

SYDNEY WESTERN CITY PLANNING PANEL COUNCIL ASSESSMENT REPORT

Panel Reference	2019WCI003
DA Number	DA-922/2018
LGA	Liverpool City Council
Proposed Development	Construction of 128 dwellings with associated car parking and landscape works, Mews No.2, and the further subdivision of Community title subdivision (approved as part of Stage 1, DA-779/2017), including the Torrens Stratum Title subdivision of ten (10) Terraces Homes and ten (10) Studio Homes.
Street Address	Lot 100 Campbelltown Road, Edmondson Park Lot 100 DP 1238023
Applicant	Australand Residential Edmondson Park Pty Ltd
Owner	Australand Residential Edmondson Park Pty Ltd
Date of DA Lodgement	10 December 2018
Number of Submissions	Nil
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP 2011)	Development with a Capital Investment Value (CIV) of \$50,996,000.
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 (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. • 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)(iiia)</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.
List all documents submitted with this report for the Panel's consideration	<ol style="list-style-type: none"> 1. Architectural Plans and Subdivision Plan 2. Landscape Plans 3. Statement of Environmental Effects 4. Final DEP Minutes 5. Applicants response to SWCPP and Council Deferral Matters 6. Legal Advice 7. Instrument of Modification MOD 4 8. Recommended Conditions of Consent 9. Edmondson Park Frasers Town Centre Design Guidelines 10. Accessibility Report 11. Acoustic Report 12. a) Bushfire Assessment Report and b) Bushfire Planning Assessment Addendum 13. Preliminary Geotechnical Report 14. Geotechnical, Contamination and UXO – Site Suitability Assessment 15. Additional Geotechnical Investigation 16. Remediation Action plan 17. Traffic Report 18. CPTED Report 19. BASIX Certificate
Report prepared by	Greg Mottram, Senior Development Planner
Report date	17 April 2019

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?	Yes
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?	Yes

<i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	
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 \$50,996,000.

1.2 The proposal

The application seeks consent for the creation of Residential Precinct 1 – Stage 2 (RP1 – Stage 2), which forms part of the Frasers Town Centre within Edmondson Park South. RP1 – Stage 2 involves the creation of 128 dwellings in a medium density residential environment with associated parking areas and Mews No. 2. The applicant has proposed a dwelling typology mix of one hundred and eight 108 townhomes, ten 10 Terraces and ten 10 studio dwellings. In order to service the dwellings, the applicant has proposed 194 car parking spaces across the site. The proposal will also include the Torrens Stratum Title Subdivision of the ten (10) Terrace Homes and 10 Studio dwellings and connection to services.

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 RP1 – Stage 2, has an area of 1.4905Ha (14,905m²) and is located in the south-western corner of Lot 100.

1.4 The issues

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

- Separation and privacy between dwellings
- Vehicle access to the Mews No.2
- Compliance with the relevant plans and policies
- Waste collection arrangements
- Typology of Studio with home office

The applicant has responded to these matters with additional and amended information. As a result of the assessment of the DA it is considered that the above listed matters have been resolved and the proposal is considered to be an acceptable form of development.

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 28 days from 16 January to 13 February 2019. 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.

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 provisions of State Environmental Planning Policy (State Significant Precincts) 2005, Edmondson Park South Concept Approval (MP 10_0118), MOD 4 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 conditions.

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 and Lot 2 DP 1220978 to the east and Bernera Road and Lot 6 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 overlayed in yellow and outlined in red.

