat Street from Soldiers Parade,</p>	<p><i>The Public Domain Plan approved by the Concept Plan identifies Eat Street as a "pedestrianised street lined with outdoor dining</i></p>	<p>As part of the Design Excellence Strategy, as per Condition 1.3B of the MOD4 approval, the panel provided the</p>

<p>physical edge and accessibility</p>	<p><i>and features a central activation zone with integrated play and seating". To successfully achieve the alfresco precinct envisioned by the Concept Plan Eat Street needs to be level. The significant grade difference between Main Street and Soldiers Parade makes it impossible to provide Eat Street as a level space that connects to Town Square without accounting for the grade change as outlined in the options analysis above.</i></p> <p><i>The preferred option was to separate Soldiers Parade from Eat Street by the incorporation of a grand stair that has many advantages, including:</i></p> <ul style="list-style-type: none"> - <i>Heralds the arrival of the Town Centre with a grand gesture that leads pedestrians up and into the Eat Street pedestrian precinct;</i> - <i>Provides an amphitheatre like grand stairs that will become a Town Centre focal point/meeting point;</i> - <i>Resolves pedestrian/vehicle safety concerns by separating the pedestrian space from the busy Soldiers Parade;</i> - <i>Provides an elevated plane to Soldiers Parade to enhance the pedestrian environment;</i> - <i>Provides an informal seating platform for users to relax and appreciate views toward Town Park opposite; and</i> - <i>Incorporates a ramp ensuring equal access for all users.</i> <p><i>The Eat Street connection to Soldiers Parade is fully compliant with relevant BCA and DDA legislation.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>following comment with regards to the stairs from Eat Street to Soldiers Parade:</p> <p><i>The proposed design for the Soldiers Parade entry stairs was clearly understood from the site model as well as additional information that was provided at the meeting. While the overall configuration of the ramp and stairs works well, the proposed terrace lawns and planted edges are unsuited to this entry. The DERP agreed that it should have a robust urban character with no soft landscape treatments, and with metal balustrades instead of glazed balustrades.</i></p> <p>The applicant amended the stair interface in accordance with the comments above and in their final comments the panel stated:</p> <p><i>The panel supports the design changes to the public stairway between Eat Street and Soldiers Parade as it is more consistent with its urban setting.</i></p> <p>Accordingly, the stairs from Soldiers Parade to Eat Street are considered acceptable.</p>
<p>Relocation of waste management from Basement level 2 to Basement 1</p>	<p><i>The proposed loading dock and waste services area provides a single consolidated location for loading/deliveries and waste to be stored and collected from across Town Centre East. This efficient arrangement avoids unsightly separate waste collection facilities and vehicle collection points that would compromise provision of active streetscapes in the Town Centre. The proposed waste services and loading dock is therefore ideally located to screen these uses from public view.</i></p> <p><i>Notwithstanding, should the loading dock/waste services be relocated up to 'Basement Level 1' (which is level with ground at Soldiers Parade) the loading dock would have a significant impact on activation in this part of the Town Centre, particularly Soldiers Parade and</i></p>	<p>Since the JRPP briefing meeting, Council's Traffic and Waste Management Sections have reviewed the subject DA and support the size and location of the loading dock and waste management areas associated with the town centre core east.</p>

	<p><i>Henderson Road. This arrangement would be a poorer outcome for the Town Centre.</i></p> <p><i>Assessment of vehicle access and manoeuvrability within the Loading Dock has been undertaken by Ason Group as part of design development. The loading dock has been designed to accommodate a wide range of vehicles up to an articulate vehicle (semi-trailer) up to 19 metres in length. A swept path analysis is provided at Appendix G of the SEE which demonstrates notwithstanding minor design changes to be accommodated in detailed design, the loading dock is suitable for access and manoeuvrability.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	
<p>Public Laneway to RFB's B06 and B07 requires activation/treatment</p>	<p><i>The Green Link is not identified as an activity street by Figure 2 of the Design Guidelines and has accordingly been activated thoughtfully by the retail and outdoor play adjacent to the retail entry point and connection path to Greenway. Frasers are investigating outdoor play opportunities for the Greenlink that will further activate the domain as a family friendly location. This is a logical location of activity which will be enhanced by the green wall and public art proposed to line the entire length between Main Street and Soldiers Parade.</i></p> <p><i>The retail entry from the Green Link is surrounded by active uses and retailers at these corners facing out to the pedestrian link. The retail tenancy to the south has an approximate 7 metre glazed façade facing the laneway, while the northern tenant is a food and drink retailer that includes an outdoor play area at the intersection of the Green Link.</i></p> <p><i>The Green Link has a combined linear length of 198 metres. The entire southern side is activated by residential uses (except 17 metre separation between Buildings 6 and 7) and the northern side features 27 metres of activation around the retail entry point. The overall activation of the laneway equates to 148 metres or 77 percent of the Greenlink. The remainder features high quality landscape elements, a green wall and extensive public art to further activate the space.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>The applicant has amended the DA to provide additional activation and treatment along the pedestrian laneway known as Green Link.</p> <p>Green Link has been redesigned to include:</p> <ul style="list-style-type: none"> - a one storey high green wall along the southern elevation of the Market Hall Building; - additional windows at level 1 to the medical centre use on the southern elevation of the Market Hall Building; - public art (wall painting) stretching from Main Street to Soldiers Parade; - an outdoor play area between B6 and B7; and - an indoor play area with active frontage to Green Link on the southern elevation of the Market Hall Building. <p>The amended design and treatment of Green Link is considered to provide an acceptable activation of this space.</p>

Compliance with concept plans as modified	See the statement of environmental effects submitted with the DA and the complete applicant's response to the JRPP briefing notes at Attachment No.4 of this report.	<p>The amended DA is considered to achieve compliance with the concept plan as modified.</p> <p>The applicant has amended the DA to include drawings of the Through Site Link from Henderson Road into the north-east quadrant. It is recommended as a condition of consent that the Through Site Link be instituted at the site 7 years from the operation of the approval for DA-767/2017. Upon inclusion of the Through Site Link the development would be considered consistent with MOD 4 and the master plan for the site.</p> <p>See MOD 4 Assessment as per Section 6 e) of this report.</p>
Compliance with ADG required, COS to comply, max number of units off circulation core	<i>An assessment of the proposal's consistency with the Objectives and Design Criteria in the ADG is provided at Section 5.8 and Table 10 of the SEE.</i>	The DA is considered to be generally consistent with the ADG. See ADG Assessment as per Section 6 f) of this report.
Compliance with all associated plans and design guides applicable to the site	<i>Assessment of the Design Guidelines is provided at Section 5.5 and Appendix BB of the SEE.</i>	<p>The applicant has demonstrated that the proposal is consistent with the FTC Design Guidelines.</p> <p>See Design Guidelines Assessment as per Section 6 f) of this report.</p>
Critical services provision to be confirmed before determination	No comment.	The application has been referred to Sydney Water, Endeavour Energy and TransGrid as part of the assessment process. Each service provider has confirmed available services to accommodate the development.
Confirmation of SIC Levy requirements	No comment.	<p>The subject site is located within the SIC levy area.</p> <p>A requirement to pay the SIC levy is recommended as a condition of consent, prior to the issue of a subdivision certificate.</p>
Council resolution for John Edmondson Memorial to be included in Town Centre Core	<i>Further advice has been prepared by Queen and Crawford who confirmed the location of the memorial will be informed by the artist in collaboration with Council, the design team and Frasers. The preferred location of the memorial is in a parkland environment such as Town Park or Town Centre Reserve to ensure the memorial is located on public land. The parkland environment is considered conducive to quiet, dignified reflection and will enable</i>	<p>The Public Art Strategy submitted by the applicant has been reviewed and supported by Council's Public Art officer. This strategy includes the provision of the John Edmondson Memorial and is recommended as a condition of consent.</p> <p>Funding for the John Edmondson Memorial is currently being negotiated</p>

	<p><i>activity (educational and commemorative) around the memorial away from the distractions of a busy Town Centre. It is noted that the requirement to provide the Memorial is likely to form part of the VPA, which will ensure its delivery to Council's requirements.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>as part of a VPA between Council and the developer in accordance with the concept approval.</p>
Conflict between retail and residential parking	<p><i>As outlined at Section 4.17.2 and 4.17.5 of the SEE and as shown in the Architectural Plans at Appendix A of the SEE retail and residential car parking are separated by security fencing and security gates which will separate users and restrict movement of pedestrians between these areas.</i></p> <p>For the complete applicant's response, please refer to Attachment No.4 of this report.</p>	<p>The applicant has demonstrated that there will be sufficient separation between the residential and retail parking areas within Basement 2 by way of security fencing.</p> <p>The NSW Police provided comment that security fencing should be provided between the residential and retail parking areas within Basement 2, which is recommended as a condition of consent.</p>
Consideration of deep soil areas	<p><i>The proposal is consistent with the Concept Plan which always intended the Town Centre to have 100 percent site coverage as reflected by the illustrative design scheme which proposed two basement car parking levels below the entire Town Centre. Basement excavation of the entire volume of the Town Centre never included provision of deep soil. Council considered and approved excavation of the basement of the Town Centre under DA628/2016 and DA925/2016.</i></p>	<p>As a result of the Design Excellence Strategy, as per Condition 1.3B of the MOD4 approval, tree planting boxes on-slab have been increased since the JRPP briefing to provide greater opportunity for tree growth and longevity. The Design Excellence Strategy panel have supported this approach in lieu of deep soil zone.</p> <p>Council's DEP have reviewed the landscaping options proposed within the town centre core and supports the lack of deep soil zone upon reassurance by the applicant's landscape architects and soil scientists that tree growth and longevity will be upheld for the life of the development. See DEP Assessment as per Section 6.3 of this report.</p> <p>Accordingly, the omission of deep soil zone within the town centre core east, while not optimal, is considered acceptable in this case.</p>
DEP to consider Panel comments	<p>No comment.</p>	<p>Council's DEP were made aware of the JRPP's briefing comments.</p>

As per the table above, the proposed development is considered acceptable with regards to the concern raised by the SWCPP as a result of the November 2017 briefing meeting. The applicant responses above are only excerpts from their written response, dated 1 February 2018. See Attachment No.4 of this report for the applicant's full response.

4. DETAILS OF THE PROPOSAL

The application seeks consent for the creation of the town centre core east, which forms part of the Frasers Town Centre within Edmondson Park South. The town centre core east will introduce a mixed use development that comprises of approximately 30,000m² of commercial floor space at ground and podium levels with 6 RFB's ranging from 6 to 14 storeys above; all over two levels of basement parking. The town centre core east seeks the use of various commercial and retail tenancies. The town centre core east also includes the creation of a town square, an Eat Street, a public laneway, Main Street and Henderson Lane, with associated landscaping and public domain embellishments. The proposal will also include connection to services and the stratum subdivision of the site. An artist's impression of the layout of the town centre core east is provide below:

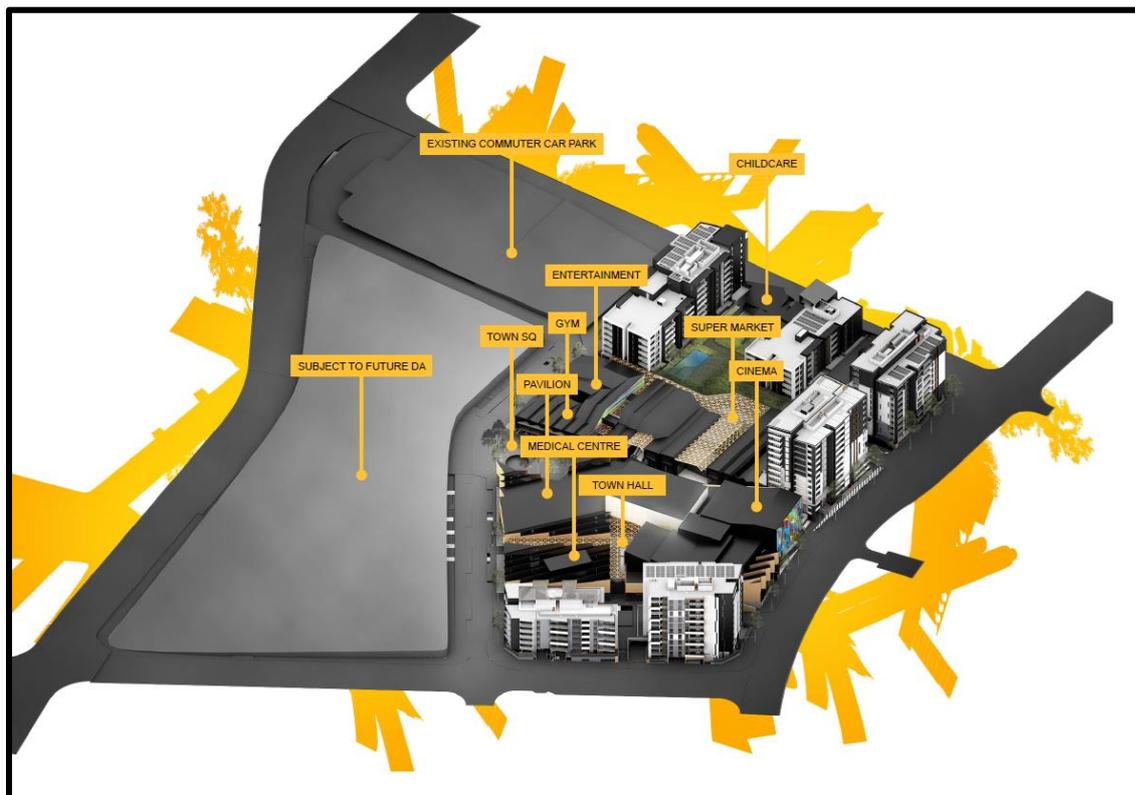


Figure 10: Artist's impression of town centre core east.

A detailed description of the components to which development consent is sought is provided as follows:

Construction – Commercial:

Construction of approximately 30,000m² of retail and commercial floor space at the ground, mezzanine and podium levels within the north-east and south-east quadrants. Refer to Attachment No.1 of this report for the architectural plans showing the layout of all commercial and retail tenancies across the town centre core east.

The types of commercial spaces proposed include:

- Retail;
- Business premises;
- Cinema;
- Food and drink premises;

- Office premises;
- Entertainment facilities;
- Medical premises; and
- Gymnasium.

Construction – Residential:

Construction of six residential flat buildings (RFB's) consisting of 423 apartments, as follows:

Building 6 (B6):

Located in the south-east quadrant with frontages to Main Street and Greenway this RFB will contain 43 apartments over 6 storeys. Ground floor access via a residential lobby is provided from Greenway.

Building 7 (B7):

Located in the south-east quadrant with frontages to Soldiers Parade and Greenway this RFB will contain 71 apartments over 11 storeys. Ground floor access via a residential lobby is provided from Greenway.

Building 10 (B10):

Located in the north-east quadrant, between buildings 11 and 13, this RFB will have a frontage to Henderson Road and will contain 50 apartments over 6 storeys. It should be noted that the ground level of this building provides a residential lobby only, with no apartments. The lobby is provided off Henderson Road.

Building 11 (B11):

Located in the north-east quadrant, this RFB will have frontages to Henderson Road and Main Street and will contain 99 apartments over 9 storeys. It should be noted that the ground level of this building provides two residential lobbies only, with no apartments. Each lobby is located along Main Street. The following figure provides an artist's impression of B11.



Figure 11: Artist's impression of B11 looking south-east with B10 and B11 in the background.

Building 12 (B12):

Located in the north-east quadrant, this RFB will have frontages to Soldier Parade and Eat Street and will contain 91 apartments over 14 storeys. It should be noted that the ground level of this building is located in line with Basement Level 1 and not the ground floor of the commercial component. Level 1 and 2 of this building are located in line with the ground floor commercial space and level 3 lines up with the podium level. Ground floor access via the residential lobby is provided from Soldiers Parade.

Building 13 (B13):

Located in the north-east quadrant, this RFB will have frontages to Soldier Parade and Henderson Road and will contain 69 apartments over 11 storeys. It should be noted that the ground level of this building is located in line with Basement Level 1 and not the ground floor of the commercial component. Level 1 and 2 of this building are located in line with the ground floor commercial space and level 3 lines up with the podium level. Ground floor access via the residential lobby is provided from Soldiers Parade.

