



LEVEL 5
80 GEORGE STREET
PARRAMATTA NSW 2150

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

12 September 2019

Ms Kiersten Fishburn
Chief Executive Officer
Liverpool City Council
Locked Bag 7064, Liverpool BC, NSW 1871

c/- George Nehme
Acting Manager of Development Planning

Dear George,

RE: DA 265/2018 - 190 CROATIA AVENUE, EDMONDSON PARK

On Tuesday 16th July 2019 a meeting was held at Liverpool City Council (**Council**) offices to discuss the submission made by Landcom in their letter dated 19 June 2018 and by the Office of Strategic Lands (OSL) a division of the Department of Planning, Industry and Environment (**DPIE**) in their letter dated 5 July 2019 relating to the above-mentioned development application (**DA**).

This letter sets out the matters raised in the submissions by Landcom and OSL, discussions held with the Council and how the applicant has responded to these concerns.

- **Item 1:** Provision of a temporary road (6m wide) from Somme Road to Passendale Road to provide access to the subject site.

Comment: The civil plans prepared by SCG Engineering have been amended to allow a 6m wide temporary road extending from Somme Road to Passendale Road (refer to Drawing No. C201). The subdivision plan identifies the provision of a future road and the 88B Instrument to the temporary road as Item 2.

A Section 88B Instrument has been prepared and enclosed with this letter. Under Item 2.3 of the Instrument provision is made for the temporary road to be relinquished once the adjoining site, No. 200 Croatia Avenue, Edmondson Park completes the construction of Passendale Road and Costello Roads on their respective lot as required under their consent DA 141/2015. The construction of these two roads will allow direct connection from 190 Croatia Avenue to Soldiers Parade and Poziers Road and into the broader road network.

- **Item 2:** The applicant would like to remove McFarlane Road and part of Passendale Road from the subject DA. The amended road design, as illustrated in the enclosed architectural plans and civil drawings, will provide adequate access to the site with the provision of the temporary road and proposed Passendale Road and Costello Lane. As discussed and agreed in the meeting, the proposed development does not rely on the provision of McFarlane Lane to allow access. It is for this reason, McFarlane Lane has been deleted from the proposal until such time that future development of the site requires it.

Comment: During the meeting, Council agreed to exclude McFarlane Road and part of Passendale Road from the DA on the provision that, a condition imposing an 88E Instrument will be included in the consent for the construction of the remaining section of Passendale Road and McFarlane Road. The Section 88B Instrument stipulates that any future development of Lot 3 will require re-subdivision to allow for the planned construction of roads as shown in the enclosed subdivision plan. In short, any future DA for Lot 3 would trigger the provision of the remaining part of Passendale Road and McFarlane Road which have been deleted from the subject DA 265/2018.

The amendment to the plans and imposition of an 88B Instrument would require Condition 20 of the DRAFT consent to be amended to remove McFarlane and part of Passendale Road as discussed. It should be noted, that based on the amendments to remove McFarlane Road and part of Passendale Road the development proposal has changed original Torrens Title subdivision of (1) lot to create (4) lots to the amended Torrens Title subdivision of (1) lot to create (3) lots as reflected in the accompanying subdivision plan prepared by SDG Surveyors.

Table 1 lists the proposed lots and the respective site areas:

Table 1 – Proposed lots and site areas

| Proposed Lot | Site area |
|--------------|--------------------|
| Lot 1 | 4336m ² |
| Lot 2 | 1760m ² |
| Lot 3 | 1.21ha |

- **Item 3:** Landcom raises concern in their letter dated 19 June 2019 with the provision of services infrastructure and road alignments into their site (Lot 8 DP1200987) located south of the subject site under subject DA 265/2018. Landcom stated that they had granted no consent for the use of their land for the provision of any infrastructure or road alignment (McFarlane Road).

Comment: During the meeting, it was agreed that the plans accompanying the subject DA, did show an encroachment of services infrastructure and road into the Landcom site. In response to this concern, the plans accompanying DA265/2018 have been amended to remove any encroachments or inclusion of the Landcom site as part of the proposed development. An amended plan package reflecting these changes is enclosed with this letter for consideration by the Council.

- **Item 4:** The Office of Strategic Lands (OSL) from the DPIE raised issues in their letter relating to:
 - Proposed boundary realignment
 - Proposed construction without Landowner Consent; and
 - Stormwater into Maxwell's Creek.