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

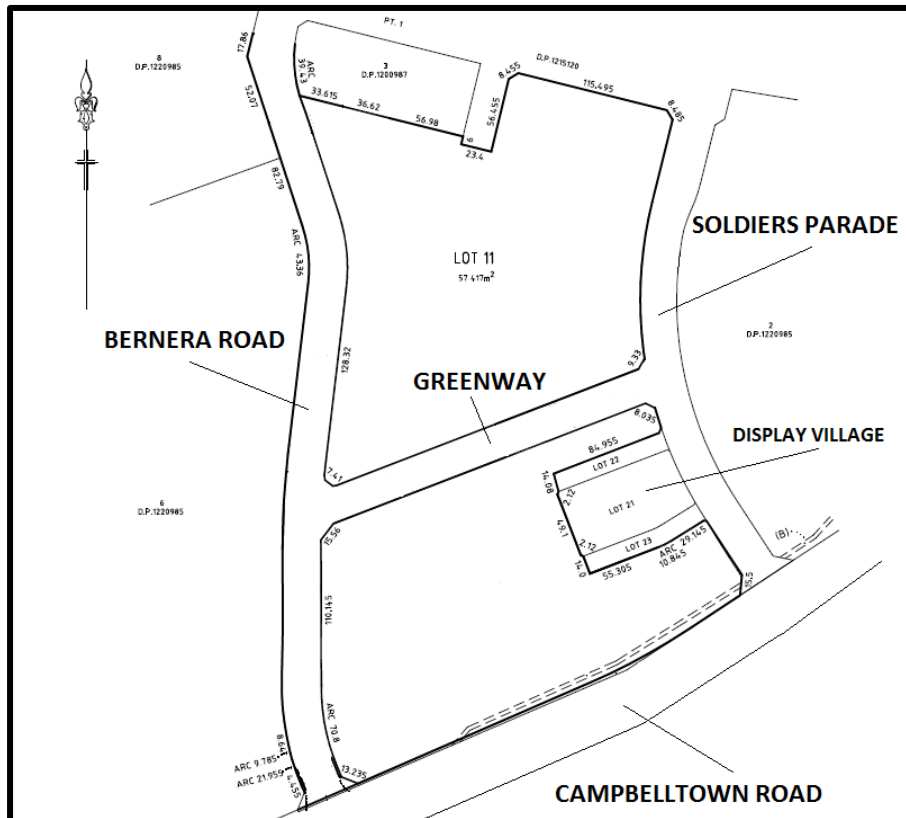


Figure 2: Roads adjoining the subject site.

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 (RP1) bound by Greenway to the north and Campbelltown Road to the south. Some existing trees have been retained within RP1 where a local park is proposed.



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

2.2 Residential Precinct 1 (RP1)

RP1 is highlighted in red in Figure 4 below.



Figure 4: Residential Precinct 1 highlighted in red.

RP1 has an area of approximately 4.8Ha (47,773m²). It has an approximate northern boundary of 240m to Greenway, an eastern boundary of 170m to Soldiers Parade, a western side boundary of 170m to Bernera Road and a southern boundary of 310m to Campbelltown Road. As depicted in Figure 3 above, RP1 has been excavated and graded in order to facilitate the proposal. RP1 excludes the display village fronting Soldiers Parade and includes a number of local streets which were approved under DA-583/2017 (See Section 2.6.3 of this report for DA history), and are depicted in the following figure.