Apartment Mix:

The overall mix of apartments throughout the town centre core east will be as follows:

- 1 Bedroom x 155 (37%)
- 2 Bedroom x 251 (59%)
- 3 Bedroom x 17 (4%)

Communal Open Space (COS):

COS associated with the above listed RFB's will be provided at the roof level of B6 and at the podium level of the north-east quadrant. The B6 COS is 530m² and will provide barbeque facilities, seating areas, toilet facilities and associated landscaping. The podium level COS is 3,568m² and will provide a pool, pool deck, barbeque facilities, two lawns, seating areas and associated landscaping. See the following figure for an artist's impression of the podium level COS in the north-east quadrant.

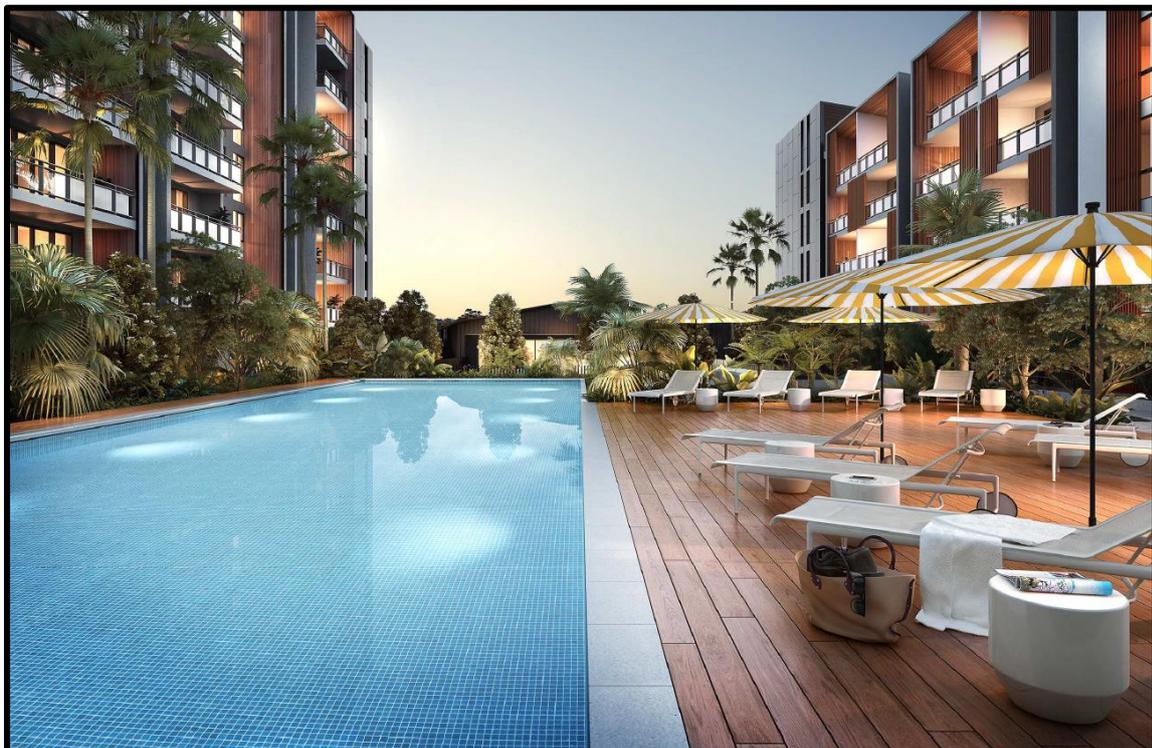


Figure 12: Artist's impression of the podium level COS in the north-east quadrant.

Construction – Basement:

Construction of two basement levels of car parking for a total of 1525 vehicles, with 547 residential spaces and 978 commercial spaces. Parking for motorcycles and bicycles will also be provided. The basement levels will also include a loading dock, plant, exhaust and waste rooms, commercial lifts and escalators, residential lifts, residential storage, retail lobbies and a future childcare centre basement lobby.

Use and Fitout:

Approval of land uses across the town centre core east (including residential and non-residential space), with fit out of non-residential uses to be subject separate approvals. Consent for a centre based child care facility at the site has been removed from the original development application and will be sought as part of a separate approval.

Approval for the use, access arrangements and floor space of a 1300 capacity cinema at the podium level in the south-east quadrant. The detailed fitout of the cinema will form part of a separate DA. Approval for the use, of a gymnasium at the podium level in the north-east quadrant. The detailed fitout of the gymnasium will form part of a separate DA;

Civil Engineering Work:

Civil engineering works including the construction of Main Street and a temporary driveway to Bernera Road providing access to the basement known as Henderson Lane.

Public Domain Works:

Public domain improvements across the town centre core east including:

- Parking for 93 bicycles;
- Design of Eat Street and Town Square and indicative play equipment; and
- Landscaping of Main Street, Town Square and Eat Street;

The following figures demonstrate the design intent of Eat Street and town square.



Figure 13: Artist's impression of Eat Street looking east.



Figure 14: Artist's impression of town square.

Infrastructure:

The proposal includes the extension and augmentation of physical infrastructure and utilities around the FTC, as required.

Subdivision:

The proposal include the Stratum subdivision at the site.

5. STATUTORY CONSIDERATIONS

5.1 Relevant matters for consideration

The following Environmental Planning Instruments, Development Control Plans and Codes or Policies are relevant to this application:

Environmental Planning Instruments (EPI's)

- State Environmental Planning Policy No.55 – Remediation of Land.
- State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development.
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
- State Environmental Planning Policy (State and Regional Development) 2011.
- State Environmental Planning Policy (Infrastructure) 2007.
- State Environmental Planning Policy (State Significant Precincts) 2005, Schedule 3, Part 31 Edmondson Park South Site (SEPP 2005).
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment.

Draft Environmental Planning Instruments

- No draft Environmental Planning Instruments apply to the site.

Other Plans and Policies

- Concept Plan Approval (MP10_0118) – approved by the Planning Assessment Commission on 18 August 2011.
- Section 75W Modification of Concept Approval MP 10_0118 MOD 4 (MOD 4).
- Section 75W Modification of Concept Approval MP 10_0118 MOD 6 (MOD 6).

Design Guidelines

- Edmondson Park South Frasers Town Centre Design Guidelines October 2017.

Contributions Plans

- Liverpool Contributions Plan (Edmondson Park) 2008 applies to the site.

5.2 Zoning

The site is mostly zoned B4 – Mixed Use and partly SP2 – Local Road as per the SEPP 2005. However, the developable area, the town centre core east, is zoned B4 – Mixed Use only. The SP2 – Local Road zoning is applicable to land that is designated for the creation of Bernera Road connecting from Campbelltown Road to the South West Railway line. The subdivision of the Bernera Road portion of the site has been approved under DA-1260/2016 and at this stage has not been registered with the LPI as a separate allotment. The zoning applicable to the town centre core east is demonstrated in the following figure, in the context of the adjoining land use zonings.

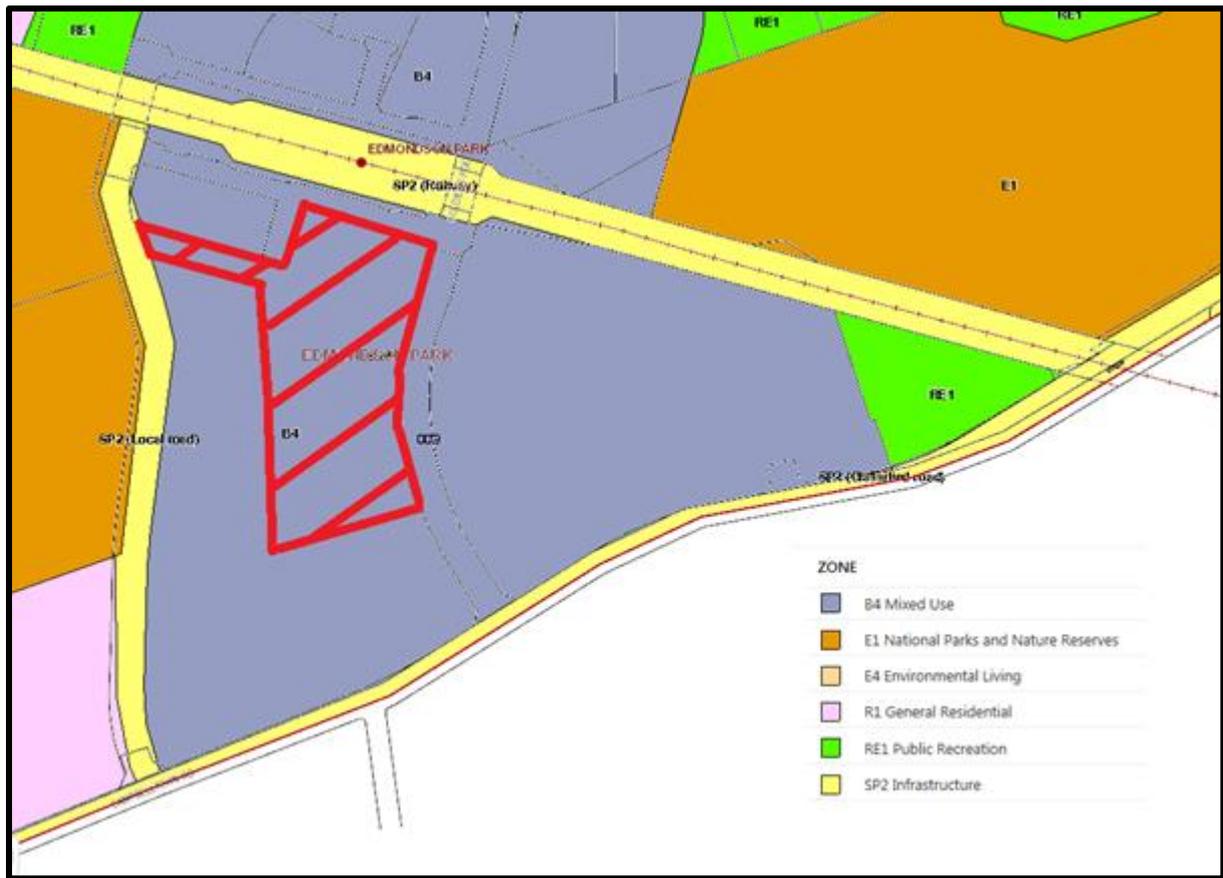


Figure 15: Zoning of the site, with RP1 – Stage 1 dashed in red. (Source: Geocortex)

5.3 Permissibility

As per the SEPP 2005, Clause 2, subclause (2), words and expressions applicable to Edmondson Park South have the same meaning as prescribed in the standard instrument. Accordingly, the overall proposal is best described as a ‘mixed use development’.

A ‘mixed use development’ is defined as follows:

“mixed use development means a building or place comprising 2 or more different land uses.”

Mixed use developments are not listed as a development permitted without consent or prohibited development, thus are permitted in the zone with development consent.

The development application also seeks approval for the use of part of the commercial floor space at the site as a gymnasium and a cinema. A gymnasium is best described as a ‘recreational facility (indoor)’.

A ‘recreational facility (indoor)’ is defined as:

“recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any

other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.”

A ‘recreational facility (indoor)’ is listed as permitted in the B4 zone with consent.

A cinema is best described as an ‘entertainment facility’. An ‘entertainment facility’ is defined as:

“entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.”

An ‘entertainment facility’ is listed as permitted in the B4 zone with consent.

5.4 Zone Objectives

The objectives of the B4 – Mixed Use zone are as follows:

- “(a) to provide a mixture of compatible land uses,*
- (b) to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.”*

The proposed development, which involves the creation of half of a town centre at the site will facilitate the provision of various uses including: residential, retail, business premises, offices, medical, recreation facilities (indoor), entertainment facilities, centre-based child care facilities and public spaces. This will provide a mixture of compatible land uses at the site. The proposal will also allow the integration of medium and high density residential housing within walking distance to public transport, a future town centre core and regional and local park land. Accordingly, the town centre core east is considered to be consistent with the objectives of the B4 zone.

6. ASSESSMENT

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000 as follows:

6.1 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument

a) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

The objectives of SEPP 55 are:

- *to provide for a state wide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

Pursuant to the SEPP, Council must consider:

- whether the land is contaminated.
- if the land is contaminated, whether it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the proposed use.

Council’s Environmental Health Section has reviewed the DA in accordance with the provisions of SEPP 55 and provided the following comments:

“Clause 7(1) of SEPP No. 55- Remediation of Land

<p>A consent authority must not consent to the carrying out of any development on land unless:</p>	<p>Environmental Health comments:</p>
<p>(a) it has considered whether the land is contaminated, and</p>	<p>DA-767/2017 was initially supported by a Remediation Action Plan (Project ID: DL3550, Document Control Number S003701, Version 1.0) prepared by DLA Environmental Services dated 18th November 2015.</p> <p>Following a request for further information, additional reports were submitted to Council including: ‘Preliminary Geotechnical and Contamination Review, Ingleburn Defence Site’ (Ref: 12343-063-070, Revision 2) prepared by Dames & Moore Pty Ltd dated 7th January 1999 and ‘Ingleburn Defence Site, Site Context and SAQP Report, Stage 2 Environmental Investigation’ (Project Number: EN02203, Rev 4) prepared by SKM Consulting dated 18th November 2008.</p> <p>Consideration was also given to a Section A Non-Statutory Site Audit (FM95C) prepared by Frank Mohen dated 25th July 2011 which confirmed the site’s suitability for residential use. However, subsequent investigations conducted by Golder Associates in 2015 identified an area (W1) within the proposed development site comprising building waste. Due to this localised contamination, W1 was identified as a potential area of remediation within the report titled ‘Environmental Investigation Proposed Town Centre Development-Edmondson Park, NSW’ (Report Number 1419891-001-R-Rev1) prepared by Golder Associates dated 12th May 2015.</p> <p>Figure 5 of the Statement of Environmental Effects prepared by Ethos Urban dated 13th September 2017 confirms that the proposed development site contains a remediation area (W1-1) which is currently impacted by</p>

	<p>asbestos. The Remediation Action Plan (Project ID: DL3550, Document Control Number S003701, Version 1.0) prepared by DLA Environmental Services dated 18th November 2015 confirms that bonded asbestos impacts at W1-1 require remediation and validation.</p> <p>When reviewing the aforementioned documentation, it is believed that the land is contaminated and requires remediation to mitigate the risks associated with bonded asbestos containing materials in soil.</p>
<p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p>	<p>Based upon the findings presented by Golder Associates (2015) and DLA Environmental Services (2015), the land is contaminated and will be suitable for the proposed residential development provided that remediation and site validation works are undertaken in accordance with the Remediation Action Plan (Project ID: DL3550, Document Control Number S003701, Version 1.0) prepared by DLA Environmental Services dated 18th November 2015.</p>
<p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p>	<p>The land requires remediation to be used for residential purposes. Council's Environmental Health Section is satisfied that the land will be remediated in accordance with the Remediation Action Plan (Project ID: DL3550, Document Control Number S003701, Version 1.0) prepared by DLA Environmental Services dated 18th November 2015 before the land is used for residential purposes.</p>

The Applicant has provided Council with sufficient information to address Clause 7(1) of SEPP No. 55- Remediation of Land. This Application involves a change to a residential use and therefore further consideration of Clauses 7(2), 7(3) and 7(4) of State Environmental Planning Policy (SEPP) No 55—Remediation of Land is required.