Comment: The applicant has responded to the issues raised by the Office of Strategic Lands (OSL) as follows:

- The plans have been amended to remove any references to the realignment of the OSL boundary north of the McFarlane Road connection to Croatia Avenue. The amended plan package is enclosed for Council's consideration.
- The original plans submitted with the application have been amended to remove any structures including kerb, road or pathway proposed within the OSL's land. The amended plan package is enclosed with this letter for Council's consideration.

- iii. The stormwater drainage that transected through the OSL land has been deleted and is relocated within the applicant's site, as shown in the amended civil drawing package enclosed with this letter.

The following is a tabulated summary of the plans and the amendments that have been made to address the outstanding matters raised by Landcom, DPIE and the Council with respect to the proposed development at 190 Croatia Avenue, Edmondson Park.

Table 2 – List of amendments made to accompanying plans and documents

| Plans | Consultant | Amendments |
|---|-----------------|---|
| <p>Architectural Plans – amendments to specific plans listed as follows:</p> <ul style="list-style-type: none"> - Cover page AP01 Version E - Layout Page AP02 Version C - Data page AP03 E - Site Plan AP04 E - Ground Floor Plan AP07 Version G - Subdivision Plan SP06 Version D | MPA Architects | <ul style="list-style-type: none"> - Remove any portion of the Landcom site from the architectural plan package. - Plans have been updated to show only Part of Passendale Road and the provision of a cul-de-sac for vehicles to turn. - McFarlane Road and the remainder of Passendale Road have been deleted and renamed as future roads. - A 6m temporary road from Somme Avenue to Passendale Road has been included. - The location of the Stormwater drainage from the site to Maxwell's creek has been amended to be wholly within the applicant's site. - The amendments to the layout of the roads have resulted in a revision to the site subject of physical works and the net site areas of development (excluding roads) which are provided as follows: <p>Site subject of physical works (as lodged – Issue A): 7,759.25m² Site subject of physical works (amended in Issue C): 7,951.75m²</p> <p>Net site areas of development (excluding roads) (Revision A): 6,131.88m² Net site areas of development (excluding roads) (Revision C): 6,096m²</p> |
| <p>Civil and Hydraulic Plans</p> <ul style="list-style-type: none"> - The full package has been updated | SCG Engineering | <ul style="list-style-type: none"> - Amend the existing location of drainage crossing over Landcom site to relocated and sited within with the applicant site. - Only shows roads that are the subject of this DA, (part Passendale, Croatia Avenue and the temporary road only). |

| | | |
|---|------------------|---|
| | | <ul style="list-style-type: none"> - McFarlane Road and part of Passendale Road has been deleted. - Stormwater drainage has been provided to address the realignment of roads. |
| <p>Landscape plans</p> <p>The full package has been updated</p> | Greenland Design | <ul style="list-style-type: none"> - The plans have been updated to McFarlane and part of Passendale Road (not subject to this DA) - Remove structures including, kerbs, paving and roads that are not subject to this DA or within the adjoining property owned by Landcom. |
| <p>Subdivision Plan and Section 88B Instrument.</p> | SDG Surveyors | <ul style="list-style-type: none"> - A subdivision plan has been prepared to reflect the subdivision propose as part of this DA. - A Section 88B Instrument has been prepared to address the concerns raised by the Council, Landcom and OSL relating to the roads, their provision and removal following the development of the existing road network on the adjoining lot. - A separate provision has been made in the Section 88B Instrument, with a fourth restriction on Title to allow for suitable public liability to be provided by Liverpool City Council and Aland for the easement site to be used as "public road". Further to this, the restriction also allows for <i>"the construction, use and maintenance of the easement for public access, the temporary use of the land for purposes of construction of subdivision works on adjoining land or for another temporary purpose for which the consent of Council must first be obtained as consent authority"</i>. |



LEVEL 5
80 GEORGE STREET
PARRAMATTA NSW 2150

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

The amendments to the plans and submission of a Section 88B Instrument will help to address the issues raised by the Council during the meeting and the matters raised by Landcom and the OSL in their submissions to the Council relating to the proposed development.

If you have any questions please don't hesitate to contact me on 02 8424 5136.

Yours sincerely,

A handwritten signature in black ink that reads "Nazia".

Nazia Pokar
Senior Consultant

Subdivision Plan and Section 88B Instrument prepared by SDG Land Development Solutions

Amended Architectural Plans prepared by MPA Architects

Amended Civil Engineering Plans prepared by SCG Engineering

Amended Landscape Plans prepared by Greenland Design