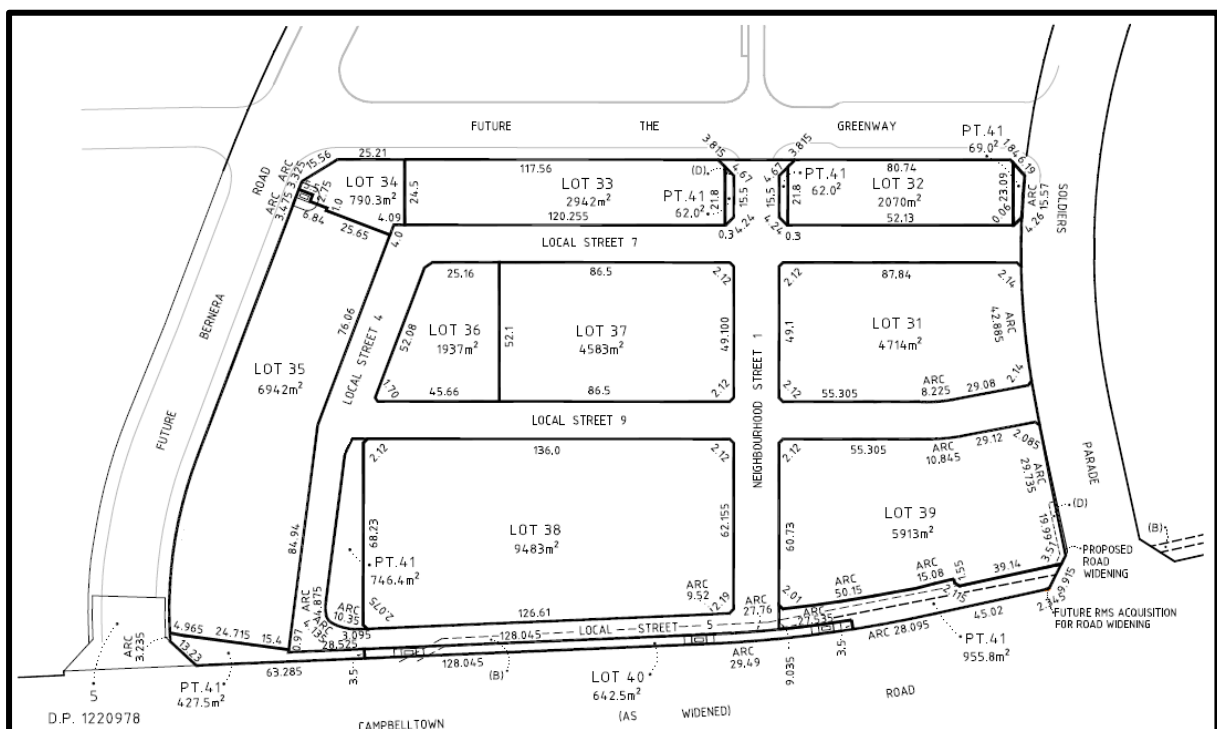


Figure 5: Residential Precinct 1 internal street network.

2.3 The developable area (RP1 – Stage 2)

The developable area, also known as RP1 – Stage 2, has an area of 1.2668Ha (12,668m²) and is indicated in the following figure. This excludes local streets, which were approved under DA-583/2017 and subsequent modification under DA-583/2017/A.



Figure 6: Residential Precinct 1 – Stage 1 highlighted in red.

2.4 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.

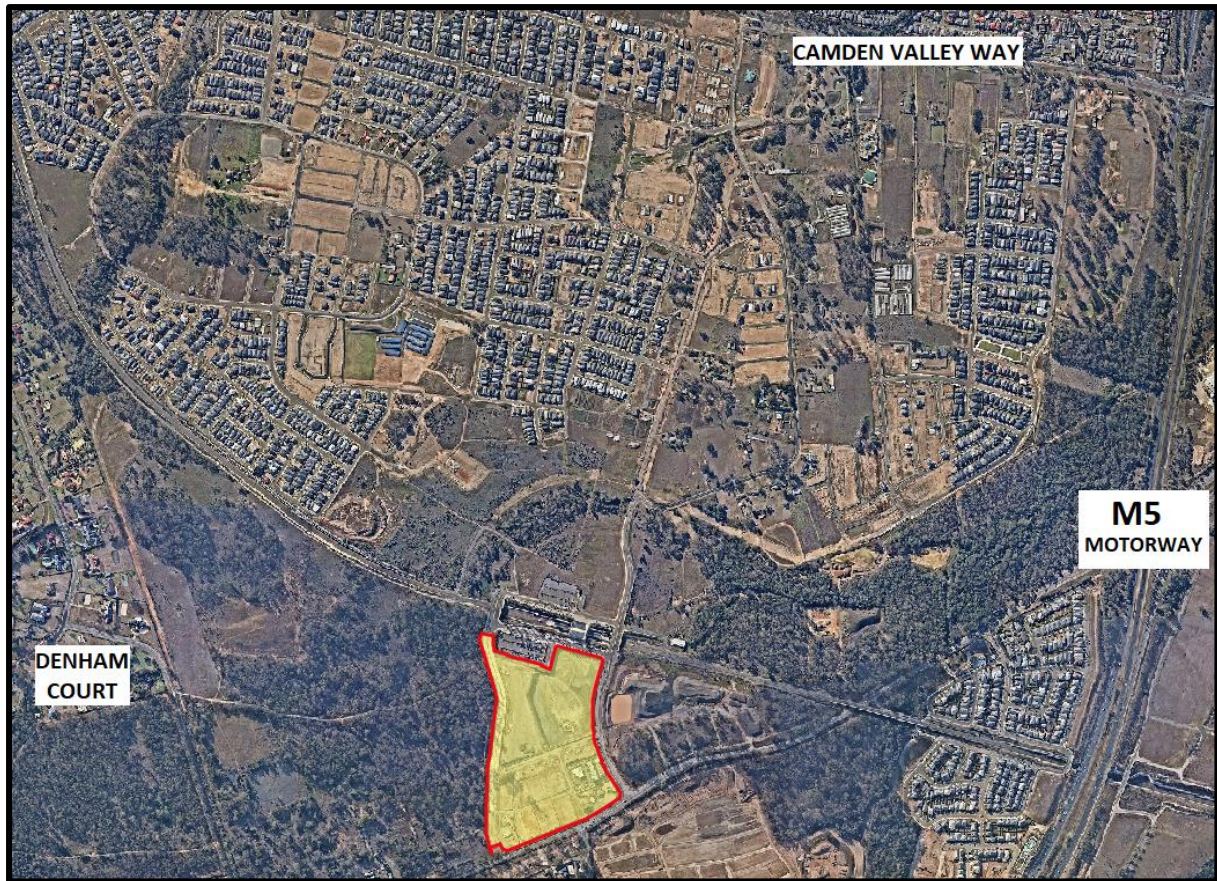


Figure 7: Subject site overlayed in yellow and outlined in red within the surrounding context.