Clauses 7(2), 7(3) and 7(4) of SEPP No. 55- Remediation of Land

SEPP No. 55- Remediation of Land	Environmental Health comments:
<p>Clause 7(2) of SEPP No. 55- Remediation of Land:</p> <p>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in</p>	<p>DA-767/2017 involves a change of use to a more sensitive residential use on land previously used for defence works. Table 1 of the contaminated land planning guidelines identifies defence works as potentially contaminating activities which require further consideration in accordance with Clause 7 of SEPP No 55- Remediation of Land.</p>

<p><i>subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i></p>	<p><i>Given the site's previous military use, the Applicant was requested to provide additional information comprising a Stage 1 Preliminary Site Investigation and other information. Following this request, additional information comprising a Preliminary Geotechnical and Contamination Review, Ingleburn Defence Site' (Ref: 12343-063-070, Revision 2) prepared by Dames & Moore Pty Ltd dated 7th January 1999 was submitted to Council for review.</i></p> <p><i>Council's Environmental Health Section considered the submitted preliminary investigation (Ref: 12343-063-070, Revision 2) prepared by Dames & Moore Pty Ltd dated 7th January 1999. This document largely addresses the requirements of a preliminary investigation of the land as specified within SEPP No 55- Remediation of Land, contaminated land planning guidelines.</i></p> <p><i>It should be noted that this Application was preceded by a Concept Plan Approval (MP 10_0118) granted by the Planning Assessment Commission on 18th August 2011. The Planning Assessment Commission addressed the requirements of SEPP 55 prior to granting this Approval.</i></p>
<p><i>Clause 7(3) of SEPP No. 55- Remediation of Land:</i></p> <p><i>The Applicant for Development Consent must carry out the investigation required by subclause (2) and must provide a report on it to the Consent Authority. The Consent Authority may require the Applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</i></p>	<p><i>The Applicant submitted a report titled 'Ingleburn Defence Site, Site Context and SAQP Report, Stage 2 Environmental Investigation' (Project Number: EN02203, Rev 4) prepared by SKM Consulting dated 18th November 2008. In addition, consideration was given to a Section A Non-Statutory Site Audit (FM95C) prepared by Frank Mohen dated 25th July 2011 which confirmed the site's suitability for residential use.</i></p> <p><i>Subsequent investigations conducted by Golder Associates in 2015 identified a potential area of contamination requiring remediation. It is believed that the Applicant submitted sufficient documentation to Council to address the requirements of Clause 7(3) of SEPP No 55- Remediation of Land.</i></p>
<p><i>Clause 7(4) of SEPP No. 55- Remediation of Land:</i></p> <p><i>b) land on which development for a purpose referred to in</i></p>	<p><i>The land was previously used for defence works. Table 1 of the contaminated land planning guidelines identifies defence works as potentially contaminating activities</i></p>

<p><i>Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out.</i></p>	<p><i>which require further consideration in accordance with Clause 7 of SEPP No 55- Remediation of Land.</i></p> <p><i>Based upon the submitted information, this Application involves a transition to a residential use and consideration was given to Clause 7(2) of SEPP No 55—Remediation of Land accordingly.</i></p>
---	---

The Applicant provided Council with sufficient information to address Clauses 7(1), 7(2), 7(3) and 7(4) of SEPP No. 55- Remediation of Land.”

The site is considered suitable for the proposed use and the provisions of SEPP 55 have therefore been satisfied.

b) State Environmental Planning Policy (Infrastructure) 2007

Development adjacent to rail corridors

In accordance with Clause 85 – Development adjacent to rail corridors, of the Infrastructure SEPP 2007 a consent authority must give written notice of the application to the rail authority of the rail corridor and take into consideration any response that is received.

Accordingly, the DA was referred to the Sydney Trains as part of the assessment process. Sydney Trains provided its concurrence to the proposal, dated 11 December 2017, on the provision the DA is determined as a Deferred Commencement and subject to additional conditions if the DA becomes operational. Sydney Trains Deferred Commencement conditions and conditions of consent have been added to the recommended conditions, see Attachment No.16 of this report.

In this regard, the development is considered to be acceptable with regards to Clause 85 of the Infrastructure SEPP 2007.

Rail Noise or Vibration:

In accordance with Clause 87 – Impact of rail noise or vibration on non-rail development, for residential accommodation that is likely to be affected by rail noise or vibration a consent authority must take into consideration any guidelines and the noise levels specified in subclause (3) (a) and (b). Council’s Environmental Health officer has reviewed the DA in accordance with Clause 87 and provides the following:

“Assessment criteria for rail noise impacts were derived from State Environmental Planning Policy (Infrastructure) 2007 and the Assessing Vibration- A Technical Guideline (NSW EPA, 2006). Existing levels of noise and vibration associated with the rail line were measured between 21st July 2016 and 29th July 2016 during the day (50 dB(A) $L_{Aeq (15hr)}$) and night (48 dB(A) $L_{Aeq (9hr)}$) periods. The consultant indicated that the project-specific criteria for intermittent vibration from rail movements would be achieved at all future receiver locations at the development site. Likewise, no specific noise control measures would be required to mitigate rail noise in any proposed future residential buildings on the development site.”

In this regard, the development is considered to be acceptable with regards to Clause 87 of the Infrastructure SEPP 2007.

Impact of road noise or vibration

In accordance with Clause 102 – Impact of road noise or vibration on non-road development of the Infrastructure SEPP 2007 a consent authority must take into consideration any guidelines regarding the impacts of road noise or vibration on residential accommodation. As discussed in Section 2.4.6 of this report, the developable area is not located within a proximity to Campbelltown Road that would warrant consideration under Clause 102.

Traffic Generating Development

In accordance with Schedule 3 of the Infrastructure SEPP 2007 the proposed development is considered to be traffic generating development, as it proposes more than 300 dwellings. As such, Clause 104 – Traffic-generating development, of the Infrastructure SEPP 2007 applies to the proposal. Before determining an application under this clause the consent authority must refer the DA to the RMS and take in consideration any response they provide. Accordingly, the DA was referred to the RMS and they provided a written response, dated 20 November 2017, which confirmed they had no objection to the development.

Before determining an application under this clause the consent authority must also consider the following:

(ii) the accessibility of the site concerned, including:

(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and

(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and

(iii) any potential traffic safety, road congestion or parking implications of the development.

The subject DA was referred to Council's Traffic Engineering Section with regards to the above considerations. Council's traffic engineers raised no objection to the proposed development with regards to accessibility of the site, the efficient movement of people onsite, the minimisation of car dependency and any potential traffic safety or congestion implications as a result of the proposal. It should be noted that the ramifications of the proposal as a traffic generating development were considered and supported by the PAC during the assessment of MOD 4.

In this regard, the development is considered to be acceptable with regards to Clause 104 of the Infrastructure SEPP 2007.

c) Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (deemed SEPP).

The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment generally aims to maintain and improve the water quality and river flows of the Georges River and its tributaries.

Drainage associated with the site has been approved as part of DA-1260/2016 and does not form part of this application. Appropriate sedimentation and erosion controls shall be implemented during the construction process and this is recommended to be imposed as conditions of consent.

Accordingly, it is considered that the proposal satisfies the provisions of the GMREP No.2 and the development will have minimal impact on the Georges River Catchment.

d) State Environmental Planning Policy (State Significant Precincts) 2005

Development Standards:

The State Significant Precincts SEPP 2005 (Schedule 3, Part 31 Edmondson Park South Site) contains a number of development standards that are applicable to the subject DA. These standards are summarised as follows:

Clause	Provision	Comment
Clause 10 – Zone	Zone Objectives and Land Use Table	Complies The proposed mixed use development is permissible with development consent in the B4 zone and are consistent with the objectives of the zone.
Clause 16 – Subdivision	Land within the Edmondson Park South site may be subdivided, but only with development consent.	Complies Consent is sought for strata subdivision at the site.
Clause 17 – Minimum subdivision lot size	This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	Noted Consent is sought for strata subdivision at the site.
Clause 18 – Height of buildings	The height of a building on any land within the Edmondson Park South site is not to exceed the maximum height shown for the land on the Height of Buildings Map. Site affected by 24m height limit.	Does not comply – Considered Acceptable The tallest building onsite has a building height of 50m from existing ground level. This height complies with the MOD 6 concept approval for the FTC. See Section 6 e) of this report for further assessment of MOD 6 and building height. As per the Department of Planning’s Environmental Assessment report for MOD 4 regarding building heights under the SEPP 2005, they stated: <i>“The Department notes that the Minister’s power to modify an approved Concept Plan under Section 75W of the EP&A Act is not restricted to compliance or consistency with relevant EPIs.”</i> Accordingly, no section 4.6 Variation Statement is required for the proposed building height.
Clause 19 – Floor space ratio	The maximum floor space ratio of a building on any land within the Edmondson Park South site is not to exceed the floor space ratio shown for	Complies As per Council’s assessment the total GFA within the town centre core east is 65,925m ² .

	<p>the land on the Floor Space Ratio Map.</p> <p>Site affected by 2.5:1 FSR.</p>	<p>The site area of town centre core east is 29,935m².</p> <p>Accordingly, the proposed FSR is 2.2:1.</p>
Clause 20 – Calculation of floor space ratio and site area	Sets out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios.	Noted FSR has been calculated in accordance with this clause.
Clause 23 – Demolition requires consent	The demolition of a building or work may be carried out only with consent.	Not Applicable Demolition not proposed.
Clause 26 – Flood Planning	<p>To minimise the flood risk to life and property associated with the use of land.</p> <p>To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change.</p> <p>To avoid significant adverse impacts on flood behaviour and the environment.</p>	Not Applicable Site not mapped as being flood affected.
Clause 31 – Preservation of Trees	Approvals required for tree removal.	Not Applicable The Concept Plan along with the Biodiversity Certification Order and Edmondson Park Conservation Agreement set up the framework for the the clearance and retention of the existing trees within the developable area. Vegetation removal has already been approved as part of previous DA's for the site.
Clause 32 – Native Vegetation areas	Requires the protection and management of native vegetation areas.	Not Applicable No native vegetated areas within the developable area.
Clause 33 – Heritage Conservation	Consent required to demolish heritage buildings or works.	Noted There are no indigenous or non-indigenous heritage items within or located in proximity to the site. The Statement of Commitments establishes protocols to be followed in the event of unexpected finds.
Clause 34 – Public Utility Infrastructure	Development consent must not be granted for development unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been	Complies Sydney Water has confirmed the availability of water supply and sewer management. Endeavour Energy has confirmed the availability of electricity.

	made to make that infrastructure available when required	
Clause 36 – Development Control Plan	Development consent must not be granted for development on land within the Edmondson Park South site unless a development control plan has been prepared for the land.	<p>Not Applicable</p> <p>The Concept Plan in conjunction with the Frasers Town Centre Design Guidelines October 2017 makes the need for a separate DCP redundant.</p> <p>The Design Guidelines applies to the subject site and consideration of the Edmondson Park DCP 2012 will not be required within the Frasers Town Centre. (See Design Guidelines assessment below)</p>
Clause 37 – Relevant Acquisition Authority	The objective of clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired.	<p>Not Applicable</p> <p>The proposal does not include works on land identified on the Land Acquisitions Map.</p>

As outlined in the above compliance table, the applicant has demonstrated that the proposed development is consistent with the provisions and development standards of SEPP (State Significant Precincts) 2005. Accordingly, the proposal is considered acceptable with regards to the provisions and development standards of SEPP (State Significant Precincts) 2005.

e) State Environmental Planning Policy (State and Regional Development) 2011

Regionally significant development:

In accordance with Schedule 7 of the State and Regional Development SEPP 2011, Clause 2, the proposed development is regionally significant development. Accordingly, the development has been referred to the Sydney Western City Planning Panel for determination.

State significant development:

As per Section 2.5.1 of this report, Concept Plan (MP 10_0118) was approved to facilitate the development of Edmondson Park South as a mixed use town centre with supporting residential areas and parklands. This approval was made under Part 3A of the Act, which has now been repealed and superseded by the State and Regional Development SEPP 2011.

Any development within Edmondson Park South is required to be consistent with concept approval (MP 10_0118). Notwithstanding this, MOD 4 and MOD 6 of Concept Plan (MP 10_0118), were approved by the PAC in October 2017 and March 2018 respectively. MOD 4 and MOD 6 sets the strategic direction for development within FTC.

Accordingly, the proposed development is required to be consistent with MOD 4 and MOD 6. The details of MOD 4 and MOD 6 are listed in Section 2.5.2 of this report. Both modifications include an instrument of modification, which sets out the conditions of approval for the FTC. An assessment of the proposed development against the relevant conditions is provided below.

MOD 4 Condition	Applicants Comment	Council Comment
<p>1.3 Any Future development application within Frasers Town Centre must demonstrate it is consistent with the:</p> <p>a) Frasers Town Centre Maximum Height of Buildings Plan;</p> <p>b) Frasers Town Centre Maximum Gross Floor Area Plan;</p> <p>c) Frasers Town Centre Public Domain Plan; and</p> <p>d) Frasers Centre Design Guidelines (as amended by FEAR 1.3C).</p>	<p>Consistent with a, b, c and d.</p>	<p>a) Applicant has demonstrated that DA-767/2017 is consistent with the Maximum Height of Buildings Plan as follows:</p> <p>Maximum height in North East Quadrant is 105.8(RL)</p> <ul style="list-style-type: none"> • Building 10 maximum 88.750(RL) • Building 11 maximum 97.485(RL) • Building 12 maximum 105.7(RL) • Building 13 maximum 97.150(RL) <p>Maximum height in South East Quadrant is 96.4(RL)</p> <ul style="list-style-type: none"> • Building 6 maximum 85.820(RL) • Building 7 maximum 96.320(RL) <p>b) The Maximum Gross Floor Area Plan has been superseded by MOD 6 of the Concept Approval and is not required for consideration. See MOD 6 assessment below.</p> <p>c) DA-767/2017 has been amended by the applicant to be consistent with the Public Domain Plan. The original application omitted a pedestrian laneway running north-south through the North East Quadrant from Henderson Street to East Street. The applicant has provided a pedestrian link via a stair case from Henderson Road to connect to the Major Retail premises, which is recommended as a condition to become operational after 7 years from the operation of any consent for the proposal. The provision of a pedestrian link at the site is considered to facilitate the proposal's consistency with the Public Domain Plan. The applicant also amended the application</p>

		<p>to provide active edges along Soldiers Parade just south of Eat Street, in the form of additional food and drink space with openings addressing the Community Park. All other components of the town centre design are considered to be consistent with the Public Domain Plan.</p> <p>d) Applicant has amended the application to be consistent with the design guidelines. The applicant has amended the original DA to include commercial space at the corner of Soldiers and Greenway and at the corner of Main Street and Greenway. Public Art (wall painting) and a Green wall has been added to the Public Laneway in the South East Quadrant to activate the blank wall proposed. This will be on the south elevation of the Markey Hall building. Public Art (wall painting) has been added to the ground level eastern building elevation fronting Soldiers Parade, in the South East Quadrant. The applicant has amended the application to include children play areas within the South East Quadrant. This will be in the form of an indoor play area within the Market Hall building and fronting onto the Public Laneway. An outdoor play area has also be added to the South East Quadrant fronting the Public Laneway and in between building 6 and 7. Additional windows have been added to the southern elevation of the Market Hall building to further activate the Public Laneway.</p>
<p>1.3A Future development application within the Frasers Town centre Core are not to exceed the GFA and building heights specified in the table below:</p> <p>a)</p>	<p>Consistent.</p>	<p>The Maximum Gross Floor Area Plan has been superseded by MOD 6 of the Concept Approval and is not required for consideration. See MOD 6 assessment below.</p>

TCC Quadrant	Gross floor area (m2)	Maximum height (RL)		
North West	20,000	99.5		<p>Maximum height in North East Quadrant is 105.8(RL)</p> <ul style="list-style-type: none"> • Building 10 maximum 88.750(RL) • Building 11 maximum 97.485(RL) • Building 12 maximum 105.7(RL) • Building 13 maximum 97.150(RL) <p>Maximum height in South East Quadrant is 96.4(RL)</p> <ul style="list-style-type: none"> • Building 6 maximum 85.820(RL) • Building 7 maximum 96.320(RL)
North East	45,000	105.8		
South West	56,500	95.7		
South East	23,525	96.4		
Total	145,025			
1.3A b) Notwithstanding the GFA figures in a) above, GFA in any quadrant may exceed the maximum by up to 10 per cent, provided that the total GFA for all quadrants is not to exceed: and	Consistent.		The Maximum Gross Floor Area Plan has been superseded by MOD 6 of the Concept Approval and is not required for consideration. See MOD 6 assessment below.	
1.3A c) Notwithstanding the maximum height in a) above, only one single 'landmark' building may be approved in the South West quadrant to a height of RL 132.9	Not applicable.		Not applicable to this DA.	
1.3B Any development application for the landmark building (i.e. the building to RL 132.9) or the market hall must demonstrate design excellence through a site's character, suitability, layout, setbacks, architectural design, materials and finishes, articulation and detailing, relationship to the public domain, connectivity and street activation.	No comment.		<p>A design excellence strategy has been prepared for the Market Hall building in the south-east quadrant. The design excellence strategy has been independently peer reviewed and approved by Liverpool Council.</p> <p>The recommendations of the design excellence strategy have been recommended as conditions of consent.</p>	
The design excellence strategy must include an independent peer review and be approved by Liverpool City Council prior to the lodgement of the first development application for the landmark building or market hall.				

<p>1.7A Car and bicycle parking within the Edmondson Park Town Centre must be provided in accordance with the Frasers Town Centre Design Guidelines (as amended by FEAR 1.3C).</p>	<p>Total: 585 _ Residential: 427 _ Visitor: 93 _ Non-Residential: 65</p>	<p>The amended DA proposes 423 apartments. 427 bicycle spaces proposed. To be imposed as a condition.</p> <p>30,473m² of commercial space proposed in Eastern portion of town centre core. At a rate of 1 space per 200m² of non-residential GFA, the development required 152 bicycle spaces.</p> <p>The applicant proposes a total of 158 non-residential bicycle spaces throughout the town centre core, including 93 visitor spaces and 65 non-residential spaces.</p> <p>The bicycle provision listed above is consistent with the Design Guidelines.</p>
<p>1.8A A voluntary Planning Agreement in accordance with the public benefit offer dated 8 August 2017 between Frasers Property Australia Pty Ltd (or its nominated entity) and Liverpool City Council shall be prepared, publicly exhibited, executed and registered on the title of the land with the Office of Land and Property Information.</p> <p>The Voluntary Planning Agreement, as executed, must be registered on the title of the land prior to the determination of the first development application for residential or commercial floor space within the Frasers Town centre, or as otherwise agreed with Liverpool City Council.</p> <p>A copy of the executed Voluntary Planning Agreement shall be submitted to the Secretary.</p>	<p>No comment.</p>	<p>Currently being negotiated with Council.</p>
<p>1.14 Any future applications seeking approval for construction of buildings are to be accompanied by a Heritage Interpretation Strategy for the former Ingleburn Army Camp, Ingleburn villages and Indigenous</p>	<p>Consistent.</p>	<p>Heritage Interpretation Strategy submitted and assessed by Council's Heritage Advisor. Council's heritage advisor supports the strategy, subject to conditions.</p>

<p>cultural heritage, prepared by a suitably qualified heritage conservation practitioner in accordance with the NSW Heritage office guidelines Interpreting Heritage Places and Items (2005) and Heritage Interpretation Policy (2005). The Heritage Interpretation Strategy is to be prepared in consultation with the Office of Environment and Heritage, the relevant council (s) and should include a detailed history of the Site.</p>		
<p>1.21 Any future applications are to provide details on the proposed water sensitive urban design infrastructure, to the satisfaction of the consent authority. Future applications within the Frasers Town Centre must provide water sensitive urban design in accordance with the water Cycle Management Plan Addendum Report prepared by J. Wyndham Prince, March 2016. Any increased water flow through the rail corridor may require the approval of Transport NSW.</p>	<p>J. Wyndham Prince has provided an assessment of water cycle management (Appendix H) confirming that the proposal is consistent with the Concept Plan (Mod 4) approval and Statement of Commitments.</p>	<p>Council's Land Development Engineering Section has reviewed the proposal with consideration of water sensitive urban design and support the application, subject to conditions.</p> <p>WSUD was assessed and approved under DA-628/2016, approved by the JRPP 13 March 2017.</p>
<p>1.24 Any future applications for construction of buildings and associated structures (that are not defined as exempt or complying development) within the site shall:</p> <p>a) Include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulfate soils where relevant), waste, and dust, and identify the mitigation and management measures that would be implemented to address these impacts;</p>	<p>A preliminary Construction Management Plan (CMP) has been prepared by Frasers and is available at Appendix T.</p>	<p>The submitted CMP is considered acceptable. Compliance with the submitted CMP will be imposed as a condition of consent.</p>
<p>b) Demonstrate compliance with the Water Sensitive Urban Design principles established in the concept plan;</p>	<p>J. Wyndham Prince has provided an assessment of water cycle management (Appendix H) confirming that the proposal is consistent</p>	<p>Council's Land Development Engineering Section has reviewed the proposal with consideration of water sensitive urban design and support the application, subject to conditions.</p>

	with the Concept Plan (Mod 4) approval and Statement of Commitments.	WSUD was assessed and approved under DA-628/2016, approved by the JRPP 13 March 2017.
c) where applicable, demonstrate compliance with the commitments and management procedures detailed in the vegetation management Plan, including the strategy for retention of trees on site;	<p>The Concept Plan along with the Biodiversity Certification Order and Edmondson Park Conservation Agreement set up the framework for the clearance of existing trees within the developable area of the Town Centre whilst retaining the native vegetation in the Reserve in the east of the site.</p> <p>Approval for clearing the site of vegetation was approved under DA628/2016 and DA925/2016.</p>	Vegetation clearing was approved under DA-628/2016 and DA-925/2016. No vegetation required to be managed onsite as none remains.
d) demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum floor level;	The Frasers Town Centre development site is located wholly outside of the mapped 100yr ARI flood path, and as such, the requirement for a 500mm freeboard above the 100yr ARI flood level is not applicable.	The application was referred to Council's Flood Engineering Section as part of the assessment process. Council's flood engineers provide no objection to the proposal, subject to conditions.
e) demonstrate compliance with the Planning Bushfire Protection 2006;	Ecological Australia has reviewed the proposal in relation to Bushfire (Appendix U). The addendum assessment provides supplementary information in addition to the Bushfire Planning Assessment submitted with Mod 4, dated March 2016 and included at Appendix V and considers the proposal against Planning for Bushfire Protection 2006 (PBP).	The application was referred to NSW Rural Fire Service as part of the assessment process. NSW RFS provided General Terms of Approval for the DA.

<p>f) demonstrate that ESD measures have been incorporated into the design of the building to reduce water and energy consumption in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; and</p>	<p>The proposed development seeks to target a high standard of environmentally sustainable development. A statement outlining sustainability targets for the proposal has been prepared by WSP and is available at Appendix N.</p> <p>BASIX</p> <ul style="list-style-type: none"> - Energy: minimum 34 - Water: minimum 51 <p>GREEN STAR and SUSTAINABILITY</p> <ul style="list-style-type: none"> - 6 Star Green Star Design & As Built v1.1 rating for the town centre retail; - 5 Star Green Star Design & As Built v1.1 rating for the town centre apartment buildings; and - 6 Star Green Star Community v1 rating. <p>WSP have provided a scorecard pathway to achieve the above ratings at Appendix N.</p>	<p>Applicant has demonstrated that they meet the BASIX targets required under Commitment No.35 of the Statement of Commitments.</p> <p>Applicant is considered to have provided sufficient evidence that suitable green star and sustainability ratings are achieved within the town centre as required under Commitment No.35 of the Statement of Commitments.</p> <p>The development is considered to be consistent with this condition.</p>
<p>g) Demonstrate existing or planned utilities are sufficient to service the proposed development.</p>	<p>Consistent.</p>	<p>The DA was referred to Sydney Water, Endeavour Energy and TransGrid as part of the assessment of the application. These service providers have confirmed there are utilities available to service the proposal.</p>

MOD 6 of the concept approval was sought by Frasers to reflect the redistribution of floor space within the different quadrants as per their most up-to-date site design. It did not increase any overall floor space within the FTC. See Section 2.5.2 of this report for a summary of MOD 6.

MOD 6 Condition	Applicants Comment	Council Comment																																				
<p>1.3A Future development application within the Frasers Town centre Core are not to exceed the GFA and building heights specified in the table below:</p> <p>a)</p> <table border="1" data-bbox="209 510 660 976"> <thead> <tr> <th>TCC Quadrant</th> <th>Gross floor area (m2)</th> <th>Maximum height (RL)</th> </tr> </thead> <tbody> <tr> <td>North West</td> <td>20,000</td> <td>99.5</td> </tr> <tr> <td>North East</td> <td>41,500</td> <td>105.8</td> </tr> <tr> <td>South West</td> <td>55,500</td> <td>95.7</td> </tr> <tr> <td>South East</td> <td>28,025</td> <td>96.4</td> </tr> <tr> <td>Total</td> <td>145,025</td> <td></td> </tr> </tbody> </table>	TCC Quadrant	Gross floor area (m2)	Maximum height (RL)	North West	20,000	99.5	North East	41,500	105.8	South West	55,500	95.7	South East	28,025	96.4	Total	145,025		<p>Amended GFA</p> <p>North East Quadrant: 41,696m²</p> <p>South East Quadrant: 23,388m²</p> <p>Total GFA: 65,084m²</p>	<table border="1" data-bbox="895 297 1383 730"> <thead> <tr> <th>TCC Quadrant</th> <th>Gross floor area (m2)</th> <th>Proposed GFA</th> </tr> </thead> <tbody> <tr> <td>North West</td> <td>20,000</td> <td>N/A</td> </tr> <tr> <td>North East</td> <td>41,500</td> <td>41,747</td> </tr> <tr> <td>South West</td> <td>55,500</td> <td>N/A</td> </tr> <tr> <td>South East</td> <td>28,025</td> <td>24,178</td> </tr> <tr> <td>Total</td> <td>145,025</td> <td>65,925</td> </tr> </tbody> </table> <p>Maximum height in North East Quadrant is 105.8(RL)</p> <ul style="list-style-type: none"> • Building 10 maximum 88.750(RL) • Building 11 maximum 97.485(RL) • Building 12 maximum 105.7(RL) • Building 13 maximum 97.150(RL) <p>Maximum height in South East Quadrant is 96.4(RL)</p> <ul style="list-style-type: none"> • Building 6 maximum 85.820(RL) • Building 7 maximum 96.320(RL) 	TCC Quadrant	Gross floor area (m2)	Proposed GFA	North West	20,000	N/A	North East	41,500	41,747	South West	55,500	N/A	South East	28,025	24,178	Total	145,025	65,925
TCC Quadrant	Gross floor area (m2)	Maximum height (RL)																																				
North West	20,000	99.5																																				
North East	41,500	105.8																																				
South West	55,500	95.7																																				
South East	28,025	96.4																																				
Total	145,025																																					
TCC Quadrant	Gross floor area (m2)	Proposed GFA																																				
North West	20,000	N/A																																				
North East	41,500	41,747																																				
South West	55,500	N/A																																				
South East	28,025	24,178																																				
Total	145,025	65,925																																				
<p>1.3A b) Notwithstanding the GFA figures in a) above, GFA in any quadrant may exceed the maximum by up to 10 per cent, provided that the total GFA for all quadrants is not to exceed: and</p>	<p>Consistent.</p>	<table border="1" data-bbox="895 1238 1383 1671"> <thead> <tr> <th>TCC Quadrant</th> <th>Gross floor area (m2)</th> <th>Proposed GFA</th> </tr> </thead> <tbody> <tr> <td>North West</td> <td>20,000</td> <td>N/A</td> </tr> <tr> <td>North East</td> <td>41,500</td> <td>41,747</td> </tr> <tr> <td>South West</td> <td>55,500</td> <td>N/A</td> </tr> <tr> <td>South East</td> <td>28,025</td> <td>24,178</td> </tr> <tr> <td>Total</td> <td>145,025</td> <td>65,925</td> </tr> </tbody> </table> <p>GFA is 0.6% over in North East, however, is an exceedance of less than 10% and does not cause an exceedance of GFA in all quadrants.</p>	TCC Quadrant	Gross floor area (m2)	Proposed GFA	North West	20,000	N/A	North East	41,500	41,747	South West	55,500	N/A	South East	28,025	24,178	Total	145,025	65,925																		
TCC Quadrant	Gross floor area (m2)	Proposed GFA																																				
North West	20,000	N/A																																				
North East	41,500	41,747																																				
South West	55,500	N/A																																				
South East	28,025	24,178																																				
Total	145,025	65,925																																				
<p>1.3A c) Notwithstanding the maximum height in a) above, only one single 'landmark' building may</p>	<p>Not applicable.</p>	<p>Not applicable to this DA.</p>																																				

be approved in the South West quadrant to a height of RL 132.9		
--	--	--

As per the above tables the proposal is considered to be consistent with the relevant conditions of MOD 4 and MOD 6. The instruments of modification are provided as Attachment No.5 and No.6 of this report.

As per MOD 4, the development of the town centre core east is also required to be consistent with the Illustrative Master Plan for the FTC and the key components listed in Section 2.5.2 of this report. For the master plan of the site please refer to Attachment No.7 of this report.

In accordance with the master plan, a pedestrian laneway was required to be provided leading directly from the railway station entrance on Henderson Road, running north-south, through the north-east quadrant to Eat Street. However, this pedestrian laneway has been omitted from the site design. In order for the proposal to be considered consistent with MOD 4 the applicant was requested to provide the pedestrian laneway shown on the master plan.

The applicant has provided information stating that the provision of the subject pedestrian laneway at the site would not be successful as there is insufficient foot traffic to support its inclusion. In addition to this, the applicant has stated that this pedestrian laneway would undermine the success of Main Street by drawing people away from this roadway as the move to and from the railway station.

As a result of this request and subsequent discussions, the applicant has provided additional information that demonstrates how a pedestrian link may be provided, in the future, at the Henderson Road frontage of the north-east quadrant to allow pedestrian movement through the north-east quadrant at the ground level. With the provision of this pedestrian link in lieu of a pedestrian laneway within the north-east quadrant, the proposal is considered to be consistent with the master plan and MOD 4. Accordingly, the provision of this pedestrian link, known as "Through Site Link", is recommended as a condition of consent.

Considering the applicant has presented a case that the site would not generate enough foot traffic to warrant the inclusion of the pedestrian laneway, it is not considered necessary to have the Through Site Link provided upon occupation of the town centre core east. It could then be provided at a later date, when more of Edmondson Park South is developed in accordance with the concept approval and the land uses surrounding the town centre core east intensify. Accordingly, a condition is recommended, prior to the issue of a subdivision certificate, which requires a restriction to be registered on the title of the property requiring the Through Site Link from Henderson Road to be instated seven (7) years from the date DA-767/2017 becomes operative.

As per the above tables and discussion, the proposal is considered to be consistent with MOD 4 and MOD 6 of the concept approval.

f) State Environmental Planning Policy – Design Quality of Residential Apartment Development

The proposal has been evaluated against the provisions of SEPP 65 which aims to improve the design quality of residential flat development. SEPP 65 requires the consent authority to consider the development against 9 key design quality principles and against the guidelines of the ADG. The ADG provides additional detail and guidance for applying the design quality

principles outlined in SEPP 65. The following table provides an assessment of the proposal in accordance with the 9 key design quality principles of SEPP 65, as follows:

Design Quality Principle	Comment
Principle One – Context and Neighbourhood Character	
<p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area’s existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p><i>Currently the land within Liverpool LGA south of the Edmondson Park Railway Station is cleared and has little to no natural or built form context. It is therefore considered that the subject mixed use development would be the driving factor that establishes the context of the locality south of the railway line.</i></p> <p><i>The development is considered to have been designed to respond to the railway station and has been amended to facilitate a Through Site Link that would further connect future occupants of the proposed RFB’s onsite to and from the railway station.</i></p> <p><i>The development is also considered to have been designed to respond to the extensive regional parkland to the west, by way of street patterns and landscape selection.</i></p> <p><i>The amended development is considered to be consistent with the PAC approved master plan for the site and concept approval MP 10_0118, which established the overall desired context for Edmondson Park South.</i></p>
Design Principle 2 – Built form and scale	
<p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building’s purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p>	<p><i>The amended development is considered to achieve appropriate scale, bulk and height in accordance with the PAC approved master plan for the site and concept approval MP 10_0118.</i></p> <p><i>The built form and scale of the development of the town centre core east and its associated RFB’s was considered by PAC at the time of the Edmondson Park South concept approval was granted in 2011 and again in 2017 when MOD 4 was approved. At this time both the Department of Planning</i></p>

Design Quality Principle	Comment
<p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p><i>and the PAC concurred that the built form and scale of the proposal was appropriate and reinforced its implementation by way of condition. The applicant has demonstrated that the development is consistent with these approvals with the subject application.</i></p> <p><i>As part of those approvals it was intended that Council's DEP would consider the design excellence of the proposal. Council's DEP raised no objection to the built form and scale of the proposal considering the master plan for the site.</i></p>
<p>Design Principle 3 – Density</p>	
<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p><i>An FSR of 2.5:1 is applicable to the site and Council's assessment demonstrates a proposed FSR of 2.2:1 at the site, which is under the maximum.</i></p> <p><i>Notwithstanding this, MOD 6 of the concept approval requires maximum densities within each quadrant of the town centre core and as a total. Council's assessment shows the proposed north-east and south-east quadrants and the overall town centre core east design meets the gross floor area targets approved by the PAC.</i></p> <p><i>It should be noted that the PAC, in consultation with various government agencies and Council, determined that the density proposed could be sustained by proposed infrastructure, public transport, access to jobs, community facilities and the environment within the locality.</i></p>
<p>Design Principle 4 – Sustainability</p>	
<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the</p>	<p><i>The applicant has submitted BASIX certification in support of the subject development that complies with the targets of:</i></p> <ul style="list-style-type: none"> <i>• Energy: minimum 34</i> <i>• Water: minimum 51</i>