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 7. 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 the Sydney CBD and is located approximately 9km southwest of Liverpool city centre, as seen in the following figure.

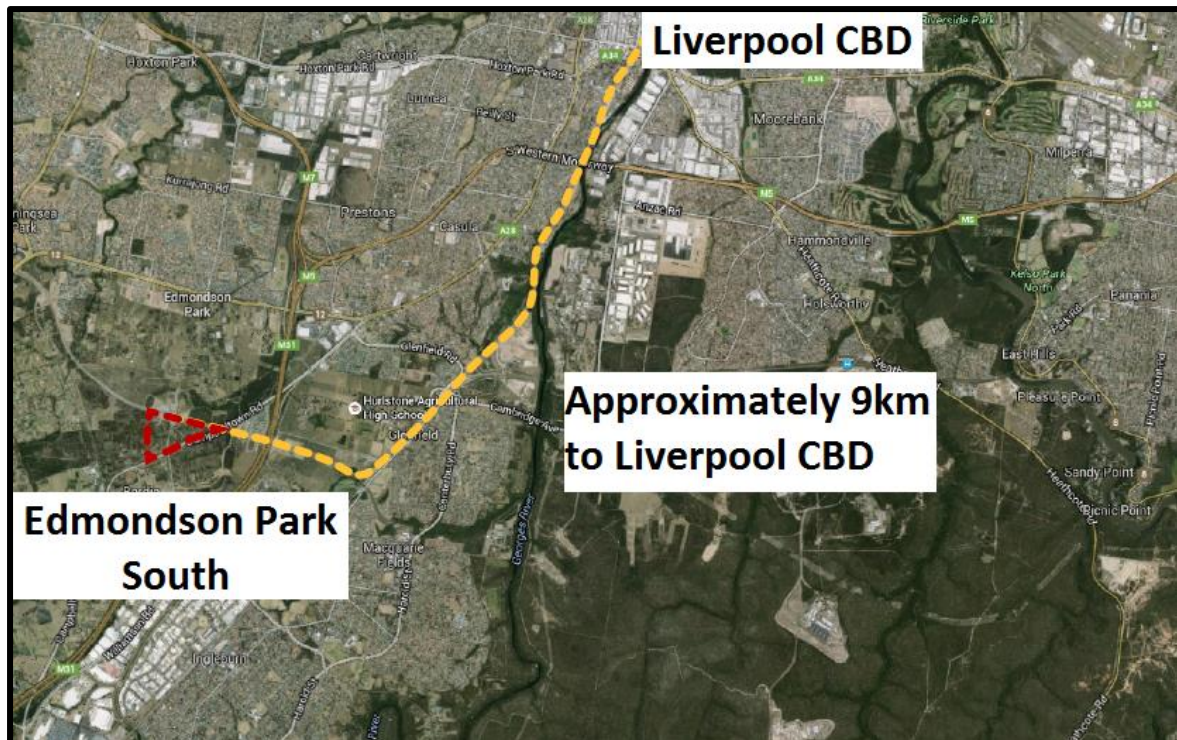


Figure 8: Edmondson Park South in red dashed line, with road route to Liverpool CBD in yellow dashed line.

2.5 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.

2.5.1 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 RP1 – Stage 2. Accordingly, the proposal is considered acceptable with regards to the bushfire affectation onsite.

2.5.2 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.

2.5.3 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 developable area, RP1 – Stage 2 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 RP1 – Stage 2. Accordingly, there will be no vegetation removal as part of the subject application.

2.5.4 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 developable area, RP1 – Stage 2.

2.5.5 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 2.6.3 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 subject application:

The Frasers Town Centre was approved under the Concept Plan (Mod 4) as a State Significant Development under the Environmental Planning and Assessment Act 1979 with the statement of commitment and final approval conditions including the following:

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 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 Office 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.