Design Quality Principle	Comment
<p>amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation</p>	<p><i>The applicant has provided documentation that demonstrates the following:</i></p> <ul style="list-style-type: none"> • <i>Retail development achieves a 6 Star Green Star Design & As-built v1.1 rating for the town centre retail.</i> • <i>Residential apartment buildings achieve a 5 Star Green Star Design & As-built v1.1 rating.</i> <p><i>The above targets were required by the PAC as part of the statement of commitments and design guidelines for the FTC. The PAC and the Department of Planning extensively considered ESD principles for the development of the FTC, which is considered to have been achieved by the proposal.</i></p> <p><i>Apartment layouts have designed for a passive response to solar design principles and cross ventilation as outlined in the Apartment Design Guide, as follows:</i></p> <ul style="list-style-type: none"> - <i>Minimum 60% of apartments are cross-ventilated;</i> - <i>Minimum 70% of apartments have the required solar access in winter;</i> <p><i>The applicant has also designed the various rooves of the development to include significant solar panelling. Accordingly, the development will generate and utilise its own electricity where available.</i></p>
Design Principle 5 – Landscape	
<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which</p>	<p><i>Landscaping design and selection was considered extensively by the PAC and the Department of Planning when approving the public domain plan as part of MOD 4. The development is considered to be consistent with the public domain plan with regards to landscaping.</i></p> <p><i>While there is no deep soil zone provided as part of the proposal the applicant has amended the DA to increase on-slab planter boxes that will accommodate trees at the site. These on-slab planter boxes increase</i></p>

Design Quality Principle	Comment
<p>contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, and respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<p><i>the average soil volumes per tree from 25m³ to 43m³, which has been supported by the Design Excellence Strategy. The applicant has provided evidence from their landscape architects and soil scientist to Council's DEP and the Design Excellence Strategy panel that ensures the success of landscaping onsite site, despite the omission of deep soil zones.</i></p> <p><i>Based on consistency with MOD 4, additional information and the amendments made by the applicant to improve the opportunity for successful plant growth at the site, the proposal is considered to provide good amenity, site design and social interaction through the proposed landscape design.</i></p> <p><i>It should be noted that Council's tree officer has reviewed the proposal with regards to landscaping and raised no objections to the proposal.</i></p>
Design Principle 6 – Amenity	
<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p><i>The development is considered to be generally consistent with the requirements of the ADG (see ADG assessment below) and accordingly is considered to provide satisfactory amenity for future occupants of the site.</i></p> <p><i>The arrangement of RFB's and their density and heights are considered to be consistent with MOD 4. As part of the PAC approval for MOD 4 the Department of Planning and the PAC considered and accepted the future residential amenity that will be created as a result of the proposal.</i></p>

Design Quality Principle	Comment
Design Principle 7 – Safety	
<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p><i>The RFB designs openly addresses streets and has been carefully designed to ensure safe access to and egress from the buildings by ensuring direct sight lines to the residential lobbies from the street.</i></p> <p><i>The thresholds between public, communal and private areas are clearly defined to ensure a sense of ownership between the public and private domains.</i></p> <p><i>Ground floor, podium and level 1 apartments will provide lighting at night with passive surveillance of the street and opportunity for night-time activation.</i></p> <p><i>Apartments overlook communal open spaces providing passive surveillance to improve safety and the development has been designed to reduce the amount blind corners and hidden spaces.</i></p> <p><i>Access to each building and individual apartments will be coordinated with a security key system.</i></p> <p><i>Secure parking for residents is located within the basement with clear and direct lift access to the apartments. The entrance to the parking area is minimised throughout the town centre core east to maximise street activation and surveillance.</i></p> <p><i>Notwithstanding the above, NSW Police have provided conditions for the design of the RFB's, which are recommended as conditions of consent.</i></p>

Design Quality Principle	Comment
Design Principle 8 – Housing Diversity and Social Interaction	
<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p><i>The proposed development provides housing choice through varied apartment sizes. The communal open spaces and public street interface will encourage social interaction amongst residents and the community.</i></p> <p><i>The ground floor apartments and the interface between the streetscape have been carefully designed to enhance street activation.</i></p> <p><i>The proposed development will create opportunities for families in the surrounding suburbs to move into the area when their family needs change.</i></p> <p><i>The provision of one bedroom apartments in the development will provide for a more affordable entry point into the housing market. In accordance with the statement of commitments, the developer is required to provide 15% of dwelling with the FTC for purchase as moderate income housing.</i></p> <p><i>20% of units are designed to be adaptable to the needs of people with disabilities and to facilitate intergenerational changes and changing lifestyles.</i></p> <p><i>Variety in sizing, aspect and outlook within apartment types will result in some price differentiation.</i></p> <p><i>Dedicated residential communal open spaces are provided on various levels to support the communal life of the building. These spaces typically have direct access from the circulation core.</i></p>
Design Principle 9 – Aesthetics	
<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and</p>	<p><i>The applicant has proposed the RFB's onsite in accordance with the designs considered by the PAC when assessing MOD 4. Although not approved by the PAC as part of</i></p>

Design Quality Principle	Comment
<p>structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p><i>MOD 4, the designs were supported by the PAC and the Department of Planning in principle.</i></p> <p><i>Council's DEP, while not conducting have an ADG assessment of the proposal, have raised no objections to the architectural expressions and language employed in the building designs. Accordingly, the development is considered to provide good aesthetic quality for the proposed RFB's.</i></p> <p><i>The applicant has also demonstrated that the proposed RFB's are consistent with the FTC design guidelines, which require high quality architectural design to be employed at the site.</i></p>

Further to the above design quality principles, Clause 30(2) of SEPP 65 also requires residential apartment development to be designed in accordance with the ADG. The following table provides an assessment of the proposal against the relevant provisions of the ADG.

Development Standard	Required	Proposed	Compliance
<p>2E – Building Depth</p>	<p>Max 10m – 18m</p>	<p>Up to 22m</p>	<p>Does not comply – considered acceptable</p> <p>Although some parts of the RFB's provide building depths of up to 22m, the proposal is compliant with solar access, natural ventilation and privacy requirements. Accordingly, it is not considered that future occupant amenity is compromised by the 22m building depths.</p>
<p>2F – Building Separation</p>	<p>Building 6 and 7: Up to four storeys/12m, required 12m</p>	<p>14m provided up to four storeys</p>	<p>Complies</p>

Development Standard	Required	Proposed	Compliance
	Between five to eight storeys/up to 25m required 18m	14m provided between 5 and 8 storeys	Does not comply – considered acceptable See discussion below.
	Nine storeys and above/over 25m	N/A	N/A
	Building 10 and 11:		
	Up to four storeys/12m, required 12m	30m provided up to four storeys	Complies
	Between five to eight storeys/up to 25m required 18m	33m provided between 5 and 8 storeys	Complies
	Nine storeys and above/over 25m	N/A	N/A
	Building 10 and 13:		
	Up to four storeys/12m, required 12m	16.5m provided up to four storeys	Complies
	Between five to eight storeys/up to 25m required 18m	21.5m provided between 5 and 8 storeys	Complies
	Nine storeys and above/over 25m	N/A	N/A
	Building 12 and 13:		
	Up to four storeys/12m, required 12m	18m provided up to four storeys	Complies

Development Standard	Required	Proposed	Compliance
	Between five to eight storeys/up to 25m required 18m Nine storeys and above/over 25m	18m provided between 5 and 8 storeys 18m provided 9 storeys and above	Complies Does not comply – considered acceptable See discussion below.
3D – Communal Open Space	25% of site area is to be provided as COS. Site area is 5715.8m ² 25% of site area is 1429m ²	Site area is 29,935m ² 7484m ² required 3568m ² provided 52% deficiency	Does not comply – considered acceptable See discussion below.
3E – Deep Soil Zones	7% of the site area is to be for Deep Soil zone. Minimum 6m on site greater than 1,500m ²	Site area is 29,935m ² 2095m ² required None provided	Does not comply – considered acceptable See discussion below.
3F – Visual Privacy Separation between buildings to side and rear boundaries	<u>Up to 12m (4 storeys):</u> -6m habitable -3m non-habitable <u>Up to 25 (5 – 8 stories)</u> -9m habitable -4.5m non-habitable <u>Over 25m (9+ stories)</u> -12m habitable -6m non-habitable	6m setback to all boundaries. N/A to northern zero lots line proposed. 9m setback to all boundaries. N/A to northern zero lots line proposed. 12m setback to all boundaries.	Does not comply – considered acceptable See discussion below.
3G – Pedestrian Access and Entry	Multiple entries to common areas and		Complies

Development Standard	Required	Proposed	Compliance
	individual ground floor entries to activate street edge.	Mix of private and common entries proposed.	
3H – Vehicle Access	Car park entries shall be behind building line Pedestrian entries and vehicle entries shall be distinguishable and separated.	Behind building line. Separated and distinguishable.	Complies
3J – Bicycle and Car Parking	Sites within 400m of land zoned, B3 or B4, the minimum parking requirement is the 'Guide to traffic generating development' or Council's DCP, whichever is the lesser. Car Parking: Studio & 1 Bedroom requires 1 space 2 Bedroom requires 1.2 spaces 3 Bedroom requires 2 spaces Visitors 1 Spaces per 10 dwellings Bicycle Parking: 1 space per dwelling	1 Bedroom x 155 2 Bedroom x 251 3 Bedroom x 17 Total apartments = 423 Required 1 Bedroom = 155 2 Bedroom = 301.2 3 Bedroom = 34 Visitors = 42.3 Total spaces required: 532.5 or 533 spaces. Proposed: 547 Proposed: 427 bicycle parking spaces. To be imposed as a condition.	Complies
4A – Solar and Daylight Access	70% of units to receive 2 hours of daylight between 9am – 3pm midwinter	B6 = 30/43 = 70% B7 = 50/71 = 70% B10 = 38/50 = 76% B11 = 78/99 = 79% B12 = 64/91 = 70% B13 = 49/69 = 71%	Complies

Development Standard	Required	Proposed	Compliance
	A maximum of 15% of units receive no direct sunlight between 9am – 3pm midwinter	<p>Total = 309/ 423 = 73%</p> <p>B6 = 9/43 = 21% B7 = 10/71 = 14% B10 = 0/50 = 0% B11 = 14/99 = 14% B12 = 0/91 = 0% B13 = 0/69 = 0%</p> <p>Total = 33/ 423 = 8%</p>	
4B – Natural Ventilation	60% of units to be naturally cross ventilated	<p>B6 = 27/43 = 63% B7 = 54/71 = 76% B10 = 28/50 = 56% B11 = 60/99 = 60% B12 = 69/91 = 76% B13 = 46/69 = 67%</p> <p>Total = 284/ 423 = 67%</p>	Complies
4C – Ceiling Heights	Habitable rooms – 2.7m Non-habitable rooms – 2.4m	3100mm floor to floor heights provided.	Complies
4D – Apartment Size and Layout	<p>Min apartment size: 1 Bed- 50 m² 2 Bed – 70m² 3 bed – 95m²</p> <p>Master bedroom have a minimum area of 10m² and other bedrooms 9m²</p> <p>Bedrooms have a minimum dimension of 3m</p> <p>Living rooms or combined living/ dining rooms have a</p>	<p>All units comply with minimum apartment sizes.</p> <p>All bedrooms comply with minimum area requirements.</p> <p>All bedrooms have a minimum dimension of 3m.</p> <p>All living spaces comply with minimum dimension requirements.</p>	Complies

Development Standard	Required	Proposed	Compliance
	<p>minimum width of 3.6m for studio and 1-bedrooms; and 4m for 2 and 3-bedroom apartments</p> <p>Width of cross-over or cross-through apartments over 4m, should be min. 15m deep</p> <p>In open plan layouts (where living, dining and kitchens are combined) the maximum habitable room depth is 8m from a window.</p>	<p>N/A</p> <p>Kitchens are generally 8m from a window.</p>	
<p>4E – POS and Balconies</p>	<p>All apartments are required to have primary balconies as follows:</p> <p>Studio - 4m²</p> <p>1 Bedder - 8m², depth 2m</p> <p>2 Bedder - 10m², depth 2m</p> <p>3+ Bedder - 12m², depth 2.4m</p> <p>For apartments at ground level, POS is provided with minimum area of 15m² and 3 depth.</p>	<p>All the apartments comply; except for:</p> <p>Apartments 201, 301, 401 and 501 in Building 10 provide a minimum 2 metres depth which is less than the minimum 2.4m depth required for three-bedroom apartments.</p> <p>Apartment 101 and 110 in Building 10 provide a minimum depth of 2.5m less than the 3m minimum depth required at the ground level apartments</p>	<p>Considered acceptable</p> <p>The balconies for apartments 201, 301, 401 and 501 in B10 exceed the minimum POS area requirement by 6m², providing 18m² or 50% more space than required by the ADG. This is considered to compensate for the deficient balcony depth and will allow table and chairs to be placed in this space.</p> <p>For Apartments 101 and 110 in B10 these spaces exceed the minimum area requirements by providing 47m² and 42m² respectively, which is 180-213% greater than required by the ADG. It should also be noted that these</p>

Development Standard	Required	Proposed	Compliance
			apartments are not at the ground level but at Level 1.
4F – Common Circulation and Spaces	Units accessed from a circulation core is 8	B6, B7, B11, B12 and B13 provide up to 8 apartments from a single circulation core. B10 proposes 10 apartments off a single circulation core.	Considered Acceptable The ADG states that “Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level”. B10 proposed a maximum of 10 apartments from a circulation core.
4G – Storage	In addition to storage in kitchens etc. the following storage area is required: Studio - 4m ³ 1 Bedder - 6m ³ 2 Bedder - 8m ³ 3 Bedder - 10m ³ At least 50% of the required storage is to be located within the apartment	Storage space is provided in apartments and within the basement levels. Storage requirements to be imposed as condition.	Complies
4K – Apartment Mix	Apartment mix refers to the percentage of apartments with different numbers of bedrooms in a development. The number of bedrooms is directly related to floor area which in turn determines the yield that can be generated on the site	1 Bedroom x 155 (37%) 2 Bedroom x 251 (59%) 3 Bedroom x 17 (4%)	Considered acceptable Approved at the site already (DA-779/2017) are 24 x 1 Bedroom, 12 x 2 Bedroom, 59 x 3 Bedroom and 9 x 4 Bedroom dwellings. Accordingly, the overall mix of dwellings with those proposed under this application will be as follows: 1 Bedroom x 179 (34%)

Development Standard	Required	Proposed	Compliance
			2 Bedroom x 263 (50%) 3 Bedroom x 76 (14%) 4 Bedroom x 9 (2%) Total Dwellings: 527
4Q – Universal Design	Universal design is an international design philosophy that enables people to continue living in the same home by ensuring that apartments are able to change with the needs of the occupants. Universally designed apartments are safer and easier to enter, move around and live in. They benefit all members of the community, from young families to older people, their visitors, as well as those with permanent or temporary disabilities.	127 Universal Apartments proposed. 127/423 = 30%	Complies

2F – Building Separation Discussion:

There are six occurrences within the eastern portion of the town centre core where building separation distances between residential buildings are not achieved. These occurrences are detailed as follows:

Building 6 (storey)	Building 7 (storey)	Building Sep (Habitable Rooms) 18m between 5-8 storeys
4	5	14-16m proposed
5	6	14-16m proposed
6	7	14-16m proposed

Building 12 (storey)	Building 13 (storey)	Building Sep (Habitable Rooms) 24m above 9 storeys
9	9	18m proposed
10	10	18m proposed
11	11	18m proposed

The aims of building separation provided in the ADG are as follows:

- *Ensure that new development is scaled to support the desired future character with appropriate massing and spaces between buildings*
- *Assist in providing residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook*
- *Provide suitable areas for communal open spaces, deep soil zones and landscaping.*

Building 6 and 7:

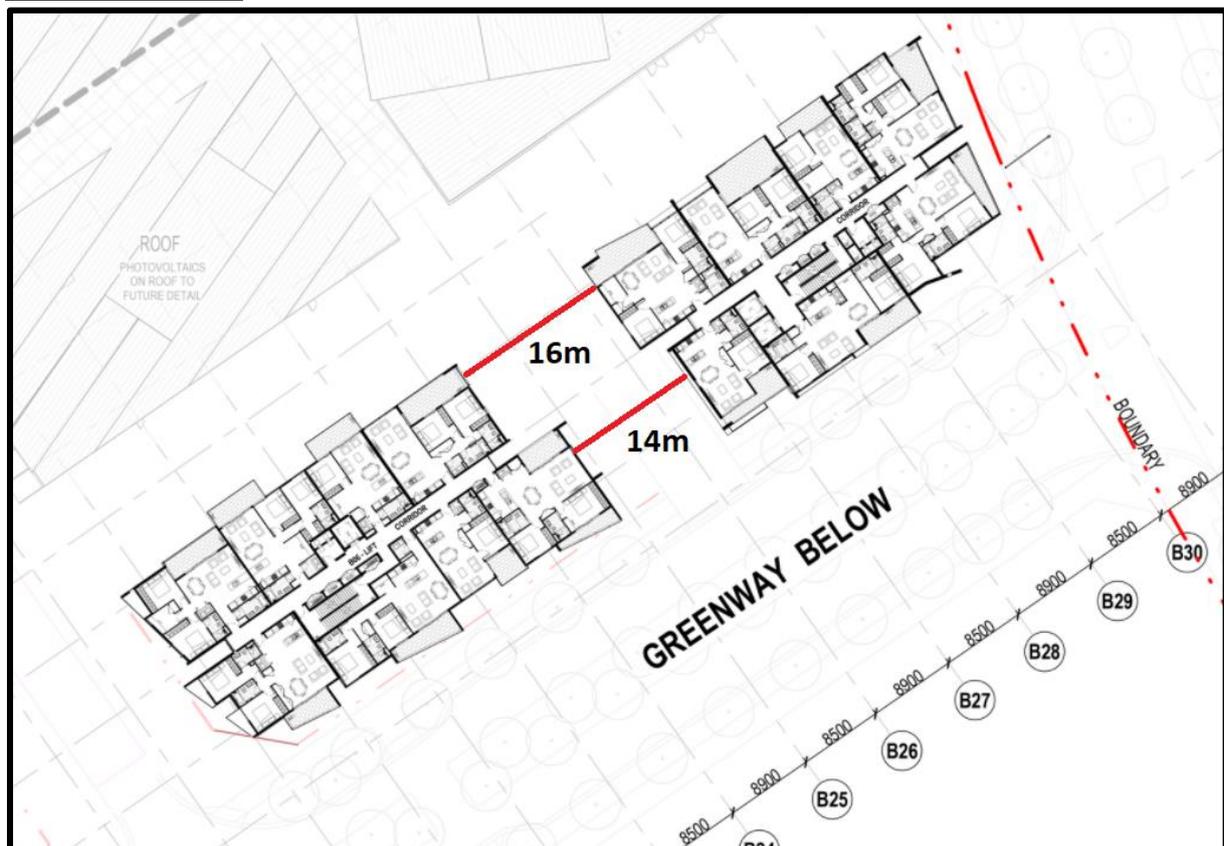


Figure 16: Building Separation between B6 and B7 at 4th and 5th Storeys.

Between B6 and B7 there is 14m and 16m of building separation between habitable spaces at the 5th to 8th storeys. This represents a deficiency of 2-4m and is equivalent to an 11-22% variation to the required amount of building separation at these levels. In order to support the proposed non-compliance the applicant has amended the eastern elevation of B6 to provide privacy screening to all habitable room windows and balconies with openings facing B7. This is considered to mitigate any potential visual and acoustic privacy impacts at these levels, in order to meet the aims of building separation.

The aims of building separation also seek to establish a high level of residential amenity by ensuring adequate access to sunlight and sufficient opportunity for natural ventilation is provided by RFB developments. It should be noted that both buildings comply with the minimum ADG requirements for access to sunlight and natural ventilation. Accordingly, the proposed variation to building separation is not considered to unreasonably diminish solar access and natural ventilation within these buildings. Furthermore, the reduced separation between these buildings is not considered to cast more extensive shadows to dwellings in

Residential Precinct 1, to the south, beyond a development that complies with the minimum separation distances.

The massing and spacing of B6 and B7 are considered to be consistent with the master plan for the FTC. Accordingly, the proposed variation to building separation between B6 and B7 is considered suitable with regards to desired building massing at the site. It should also be noted that a compliant proposal at storeys 4, 5 and 6 in B6 and storeys 5, 6 and 7 in B7 would not result in any additional landscaping, deep soil or communal open spaces within the overall development.

With regards to the above, the proposed 2-4m variations to the 18m building separation requirement at storeys 4, 5 and 6 in B6 and storeys 5, 6 and 7 in B7 are considered acceptable as the applicant has demonstrated through an amended design and compliance with ADG solar access and natural ventilation requirements, that there are no unreasonable impacts to residential amenity or the public domain.

Building 12 and 13:



Figure 17: Building Separation between B12 and B13 at the 10th Storey.

Between B12 and B13 there is 18m of building separation between habitable spaces at the 9th to 11th storeys. This represents a deficiency of 6m and is equivalent to a 25% variation to the required amount of building separation at these levels. In order to support the proposed non-

compliance the applicant has amended the southern elevation of B13 to provide privacy screening to all habitable room windows and balconies with openings facing B12. This is considered to mitigate any potential visual and acoustic privacy impacts at these levels, in order to meet the aims of building separation.

The aims of building separation also seek to establish a high level of residential amenity by ensuring adequate access to sunlight and sufficient opportunity for natural ventilation is provided by RFB developments. It should be noted that both buildings comply with the minimum ADG requirements for access to sunlight and natural ventilation. Accordingly, the proposed variation to building separation is not considered to unreasonably diminish solar access and natural ventilation within these buildings. Furthermore, the reduced separation between these buildings is not considered to cast more extensive shadows on any other residential uses within the town centre core, beyond a development that complies with the minimum separation distances.

The massing and spacing of B12 and B13 are considered to be consistent with the master plan for the FTC. Accordingly, the proposed variation to building separation between B6 and B7 is considered suitable with regards to desired building massing at the site. It should also be noted that a compliant proposal at storeys 9, 10 and 11 in B12 and B13 would not result in any additional landscaping, deep soil or communal open spaces within the overall development.

With regards to the above, the proposed 6m variations to the 24m building separation requirement at storeys 9, 10 and 11 in B12 and B13 are considered acceptable as the applicant has demonstrated through an amended design and compliance with ADG solar access and natural ventilation requirements, that there are no unreasonable impacts to residential amenity or the public domain.

3D – Communal Open Space:

In accordance with the Part 3D of the ADG, “communal open space has minimum area equal to 25% of the site”. The applicant has used the following areas to calculate COS provision at the site. See Figure No.18 below.

Building	Area	Common Open Space	Proportion
Building 6	1,157 m ²	530 m ²	
Building 7	1,069 m ²		
Building 10	1,341 m ²	3,038 m ²	
Building 11	1,943 m ²		
Building 12	1,334 m ²		
Building 13	1,207 m ²	3,568 m ²	
Total	8,051 m ²		44.3%%

Figure 18: Applicant’s COS calculations.

In accordance with the areas listed above, the proposal would be exceed the minimum required amount of COS and therefore the applicant has stated that the development complies

with ADG. However, it is not clear how the applicant has derived the areas associated with each building in Figure No.18 above.

Based on the site area of 29,935m², the required amount of COS to service the development would be 7,484m². The applicant has proposed 3,568m² of COS across the site, which is a deficiency of 52% or 3,916m². When assessing the adequacy of the proposed amount of COS at the site based on site area, it is apparent that the development does not comply with the ADG. In that regard, the following design guidance from Part 3D is required to be considered:

“Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should:

- *provide communal spaces elsewhere such as a landscaped roof top terrace or a common room*
- *provide larger balconies or increased private open space for apartments*
- *demonstrate good proximity to public open space and facilities and/or provide contributions to public open space”*

As the development is proposed in a mixed use zone the proposed COS arrangement onsite should demonstrate consistency with the above points. Accordingly, the proposal has been designed to provide COS at the podium levels and at the roof top level of B6. It is also considered to provide easy access to public open spaces and will ultimately contribute to the creation of new public open spaces.

As part of the Concept Approval (MP 10_0118) for Edmondson Park South, the FTC will be adjoined by 106ha of regional parkland on its western boundary. The regional parkland contains extensive swathes of Cumberland Plain woodland and will be embellished by National Park and Wildlife Services to include walking tracks and passive recreation facilities. The regional parkland will be approximately 300m walking distance from the furthest RFB (B7). As Part of MOD 4 of the concept approval, the subject DA will create a town square, which has an area of approximately 1000m². Town square will include fixed seating areas, loose seating, a sun lawn and water play area. The town square is approximately 120m walking distance from the furthest RFB (B13). Also as part of MOD 4, the applicant will provide approximately 3970m² of community parkland, directly opposite the subject site and across Soldiers Parade. The final design of this parkland is currently being negotiated, however, it is envisaged that it will provide both passive recreation facilities and sporting facilities. The furthest RFB (B11) will be approximately 250m walking distance from this community park. MOD 4 also requires the applicant to provide “Edmondson Park Reserve”, at the eastern most portion of the FTC. This reserve is approximately 15,650m², will be designed for passive recreation and is approximately 500m walking distance from the furthest RFB (B11).

Accordingly, the proposed RFB’s are considered to be in good proximity to ample public open space and facilities upon the completion of the entire FTC. The applicant has amended the application since lodgement to allow residents of all RFB’s in the eastern portion of the town centre core to access all areas of COS between buildings. This will allow all residents to have access to a roof top terrace at B6 in the south-east quadrant and podium level lawns, gardens and a swimming pool in the north-east quadrant.

Considering the residents of the eastern portion of the town centre core will have access to all areas of communal open space and the town square on the completion of the subject DA, and then will have access to regional park land, community park land and “Edmondson Park Reserve” upon completion of the entire FTC, the 52% deficiency of COS area, based on site area, is considered acceptable in this case.

3E – Deep Soil Zones:

In accordance with Part 3E of the ADG, sites with an area greater than 1,500m², 7% of the site area shall be provided as deep soil zone, which is equivalent to 2,095m² in this case. The applicant has proposed no deep soil at the site and has provided the following comment with regards to the omission of deep soil:

“The proposal is consistent with the Concept Plan which always intended the Town Centre to have 100 percent site coverage as reflected by the illustrative design scheme which proposed two basement car parking levels below the entire Town Centre. Basement excavation of the entire volume of the Town Centre never included provision of deep soil. Council considered and approved excavation of the basement of the Town Centre under DA-628/2016 and DA-925/2016.”

The master plan for FTC does appear to indicate full site coverage within the eastern portion of the town centre core and thus the proposal is considered to be consistent with the concept approval in that regard. Notwithstanding this, Council’s DEP extensively reviewed the provision of deep soil as part of the proposal and requested further information to be provided by the applicant in order to justify the exclusion of deep soil area in the case of a greenfield site and for the employment of on slab planter boxes across the site. The applicant provided written confirmation and presentations from their landscape architects and soil scientists which stated that the on slab planter boxes would be sufficient to facilitate healthy tree growth and longevity within the eastern portion of the town centre core. See Attachment No.8 of this report for the landscape architects and soil scientist’s analysis. Based on the provision of this evidence, Council’s DEP have accepted the lack of deep soil onsite and proposed planting arrangement, stating:

“The Panel has been re-assured of the proposed tree plantings with sufficient soil volumes of a minimum of 25m³ that would allow trees to grow to their mature height and provide sufficient canopy coverage. The Panel appreciates the additional details on the proposed trees. The Panel accepts the Applicant’s response to raised garden beds as a reasonable design solution under the circumstances. Notwithstanding the above the Panel would fully and strongly support a reduction in car parking and full unencumbered streets and street tree planting that is deep soil and to the water table.”

It should be noted that the DA was referred to Council’s Tree Officer who raised no objection to the design or use of the proposed planter boxes. Accordingly, while it is not an optimal arrangement to exclude deep soil zone from the eastern portion of the town centre, it is considered acceptable where the applicant’s consultants have demonstrated to the Council’s DEP that the alternative tree planting option should be successful. Since this comment has been provided by the DEP, the applicant has made further amendments to the application to allow for continuous soil volumes between groups of trees, which replaces the use of individual tree planter boxes. This has increased the amount of soil volume for trees within Main Street,

Eat Street and Town Square, and brings the average soil volume to 43m² per tree. This is an average soil volume per tree increase of 173% and is considered to increase the opportunity for successful tree growth and longevity.

In accordance with the Design Excellence Strategy, as per Condition 1.3B of the MOD 4 approval, the applicant is to provide a Bond or Bank Guarantee for the replacement of any tree within the eastern portion of the town centre core for the first 5 years of the life of the development. This is recommended as a condition of consent and will assist in establishing adequate tree canopy and coverage onsite for the life of the development, in lieu of deep soil area.

For the reasons detailed above the development is considered acceptable with regards to SEPP 65 and the ADG.

g) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The applicant has submitted BASIX certificates in support of the residential component of the proposal. In accordance with MOD 4 and the FTC Design Guidelines 2017, the proposal is required to meet the minimum targets of 34 for energy and 51 for water. The applicant has demonstrated that the proposal meets these targets with the submitted BASIX certificates. Accordingly, it is recommended that compliance with these certificates is imposed as a condition of consent.

6.2 Section 4.15(1)(a)(ii) - Any Draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments applies to the site.

6.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The Concept Plan required amendments to Edmondson Park South Development Control Plan 2012 prior to the determination of any development applications for subdivision or development within the Town Centre. However, the need for amendments to the DCP was effectively superseded by MOD 4, which saw the introduction of a set of site specific design guidelines for FTC. These guidelines are known as the Edmondson Park FTC Design Guidelines, October 2017 (see Attachment No.9 of this report).

Part 1 – Introduction of the guidelines sets out the purpose, structure and application of the document. Section 1.7 – Design Excellence ensures that Council’s DEP are utilised to review all applications such as the subject DA. The subject application went to two DEP meetings, the first dated 9 November 2017 and the second dated 22 February 2018. Accordingly, the following assessment of Council’s DEP final comments is provided as follows:

DEP Comment, dated 22 May 2018	Council Comment
This matter previously came before the Design Excellence Panel and the Panel raised a number of issues for the Proponent to consider, as detailed in the previous DEP Minutes. The Panel appreciates the applicant’s design team taking the Panel through the various stages of the Master plan and explaining how they have responded to the issues of concern to the DEP.	Noted.

<p>One of the key issues raised by the Panel was with respect to the lack of deep soil zones provided within the scheme. The Panel notes that the scheme has not been amended to incorporate any deep soil zones and the entire project sits above a basement carpark.</p>	<p>Noted.</p>
<p>However, the Panel has been re-assured of the proposed tree plantings with sufficient soil volumes of a minimum of 25m³ that would allow trees to grow to their mature height and provide sufficient canopy coverage. The Panel appreciates the additional details on the proposed trees. The Panel accepts the Applicant's response to raised garden beds as a reasonable design solution under the circumstances. Notwithstanding the above the Panel would fully and strongly support a reduction in car parking and full unencumbered streets and street tree planting that is deep soil and to the water table.</p>	<p>Noted.</p> <p>Since this comment has been made by the DEP, the applicant has significantly amended the DA to allow for continuous soil volumes between groups of trees, which replaces the use of individual tree planter boxes. This has increased the amount of soil volume for trees within Main Street, Eat Street and Town Square and brings the average soil volume to 43m² per tree. This is considered to increase the opportunity for successful tree growth and their longevity.</p> <p>The increased soil volumes has been endorsed by the Design Excellence Strategy, as per Condition 1.3B of the MOD4 approval.</p>
<p>Although the Applicant presented a case as to why they do not believe it is necessary to provide a pedestrian link through the site, the Panel remains unconvinced about the lack of pedestrian access directly from the Railway Station through the site, despite the challenges presented of the Station and Main Street. The Panel recommends that the scheme should safeguard a future pedestrian link in some form of an at-grade link from the Train Station through the site. The proposed links between the Station and Main Street is considered unsuccessful in that they do not align. The Panel recognises that there is a fundamental problem with the location of Main street and the position of the Station. This is an unfortunate outcome that presents a conundrum between good retail practice and pedestrian hierarchy from the station over which the proponent has no direct control.</p>	<p>Since this comment has been made by the DEP, the applicant has provided additional information regarding the design of the north-east quadrant along the Henderson Road frontage to incorporate a future pedestrian link that provides direct passage to the ground floor retail centre directly opposite the Train Station entry. It is recommended as a condition of consent that this pedestrian link will not be constructed and used until 7 years from the operation of the approval for DA-767/2017, until higher volumes of pedestrian activity within the FTC are expected as locality continues to develop and intensify. For the first 7 year after the consent for DA-767/2017 becomes operative, the area associated with the pedestrian link will be occupied by a small retail tenancy.</p> <p>This is considered to sufficiently safeguard the important north-south pedestrian linkage and overall permeability required for the creation of a town centre. Upon the provision of this pedestrian link the development would be considered consistent with MOD 4 of the concept approval and the master plan for the FTC.</p>
<p>The Panel suggests that the proponent should demonstrate that the routes from the station through the town centre will be pleasant and provided with sufficient shading for users to compensate for additional travel time and lack of a clear way finding path.</p>	<p>As previously mentioned it is recommended the applicant provide a pedestrian link from the station into the north-east quadrant within 7 years of the operation of any consent associated with DA-767/2017, which will assist in resolving the lack of clear way finding at this interface.</p> <p>In the meantime, the applicant has amended the application to include further details regarding coverage of important pedestrian routes from the station.</p>