As the proposal involves the construction of buildings, as per the wording of this commitment, a Heritage Interpretation Strategy is to be prepared and submitted to Council. If one has been prepared previously, this should be submitted with it clearly identifying what will be undertaken within the project area.

The applicant has provided a Heritage Interpretation Strategy to Council and advise that they are in the process of preparing a Heritage Interpretation Plan. It is further advised by the applicant that the Heritage Interpretation Plan will not involve any works or inclusion within the area of Stage 2 of the Residential Precinct.

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

2.5.6 Road and Rail Noise

The subject site is identified on Council's mapping system as being affected by both rail and road noise. Rail noise affecting the site comes from the South West Rail line and will not affect RP1 – Stage 2. Road noise affecting the site is from Campbelltown Road and will impact approximately half of RP1 – Stage 2. Accordingly, noise attenuation measures will be required to be incorporated into the building design for RP1 – Stage 2 and are recommended to be imposed as conditions.

2.6 Site History

2.6.1 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 this 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 with 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.

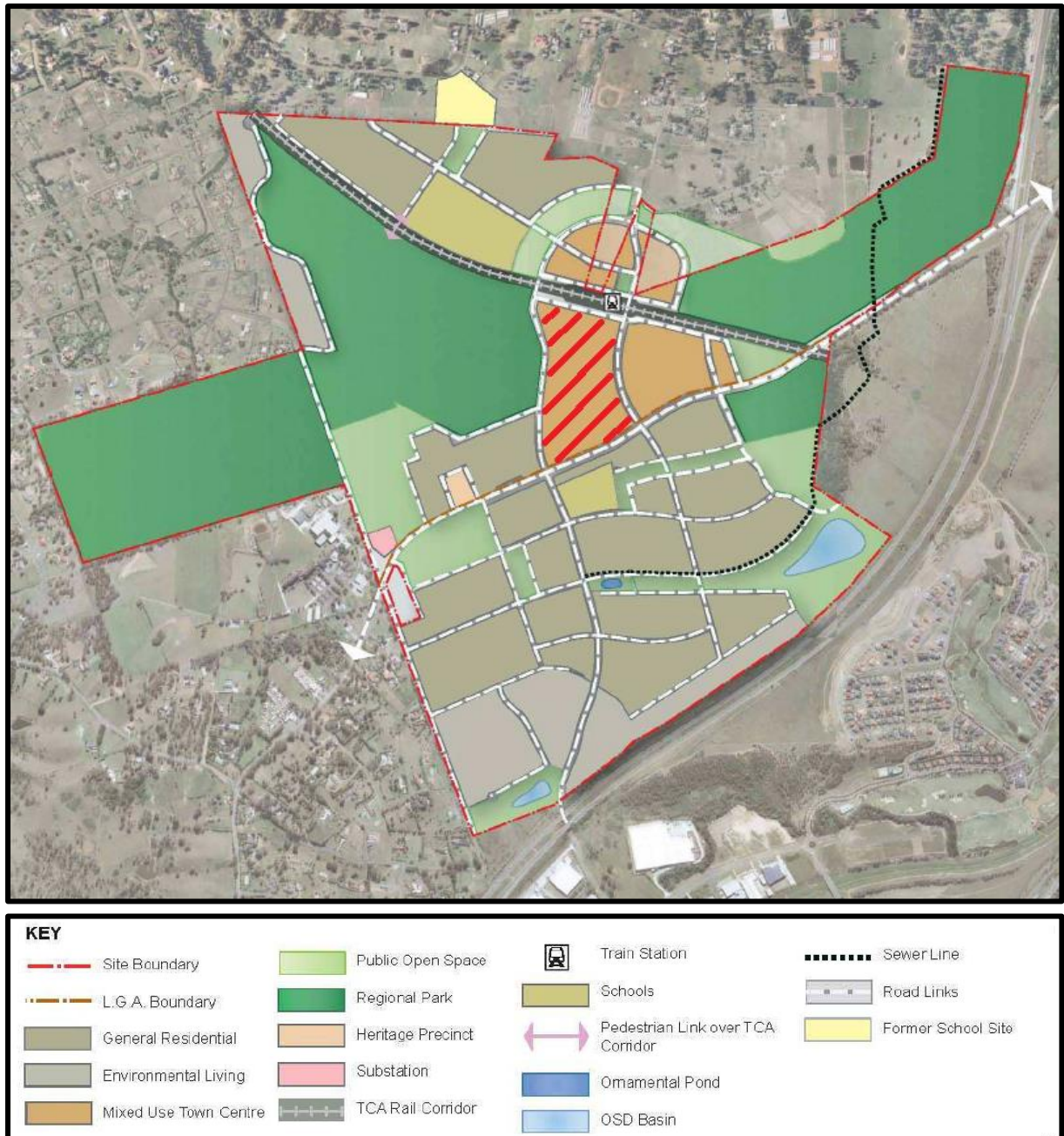


Figure 9: Edmondson Park South Concept Approval, with legend and subject site dashed in red.