	<p>The applicant has provided awnings along the Henderson Road frontage to provide coverage for pedestrians travelling east and west along this roadway.</p> <p>Awnings are provided for the entirety of the commercial frontage to Main Street, Town Square and Eat Street, with the exception of the ground floor commercial spaces associated with B6 and B7 in the south-west quadrant. Accordingly, it is recommended that a condition be imposed to provide awnings along the commercial tenancy frontages at the base of B6 and B7.</p> <p>In addition to awnings cover, the applicant has proposed 66% tree canopy coverage of the public domain throughout the town centre core. The applicant has noted that the NSW Government's '5 Million Trees' program seeks to increase greater Sydney's tree canopy cover to 40% by 2030. It is considered that the proposed 66% is consistent with that target and would provide sufficient shading for pedestrians.</p> <p>As a result of the inclusion of awnings and over 50% of the public domain having tree canopy coverage it is considered that pedestrian routes from the station will have access to sufficient shading around the town centre core. This is also considered to assist in creating a pleasant pedestrian experience, until the direct pedestrian link from the station is instituted at the site.</p>
<p>It is therefore considered critically important that greater consistency between Main Street and Henderson Rd be provided in terms of public domain treatment. The proposed public domain treatment to Main Street should continue to Henderson Road and additional tree plantings should be provided along Henderson Road. The scheme would appear to give greater emphasises to Main Street over Henderson Road. Legibility for pedestrians is a priority and this should outweigh street hierarchy. Main street and Henderson Road should read as a legible continuous public domain.</p>	<p>The applicant has designed the public domain of Main Street to be consistent with public domain treatment and planting inclusion of Henderson Road. This is considered to ensure pedestrians read these streets as continuous.</p> <p>It should be noted that the public domain works associated with Henderson Road and the northern portion of Main Street were approved under DA-1260/2016. A review of the approved plans for this application shows that the applicant has proposed consistent public domain treatments and plantings as part of the subject DA, which will ensure the continuous readability of these streets.</p> <p>While there is no scope to provide additional tree plantings along Henderson Road as part of this DA, the amount of plantings along Henderson Road is considered to be consistent with Main Street. Main Street is approximately 270m long and provide 1 street tree per 8m of road frontage. Henderson Road is approximately 130m long and provides 1 tree per 7m of road frontage.</p>

	<p>In this regard, it is considered that Henderson Road and Main Street are consistent in their treatment and design.</p>
<p>Applicant to submit drawings clearly demarcating public and private domain seats and licensed/unlicensed areas where people can sit and eat their lunch without having to pay to use the space. The public private delineation will be essential in ensuring that the public domain is legible.</p>	<p>The applicant has provided a public and private seating plan and a licensed/unlicensed areas plan for the public domain of the town centre core.</p> <p>These plans clearly show the delineation of public and private seating and licensed/ unlicensed areas within the public domain areas of the town centre core. There is considered to be sufficient amounts of contiguous public seating areas and unlicensed areas throughout the town centre core. This is likely to ensure legibility of the space and the creation of a town centre environment, as opposed to a privatised 'shopping centre'.</p>
<p>The Panel recommends that significant unpaid community uses be explored and incorporated into and address the town square. These unpaid community uses should be located as part of stage 1 of the project and form a critical part of the town centre, as acknowledged in the modification approval for the Edmondson Park Town Centre. Selection of community uses in stage 1 should be undertaken in collaboration with Council's social planners.</p>	<p>The applicant has not changed the original proposal to include unpaid community uses directly addressing the town square.</p> <p>It should be noted that a community centre will be provided by the developer within the western portion of the town centre core and on the elevation of the town square as part of a separate DA. The detail of this community centre is currently being negotiated as part of a VPA for the creation of entire FTC, with extensive input from Council's social planners. While the current DA does not include the development of the community centre, it will form entire western edge of the town square, which is consistent with the concept approved master plan for the FTC.</p> <p>In order to address the panel's comments, the applicant has amended the application to include additional unpaid uses within the eastern portion of the town centre core.</p> <p>This includes the provision of two children's play areas within 100m walking distance of the town square. One play area will be indoors and will take up a retail tenancy on the southern elevation of the Market Hall building in the south-east quadrant. The other play area will be immediately south of the Market Hall building within the public laneway known as 'Green Link'. It is considered that these additional unpaid community type uses would contribute to creating a 'town centre' environment and would promote use of town centre core beyond retail/ commercial means. The inclusion of these spaces has been reviewed by Council's social planners, who are generally supportive. The provision of these play areas are recommended as conditions of consent.</p>
<p>The proposed 3.5m wide footpath inclusive of tree planting verges is considered insufficient.</p>	<p>The applicant has amended the application to include 5m wide footpaths along the eastern side of Main Street north of the town square. The opposite</p>

<p>The Panel recommends that the footpaths be increased to a minimum 4.5m.</p>	<p>side of the Main Street is not wholly part of this application and extended footpaths can be addressed as part of the DA for the western portion of the town centre core.</p> <p>South of the town square and on the eastern side of Main Street the applicant has provided 4.5m wide footpaths until Greenway.</p> <p>The western side of Main Street has been designed to provide 4.4m wide footpaths. The 100mm deficiency is proposed due to space constraints on Main Street and is considered acceptable as it is unlikely to reduce the pedestrian functionality of the footpath.</p> <p>The applicant has provided a statement from an access consultant which supports the proposed foot path widths. See Attachment No.10 of this report.</p>
<p>The minor amendments proposed to the scheme including commercial component on north-east corner of the site inclusive of public art is supported by the Panel.</p>	<p>Noted.</p>
<p>The Panel has not had a presentation on the design of the apartment buildings. Based on the drawings provided the Panel questions the ability of the apartment buildings to comply with cross-ventilation and solar access requirements of the Apartment Design Guide. The Panel notes that the drawings show single aspect apartments as cross-ventilated apartments, which is possibly incorrect and these apartments should not be counted as cross-ventilated apartments for the purposes of satisfying the ADG. As such, the Panel does not endorse that the cross-ventilation shown on the drawings for the single aspect apartments. The applicant is to accurately demonstrate that more than 60% of the apartments are cross-ventilated as required by the ADG.</p>	<p>An assessment of the proposed RFB's has revealed that they do comply with the ADG natural ventilation and solar access requirements. The applicant has amended the application to include new cross-ventilation diagrams that accurately represent natural ventilation to apartments within the development.</p>
<p>Preliminary desktop review by the Panel raised concerns about visual/acoustic privacy and solar access may not comply with the ADG.</p>	<p>An assessment of the proposed RFB's has shown that the development is fully compliant with regards to solar access requirements for apartments.</p> <p>The proposal does not comply with building separation requirements, however, visual and acoustic privacy is considered to have been appropriately mitigated by the applicant through building design. See ADG assessment in Section 6 f) of this report.</p>
<p>Communal open space quantity should be increased and equitably distributed within the development and made accessible to all residents.</p>	<p>Based on the overall site area of the north-east quadrant, being 29,935m², the development would require 7,484m² of COS. The applicant proposed 3568m² of COS across the site, which is deficient by 52%.</p>

	<p>The applicant has amended the application to allow all residents of the eastern portion of the town centre core to access all areas of COS. This is recommended as a condition of consent.</p> <p>While the applicant has not increased the overall amount of COS onsite since lodgement the development is considered to be in good proximity to future open spaces and will contribute to the creation of open space within FTC. See ADG assessment in Section 6 f) of this report for further COS discussion.</p>
<p>The Panel expressed some concerns about potential overshadowing as a result of the height of the proposed towers being positioned at the corners of the site.</p>	<p>An assessment of the proposed RFB's has shown that the development is fully compliant with regards to solar access requirements for apartments. Accordingly, it is considered that the corner towers will not unreasonably over shadow apartments within the town centre.</p> <p>The applicant has demonstrated using shadow diagrams that the RFB towers will not unreasonably overshadow the childcare centre and podium level COS areas in accordance with the ADG.</p> <p>The applicant has also demonstrated that B6 and B7 will not unreasonably over shadow Residential Precinct 1 to the south and will not inhibit the dwellings in this part of the FTC from meeting solar access requirements.</p> <p>Accordingly, the RFB located on the corner of the eastern portion of the town centre are considered acceptable with regards to their shadowing impacts.</p>
<p>The Panel also recommends a review of the design of the apartment buildings is undertaken and potential does exist for a collaboration with different architectural approaches to ensure some diversity of built form.</p>	<p>The applicant's architect has provided a response that details the diversity of built form throughout the eastern portion of the town centre core. See Attachment No.11 of this report.</p> <p>The development of the eastern portion of the town centre core will include a separate DA for a hotel tower fronting Main Street and the town square. This will be designed by different architects from the subject application. This is considered to provide some diversity of built form within this part of the town centre core.</p>
<p>The Planning consultants expressed concerns that the DEP Panel was delaying the determination process. The Panel would like to reiterate that earlier engagement with the Panel is highly recommended rather than at a late stage, as raised in its previous minutes.</p>	<p>Noted.</p>
<p>The Panel questioned why the scheme did not have any building designed to take advantage of views on to Soldiers Parade. This would appear to be a missed opportunity to have</p>	<p>Noted.</p> <p>The upper level built form is considered to be consistent with the master plan for the FTC, which</p>

<p>apartments facing Soldier Parade and thus, maximising residents' outlook onto an open reserve.</p>	<p>does not indicate any towers directly opposite the community park along Soldier Parade. Notwithstanding this, there are three RFB's along Soldiers Parade that takes advantage of views towards Soldiers Parade and towards this community park.</p> <p>The applicant has provided a response in order to justify the design decision to not include a residential tower as part of the Market Hall building. See Attachment No.11 of this report.</p>
<p>The Panel asked the Applicant as to the proposed measures to improve the presentation of the existing commuter car park to the west of Main Street. The Applicant responded by stating that Transport NSW has no intention to expand its existing commuter carpark. The Panel suggested that the Applicant have discussions with Transport NSW regarding their car park and potential activation of the car park (at least 20m deep) would significantly improve the relationship between the town centre and the car park. The current relationship between the car park and the town centre is considered sub-optimal from an urban design perspective. Whilst it is understood that this may be difficult to achieve the advantages of a public realm space and some activation of the edge of main street would provide a marked improvement to the town centre.</p>	<p>Noted.</p>
<p>When questioned by the Panel, the Applicant indicated that the ground level will be linked to upper levels residential flat buildings by a series of lifts. A greater sense of connection between the ground and upper levels of the scheme should be explored by the Applicant.</p>	<p>The applicant has not provided any additional vertical connection from ground level to the upper levels.</p> <p>Notwithstanding this, there is considered to be sufficient vertical circulation for the proposed RFB's onsite. The circulation cores for each RFB is consistent with the ADG.</p> <p>It is considered the overall relationship between the ground level and upper level is consistent with the master plan for the FTC and any provision a greater physical connection between the ground and upper levels would require significant redesign of the town centre core.</p> <p>It should be noted that void spaces have been proposed at the podium level and have been intentionally designed as glazed roofing to the ground level commercial circulation spaces in both the north-east and south-west quadrant. This is considered to provide not only natural lighting into the ground level commercial areas but provides a visual connection between the ground and upper levels. This is considered to allow the users of the space to sense a relationship between levels through visual sight lines and mitigates users</p>

	experiencing different parts of the town centre as isolated cells.
Similarly all access from the car park must exit within the public domain space and be legible as public access.	<p>Access from car parking areas do not directly access the public domain and are contained within the circulation areas of the ground level commercial buildings.</p> <p>The Design Excellence Strategy, as per Condition 1.3B of the MOD4 approval, has endorsed the legibility of car parking areas that are inset from the public domain, subject to conditions improving the legibility of the car parking entry from Main Street.</p> <p>Considering the endorsement of the car parking entries under the Design Excellence Strategy, on the provision of improved legibility to the Main Street entry, access to and from car parking on the basements levels is considered acceptable.</p>
The Panel sought clarification on the position of the landmark building on the site. Applicant advised it is not in this quadrant, it is in the south-west quadrant, which will be subject to a Design Excellence Strategy and a separate application.	Noted.
The proposal is acceptable subject to the incorporation of the above advice given from the panel and will not need to be seen by the panel again.	Noted.

Based on the above table, it is considered that the proposed development is consistent with Council's DEP comments and Section 1.7 of the FTC Design Guidelines. The DEP minutes are provided at Attachment No.12 of this report.

The following discussion and tables provides an assessment of proposal against Part 2, 3 and 4 of the design guidelines:

Part 2.0 Vision and principles:

The vision and principles represent the overall outcomes for the site and are required to be achieved by the development of the site.

Vision	Council Comment
Integrating with the adjoining Edmondson Park rail station, the Town Centre is the accessible, vibrant, mixed use and transit oriented heart of the Edmondson Park community. It is the main place for shopping, recreation, entertainment, residential, working and community interaction in the local area. It has a distinct sense of place as an urban centre and exhibits a high level of urban design quality, providing for a relatively dense,	The proposed development, as amended to facilitate a direct pedestrian linkage from Henderson Road, is considered to integrate with the railway station and provide an accessible mixed use development at the heart of the suburb of Edmondson Park. The mixed use centre will facilitate the provision of shopping, recreation, entertainment, residential, employment and community uses to the locality. The amended development is also considered to provide

human scale built form complemented by a high quality public domain.	design excellence and a 'sense of place' in a relatively dense environment.
Principles	Council Comment
The Town Centre has a distinct, attractive urban character and sense of place	The amended development is considered to have an attractive urban character and is likely to create a 'sense of place'.
The Town Centre has a compact, legible and walkable structure	The amended development is now considered to provide a walkable and legible structure.
The Town Centre comprises a mixed use core that includes a diverse and complementary mix of retail, office, community and residential uses and a frame that includes a range of medium to high density residential uses	The amended proposal is likely to result in a diverse range of commercial, community and residential uses at the site.
The Town Centre Core provides a significant amount of retail floor-space	Based on Council's calculations the proposal provides approximately 30,473m ² commercial/retail GFA. This is considered to be significant amount of retail floor space.
Block and lot patterns are of a size and dimensions that are suited to their intended land use and design	Not applicable to the Town Centre Core
Buildings are predominantly low to medium rise, with towers, including a landmark building, placed to provide urban design benefit	Not applicable to the Town Centre Core East
High quality residential accommodation is provided at a range of medium to high densities	The proposed RFB's are considered to provide high quality residential accommodation as the applicant has demonstrated that they are consistent with the aims and design criteria of the ADG.
Buildings and their associated open spaces engage with and activate the street	B6, B7, B12 and B13 have been designed to provide ground level apartments and POS areas that activate and engage with Soldiers Parade and Greenway.
The public domain is well designed and finished to a high standard, and contributes to the creation of a distinct sense of place for the town centre	The public domain, as amended by the applicant, is consistent with the public domain plan approved by the PAC and has been endorsed by Council's DEP. It is therefore considered well designed and able to assist in the creation of a sense of place.
Design of residential accommodation, in particular in mixed use settings, provides for a high level of amenity, including solar access, visual and acoustic privacy	The proposed RFB's are considered to provide a high level of amenity as the applicant has demonstrated that they are consistent with the aims and design criteria of the ADG.
Streets, pedestrian and cyclist paths create an interconnected, legible and permeable network	Due to amendments to the proposal, it is considered to be consistent with the public

of major, minor and fine grain connections that facilitates convenient, safe, and comfortable movement	domain plan with regards to creating a permeable and interconnected network with major, minor and fine grain connections that facilitates convenient, safe, and comfortable movement.
The use of public transport, walking and cycling is promoted	The design of the site is considered to encourage the use of public transport and walking and cycling.
The open space network is useable, well distributed and accessible to all residents and has a high level of amenity	Not applicable to the Town Centre Core East
The Town Centre has strong visual and physical connections to adjoining open space	It is considered that the proposal will have a high level visual and physical connection to adjoining parklands. The town centre core east design is consistent with the master plan for FTC, which was based on providing sufficient lines of sight through the centre to parkland and by assuring a series walkable open spaces for future occupants.
Residential uses are provided in a range of types, densities and levels of affordability, catering for a broad range of people	<p>The subject DA, in conjunction with the approved Residential Precinct 1, Stage 1 development is considered to provide an acceptable range of types, densities and levels of affordability, catering for a broad range of people.</p> <p>Affordable dwelling provisions, as per the Statement of Commitments entered into by the applicant, is recommended as a condition consent.</p>

Part 3.0 Key elements and urban structure:

The key elements to be provided as part of the development of the site are identified Part 3.0 of the Design Guidelines (see Attachment No.9 of this report). The proposed development is considered to be consistent with the key elements and their characteristics as listed in Part 3.0 and the Urban Structure Plan diagram.

Part 4.0 Town Centre Core Built Form Guidelines:

The vision and principles represent the overall outcomes for the site and are required to be achieved by the development of the site.

Performance Criteria	Council Comment
<p>4.1 Building siting, scale and mass</p> <p>Development is to comply with the maximum building height and GFA, and has a scale and mass that:</p>	<p>The development is compliant with maximum building height and GFA requirements specified in MOD 4 and MOD 6 of the concept approval. See MOD 4 and MOD 6 assessment in Section 6 e) of this report.</p>

<ul style="list-style-type: none"> • contributes to the creation of an urban town centre character • provides for good residential amenity • provides for visual interest, creates an active, safe and comfortable public domain 	<p>The development is considered to contribute to the creation of urban town centre character, with good residential amenity and provides and visual interesting active, safe and comfortable public domain due to consistency with the PAC approved master plan for the FTC. The amendments to the application made by the applicant have also assisted in facilitating these outcomes.</p> <p>It should be noted that the DEP have endorsed the amended proposal with regards to creating an urban town centre character and visual interest by way of an active, safe and comfortable public domain</p>
<p>4.2 Building Design</p> <p>Development is designed to:</p> <ul style="list-style-type: none"> • define streets and other parts of the public domain • activate and engage with the street and public domain, including the creation of a vibrant Main Street • provide high levels of amenity to residents, workers and the public domain • reduce the appearance of building bulk and scale and to provide visual interest • feature excellence in contemporary architectural design 	<p>The amended development has been designed to provide greater continuity and surety of landscaping success within the public domain. This is considered to clearly define the streets and public domain associated with the town centre core east, which has been endorsed by Council's DEP.</p> <p>The proposal is almost entirely activated at the street level by either commercial or residential uses. The application was amended by the applicant to include greater activation along the Soldiers Parade frontage, south of Eat Street and north of B7, as a result of the Design Excellence Strategy.</p> <p>The proposed RFB's are considered to provide a high level of amenity as the applicant has demonstrated that they are consistent with the aims and design criteria of the ADG.</p> <p>As a result of the Design Excellence Strategy and the meetings with Council's DEP the amended proposal is considered to provide visual interest and design excellence through contemporary architectural design.</p>
<p>4.3 Open Space</p> <p>Open space:</p> <ul style="list-style-type: none"> • complements public domain within the Town Centre Core • incorporates landscaping to soften the built form in the Town Centre Core • is useable, accessible and has a high level of amenity • is well integrated with dwellings and encourages indoor-outdoor living • provides opportunities for social interaction 	<p>Open space in terms of parkland will not be established as part of the subject application.</p> <p>The town square space is considered to be useable, accessible and has a high level of amenity. The DEP and the Design Excellence Strategy have endorsed the design of the town square based on amendments made by the applicant to the awning and podium level foot bridge design.</p>
<p>4.4 Vehicle parking, access and manoeuvring</p>	<p>The application has been referred to Council's Traffic Engineering Section for comments regarding the functionality and safety of the proposed vehicle management and access</p>

<p>Vehicle parking, access and manoeuvring:</p> <ul style="list-style-type: none"> • balances on-site car parking to accommodate reasonable provision with encouraging alternative modes of transport to the private motor vehicle • is safe, functional and convenient • ensures buildings can be adequately serviced by service and delivery vehicles • is located and designed to minimise visual impact on the public domain and built form 	<p>arrangements onsite. Council's traffic engineers have raised no objections to the development with regards to those matters, subject to conditions. As part of their assessment, they have also investigated and supported the ability of service vehicles to service the premises.</p> <p>The location of vehicle parking and entries/exits are consistent with the master plan for the FTC and is therefore considered acceptable.</p> <p>The overall town centre and the amended development have been designed to promote a permeable walking environment integrated with public transport services. This is consistent with the concept approval for Edmondson Park South.</p>
<p>4.5 Residential amenity</p> <p>Residential accommodation is provided with a high level of amenity, including functional, private and communal areas with access to adequate sunlight and daylight, natural ventilation, outlook and views, visual privacy, acoustic privacy and protection from other environmental nuisance such as odour, dust and vibration</p>	<p>The proposed RFB's are considered to provide a high level of amenity as the applicant has demonstrated that they are consistent with the aims and design criteria of the ADG. See Section 6 f) of this report for the full assessment of the proposal against the provisions of the ADG.</p> <p>As part of the assessment of the DA it was referred to Council's Environmental Management Section regarding environmental impacts. They raised no objection to the proposal, subject to conditions mitigating impacts.</p>
<p>4.6 Signage</p> <p>The location, size, appearance and quality of building signage is appropriate and is integrated into the overall design of the building</p>	<p>Individual signage details have not been provided for assessment.</p> <p>Directional signage for the town centre core was considered as part of the Design Excellence Strategy and an indicative directional signage plan has been recommended as a condition of consent.</p>
<p>4.7 ESD</p> <p>Development achieves a high level of sustainability</p>	<p>The applicant has submitted BASIX certification in support of the subject development that complies with the targets of:</p> <ul style="list-style-type: none"> • Energy: minimum 34 • Water: minimum 51 <p>The applicant has provided documentation that demonstrates the following:</p> <ul style="list-style-type: none"> • Retail development achieves a 6 Star Green Star Design & As-built v1.1 rating for the town centre retail. • Residential apartment buildings achieve a 5 Star Green Star Design & As-built v1.1 rating. <p>Compliance with the above targets is recommended as a condition of consent.</p>

In accordance with Part 4.0 of the design guidelines the proposed development is required to provide parking onsite in accordance with the following table. See Figure No.19 below.

Use	Rate
Residential Flat Buildings	
Studio and 1 Bedroom Dwellings	1 Space
2 Bedroom Dwellings	1.2 Spaces
3 Bedroom Dwellings	2 Spaces
Visitors	1 Spaces per 10 Dwellings
Other Uses	
Major Retail (Supermarket, DDS, etc.)	4.1 spaces per 100m ² NLA
All other retail, commercial, medical, cinema and entertainment uses	4.1 spaces per 100m ² NLA
Child Care	1 space per 10 children and 1 space per 2 staff members
Gym	3 spaces per 100m ² NLA
All other uses not identified above	RMS Guidelines or justified by a Traffic Impact Assessment Report

Figure19: Car parking rates as per the FTC Design Guidelines 2017.

The following tables demonstrate the parking demand generating by the proposal in accordance with the design guideline parking rates.

Residential Flat Buildings	
1 bedroom x 155 (155 x 1 = 155)	155 spaces
2 bedroom x 251 (251 x 1.2 = 301.2)	301.2 spaces
3 bedroom x 17 (17 x 2 = 34)	34 spaces
Visitors (423 apartments / 10 = 42.3)	42.3 spaces
Total	532.5 or 533 spaces
Proposed	547 spaces (complies)

Other Uses	
Major and all other retail NLA = 21,691m ² Childcare NLA = 1,713m ² Total = 23,404m ² (23,404/100 = 234.04 x 4.1 = 959.6)	960 spaces
Childcare	Not proposed under this DA
Gym = 835m ² (835m ² /100 = 8.35 x 3 = 25)	25 spaces
Total	985 spaces
Proposed	978 spaces (deficient by 7 spaces)

The commercial parking is deficient by 7 spaces. It should be noted that the applicant has amended the subject application to exclude consent being sought for the space indicated as a childcare centre. Accordingly, the area noted for childcare centre use, being 1,713m² NLA, has been calculated under the retail parking rates. This adds 70 spaces to the required amount of parking. Based on the 140 place child care centre with 25 staff, as per the original proposal, the required amount of parking would be 27 spaces and bring the overall commercial parking demand down to 917 spaces. In that scenario the applicant would comply with parking requirements. As the applicant has provided written confirmation that development consent will be sought for a child care centre at the site at a later stage, it can be expected that future parking demand at the site would be lessened in accordance with the design guidelines and the current deficiency of 7 spaces is considered acceptable in the interim.

Based on the above assessment, the application is considered acceptable with regards to the FTC Design Guidelines 2017.

6.5 Section 4.15(1)(a)(iiia) - Any Planning Agreement or any Draft Planning Agreement

Currently a planning agreement is being formulated between Council and Frasers to capture the uplift provided to the developer of MOD 4 and the creation of FTC beyond what is envisaged by the Liverpool Contributions Plan 2008 – Edmondson Park. The VPA is in its final negotiation stages.

Condition 1.8A of the MOD 4 approval reads as follows:

“A Voluntary Planning Agreement in accordance with the public benefit offer dated 8 August 2017 between Frasers Property Australian Pty Ltd (or its nominated entity) and Liverpool City Council shall be prepared, publicly exhibited, executed and registered on the title of the land with the Office of Land and Property Information.

The Voluntary Planning Agreement, as executed, must be registered on the title of the land prior to the determination of the first development application for residential or commercial floor space within the Frasers Town Centre, or as otherwise agreed with Liverpool City Council.

A copy of the executed Voluntary Planning Agreement shall be submitted to the Secretary.”

Council has received legal advice that states that Council may consider the determination of the first development application for residential or commercial floor space within FTC, as the current contributions plan (Edmondson Park 2008) can be relied on up until the amount dwellings envisaged under this plan has been reached onsite. At that point, the VPA would need to be executed and registered on title in accordance with Condition 1.8A. The legal advice is Attachment No.13 of this report.

The number of dwellings within the area known as FTC has increased by 972 dwellings from 912 to 1884, as per MOD 4. Accordingly, the number of dwellings that contributions can be levied for within FTC is 912 as per the Liverpool Contributions Plan 2008 – Edmondson Park. DA-779/2017, approved by the SWCPP on the 6 August 2018, has consented to 104 dwellings within the FTC. With the proposed number of apartments under the subject DA, being 423, the total amount of dwellings within the FTC levied in accordance with the contributions plan for Edmondson Park would be 527. This is within the total amount of dwellings that can be considered under that contributions plan.

Accordingly, there is no consideration of a draft VPA required for the subject DA and contributions for the subject DA have been calculated based on the Liverpool Contributions Plan 2008 – Edmondson Park.

6.5 Section 4.15(1)(a)(iv) – The Regulations

Relevant provisions of the Environmental Planning and Assessment Regulation 2000 have been considered. The development application has been assessed in accordance with the regulations.

6.6 Section 4.15(1)(b) – The Likely Impacts of the Development

(a) Natural and Built Environment

The proposal relates to the construction of a substantial mixed use development with embellishments to the public domain, and would have limited impacts on the natural environment at this stage. The site was cleared, excavated and regraded as part of previous applications and accordingly there is no vegetation removal as part of this DA. The subject application will include a significant amount of landscaping provision in planter bed arrangements across the site. The planting species and coverage have been reviewed by Council's Tree Officer, Sustainable Environment Planner and DEP, all of whom have raised no objection to the landscaping options and their impact to the natural environment. Drainage onsite has been approved under previous applications and was designed in accordance with the Council's policies for water quality management. The development of the site as proposed will facilitate the delivery of the Concept Approval for the Edmondson Park South, which seeks to create local and regional parks that will preserve significant amounts native vegetation and ecological communities surrounding the subject site. It is considered that the proposal is unlikely to have a negative impact on the natural environment.

Currently the site is vacant in terms of built form, with the exception of the display centre. There are no other buildings apart from Edmondson Park Railway Station that are clearly visible from the town centre core east. It is considered that the proposed development will establish the built form context for future development within Liverpool LGA south of the railway station. Accordingly, the proposal is not considered to be likely to have any impact on an existing built environment in the immediate locality.

(b) Social Impacts and Economic Impacts

The proposal will facilitate the future development of the Edmondson Park Town Centre and the Concept Approval for Edmondson Park South and therefore is considered to have positive social and economic impacts. The proposed development will facilitate the provision of high density housing located close to public transport services and on top of a future mixed use town centre. The future town centre will offer future residents ready access to goods, services, community facilities with high levels of access to parks and open spaces. The DA proposes the creation of approximately 30,000m² of commercial floor space at the site, which is expected to produce employment opportunities for future residents of the town centre and the greater locality.

6.8 Section 74.15(1)(c) – The Suitability of the Site for the Development

The proposal is generally compliant with the provisions of State Environmental Planning Policy (State Significant Precincts) 2005 and the Edmondson Park FTC Design Guidelines. The amended development is also consistent with the Edmondson Park South concept approval

(MP 10_0118) and its associated modifications, MOD 4 and MOD 6.

These plans and policies set up the strategic direction envisaged for Edmondson Park South and the subject site has been earmarked since 2011 as an area for the creation of a future town centre. Accordingly, the site is considered to be suitable for the proposed development.

6.9 Section 4.15(1)(d) – Any submissions made in relation to the Development

(a) Internal Referrals

The following comments have been received from Council's Internal Departments:

Department	Comment
Land Development Engineering	No objection - Subject to conditions.
Landscape (Tree Officer)	No objection - No conditions.
Environmental Health	No objection - Subject to conditions.
Flood Engineering	No objection - Subject to conditions.
Traffic Engineering	No objection - Subject to conditions.
Heritage Advisor	No objection - Subject to conditions.
Public Art Officer	No objection - No conditions.
Community Planning	No objection - No conditions.
Economic Development	No objection - No conditions.
Waste	No objection - Subject to conditions.
Natural Resources Planner	No objection - No conditions.

(b) External Referrals

The DA was referred to the following public authorities for comment:

Department	Comment
Roads and Maritime Services (RMS)	No objection - No conditions.
Endeavour Energy	No objection – Subject to conditions.
NSW Police – Liverpool Local Area Command	No objection – Subject to conditions.
Transport for NSW (Sydney Trains)	No objection – Subject to a 'Deferred Commencement' and to conditions.

TransGrid	No objection – No conditions
Sydney Water	No objection – Subject to conditions.
NSW Rural Fire Service	General Terms of Approval provided

(c) Community Consultation

In accordance with LDCP 2008, Section 18 the DA was required to be notified and advertised. The development was on notification for 14 days from the 1 November to the 16 November 2017.

No submissions have been received in respect to the proposal.

6.7 Section 4.15(1)(e) – The Public Interest

The proposed development is consistent with the zoning of the land and will facilitate the future development of the Edmondson Park Town Centre in accordance with the approved Concept Plan for the Edmondson Park Town Centre including MOD 4 and MOD 6, State Environmental Planning Policy (State Significant Precincts) 2005 and the Edmondson Park FTC Design Guidelines.

As a result of the additional information and amendments to the application made by the applicant in consultation with Council and the various stakeholders discussed in this report, it is considered that the development of the town centre core east is in the public interest.

7 SECTION 7.11

Liverpool Contributions Plan 2008 – Edmondson Park is applicable to the subject DA and development contributions have been calculated for the proposal based on this plan.

The contribution fee is **\$3,412,590**.

8 CONCLUSION

In conclusion, the following is noted:

- The application has been assessed having regard to the matters of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 and is considered satisfactory.
- The proposal generally complies with the provisions of the provisions of State Environmental Planning Policy (State Significant Precincts) 2005 and the approved Concept Plan for the Edmondson Park Town Centre and its relevant modifications.
- The development will facilitate the future development of the Edmondson Park Town Centre which is well located in relation to existing transport, and future employment, shopping, business and community services, as well as recreation facilities.
- In accordance with comments received by Sydney Trains, dated 11 December 2017, the applicant is required to provide information to Sydney Trains prior to any development consent becoming operative.

It is for these reasons that the proposed development is considered to be satisfactory and the subject application is recommended to be determined as a Deferred Commencement, subject to conditions.

9 ATTACHMENTS

1. Architectural Plans
2. Landscape Plans
3. Acoustic Consultant Letter – Rail Noise and Vibration
4. Applicants response to JRPP and Council Deferral Matters
5. MOD 4 Instrument of Modification
6. MOD 6 Instrument of Modification
7. Master Plan
8. Landscape Architect and Soil Scientist Response
9. Edmondson Park FTC Design Guidelines 2017
10. Accessibility Statement Access Consultant
11. HDR Design Response – Architectural Diversity in the Town Centre Core
12. Consolidated DEP Minutes
13. Legal Advice VPA
14. Statement of Environmental Effects
15. Urban Design Report for the Town Centre Core East
16. Sydney Trains Concurrence
17. Design Excellence Strategy – Market Hall
18. Recommended Conditions of Consent