2.6.2 Modification 4 of 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.

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.

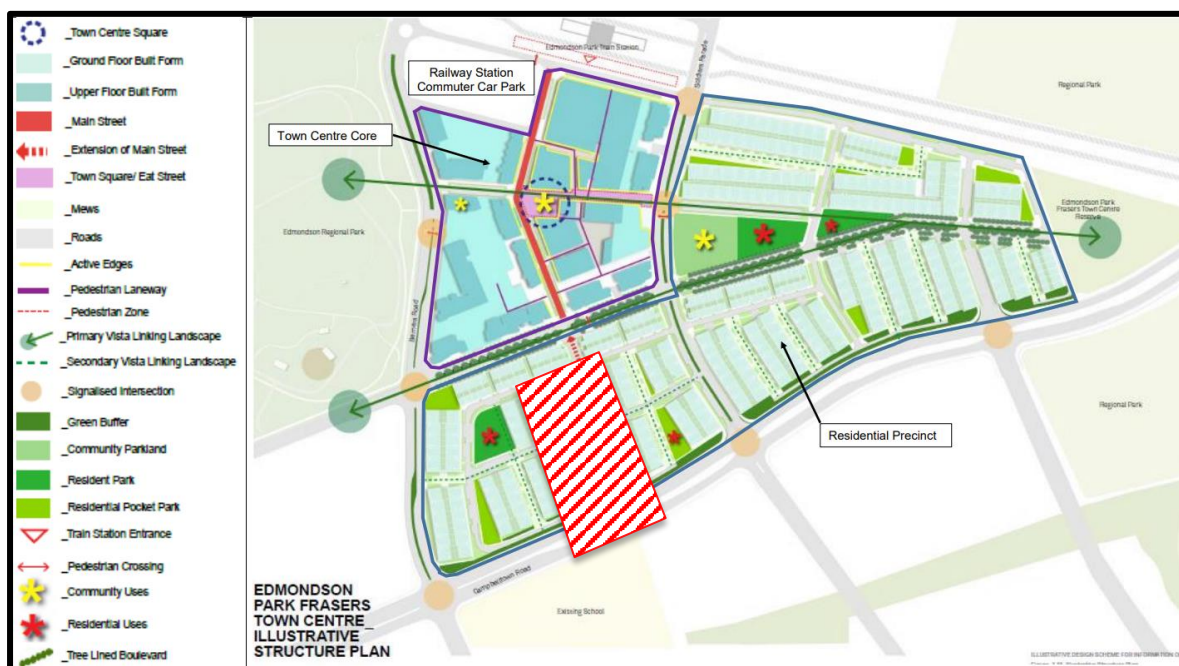


Figure 10: Illustrative Structure Plan for FTC with RP1 – Stage 2 dashed in red.

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 RP1 – Stage 2 in accordance with MOD 4.

2.6.3 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	Approved under delegated	Construction and operation of an exhibition village containing display homes, ancillary sales and marketing suite and café and	Complete and Open

Frasers	authority, 30 January 2017	associated civil works including road construction within RP1.	
628/2016 Frasers	Approved by South West Sydney Planning Panel, at its meeting of 13 March 2017	Clearing of vegetation, bulk earthworks, temporary stormwater and drainage works and removal of services across the entire FTC.	Works Complete
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 Frasers	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
767/2017	Approved by South West Sydney Planning Panel, at its meeting of 6 August 2017 (Deferred Commencement)	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.	Works started
779/2017	Approved by South West Sydney Planning Panel, at its meeting of 6 August 2017	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.	Construction not yet commenced
583/2017/A	Recommendation made under delegated authority.	Modification to DA-583/2017 under Section 4.55 (1A) of the Environmental Planning & Assessment Act. The modification proposes minor adjustment of the road reserve and property boundary line along road two.	
922/2018	Subject of this application	The construction of 128 residential dwellings, landscaping and construction of	N/A

		Mews No. 2, landscaping and public domain improvements, provision of services and utilities and 1 into 20 lot subdivision	
767/2017/A	Lodged 18 December 2018	Modification application lodged pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979. The modification relates to design refinements to the internal planning of Buildings 12 and 13.	Under preliminary assessment
767/2017/B	Approved 18 February 2019	Modification to Development Consent DA-767/2017 under Section 4.55 of the Environmental Planning and Assessment Act 1979, to clarify timing of construction certificate relating to condition 54	N/A

3. BACKGROUND

3.1 Sydney Western City Planning Panel Briefing

A briefing was held on 11 February 2018 with the Sydney Western City Planning Panel. The panel requested that the following issues be addressed in the assessment of the application:

Panel Comment	Applicant Response	Assessing Planner Response
Limiting vehicle use of the Mews to essential servicing vehicles, through a by-law which requires prior arrangement with strata manager for access	<p><i>The vision for the Mews is identified in the Public Domain Plan as follows:</i></p> <p><i>“The mews are shared neighbourhood spaces, allowing for limited, low speed vehicle movement, parking for residential visitors, trees and landscaped areas. The mews are an extension of private open spaces into shared, pedestrian prioritised spaces where people are able to interact and children can play safely within the confines of their local home environment. This space will have flush kerb lines, with landscape and paving delineating different areas for vehicular movement and parking.”</i></p> <p><i>Key elements to inform the use of these streets are outlined in the Design Guidelines, as follows:</i></p> <ul style="list-style-type: none"> <i>The Mews provide pedestrian friendly and low speed car environments; and</i> <i>Visitor car parking is provided within the Mews.</i> <p><i>Activation of the Mews is an important consideration by the Concept Plan, and accordingly the inclusion of vehicular activity is a key component of the use of the Mews. The residential precinct is largely self-contained with no through traffic meaning only residents and</i></p>	<p>In addition to the comments provided in response to the Panel’s concerns, the applicant has proposed to include speed limit signage and parking time limits in the Mews as part of the traffic management program to ensure the amount and speed of traffic within the Mews. This is consistent with approved design for Mews 3 in Stage 1 of the RP1, is consistent with the proposed use of Mews in the Design Guidelines and has the ability for service vehicles to directly access the dwellings located along the Mews.</p> <p>As stated by the applicant, the end users of the larger residential precinct will be the residents and visitors to the area. The road network connecting the residential blocks will receive typical road construction inclusions while the mews include different materiality and signage to indicate that these are a different street format thereby changing driving behaviour to that suitable for shared use. The scheme has been reviewed by Council’s Traffic Management Engineers, Development Engineers, DEP and City Design section who are</p>

	<p><i>their visitors will be utilising the streets, ensuring the mews will not be high traffic areas in need of traffic regulation. It is proposed that the Mews visitor parking will have a 2-hour time limit from 7am-8pm. Use of different paving materials, landscaping and limited parking spaces differentiate and regulate the mews as distinct from regular streets. This encourages a low speed environment suitable for pedestrians and vehicles to share.</i></p> <p><i>It is also noted that Council's waste management team are concerned about the distance residents would need to travel to position bins for collection. As envisioned by the approved Stage 1 development, garbage vehicles are required to access the mews. Any further restriction to mews access would be contrary to the approved Stage 1 (as approved by the SWCPP) and therefore representations to over 100 contracted purchasers for that stage.</i></p> <p><i>Important lessons have been learned from failed Radburn style developments in Sydney where pedestrian laneways have long been a contributor to security and safety concerns due to low levels of activity and decreased casual surveillance. It has been demonstrated that some levels of activity by vehicles reduces these issues. In this respect, curtailing or regulating access may have an unintended consequence of making the streets less safe.</i></p> <p><i>Accordingly, further regulation to restrict vehicular access is undesirable and not in keeping within the intent of the Concept Plan in creating and maintaining the Mews as a shared pedestrian and low speed car environment.</i></p>	<p>supportive. Additionally, the plan was reviewed by RMS with no objection.</p> <p>It is considered that access by visitors in vehicles to the mews will assist with greater activation by both pedestrians and limited vehicle movements. This provides greater passive surveillance compared to having pedestrian only access. Restricted parking will assist in creating vehicles movements during the day encouraging greater activation of the mews with people coming and going whether by car or on foot thereby increasing public safety in the area.</p> <p>The mews areas will also remain as part of the Community Title (i.e. not to be dedicated to Council), so the ongoing management of the space will be under the control of the applicable body corporate.</p> <p>On the basis of the above, it is considered that the implementation of additional restrictions in the mews areas is unnecessary in this case.</p>
Privacy issues between units within the 'townhomes' building requires careful attention	<p><i>Significant consideration has been given during design development to ensure visual and acoustic privacy of residents of the town homes. Accordingly, the design includes provision of a range of measures to mitigate any concerns including:</i></p> <ul style="list-style-type: none"> <i>• Adequate separation between buildings (compliance with the Design Guidelines);</i> <i>• Inclusion of an arbour structure and planter between courtyards on Level 1 that will mitigate overlooking and assist with acoustics between dwellings on Level 1 (see Appendix B);</i> <i>• Privacy screens to all windows that face a corresponding window on Level 2 (see Appendix C);</i> <i>• Where possible, offset and indented windows to provide screening via oblique angles on Level 2.</i> 	<p>The plans provided with the application demonstrate that the separation of the buildings is compliant with the Design Guidelines, as well as the inclusion of arbour structures between courtyards (inclusive of suitable screen planting), privacy screens on opposite windows, and the location of opposite windows in relation to privacy.</p> <p>Notwithstanding the compliance with Design Guideline controls, it was noted that the minimum building separation distance on the second floor plans for C- North Block, C-South Block, D-North Block and D-South Block was 7.4m compared to a minimum 7.7m separation distance approved in Stage 1 of RP1 under DA-779/2017.</p>

	<p><i>Extensive investigation and feedback was provided by Council's Design Excellence Panel as part of the Stage 1 application (779/2017). As a result, a number of amendments were incorporated to address privacy concerns, including:</i></p> <ul style="list-style-type: none"> <i>Rear planter species amended to provide greater height and privacy including Waterhousia floribunda 'Green Avenue' and Syzgium australe 'Resilience' (see Appendix B);</i> <i>Additional screening to the rear of dwellings by inclusion of screens/louvers to all windows (excluding end dwellings with over 9m separation) providing residents with enhanced screening;</i> <i>Inclusion of an irrigation system (to rear planter) to ensure the healthy maintenance of rear courtyard planters; and</i> <i>Clause in the strata by-laws added to include a requirement for owners or occupiers to maintain the planter boxes. If not, the owners corporation is to be given access to maintain at the expense of the owner or occupier.</i> <p><i>With the inclusion of these features, the Sydney Western City Planning Panel and Design Excellence Panel (DEP) supported the Stage 1 application. Frasers has committed to the inclusion of these features as part of all subsequent town home DA's, including Stage 2 as advised to the DEP at its briefing of 16 August 2018.</i></p>	<p>In order to maintain consistency with the previous consent and the separation distances supported by the DEP, the applicant has agreed to maintain the 7.7m separation distance between rear facing townhomes by condition of consent.</p>
<p>The building separation between terrace housing and studio dwellings should not be impacted by introduction of home offices within the studios.</p>	<p><i>It is understood that this comment is in reference to the separation between terrace dwelling 12123 and studio dwelling 12124. This is the only dwelling with any variation to rear separation, being a specific design issue related to them being corner dwellings.</i></p> <p><i>The design guidelines seek the following internal separation for terraces:</i></p> <p><i>The minimum internal separation between windows and the rear wall of a studio dwelling is 4.5m. Attached is an amended Architectural plan which annotates the separation distance between dwellings (see Figure 2). The plan shows that the separation between the terrace window and wall of the studio dwelling is 5m; greater than the minimum, required by the Design Guidelines.</i></p> <p><i>There is a storage cupboard set against the rear wall of the studio dwelling, however the cupboard is not part of the studio dwelling structure (see section plan at Figure 3).</i></p> <p><i>The separation between the terrace window and the storage cupboard is 4.1m. The rear separation between buildings is therefore 5m.</i></p> <p><i>Notwithstanding, it is noted that the courtyard of this home is larger, being wider than the adjoining terrace homes to the west. Accordingly, with the inclusion of the cupboard and generous courtyard space, on balance the amenity of the terrace home</i></p>	<p>It is considered that the separation of the terrace house dwelling 12123 and the studio dwelling 12124 meets the controls on the first floor with the storage cupboard located associated with the terrace house being the factor that reduces separation between the buildings. A variation to separation may be considered supportable on this basis given the extended POS associated with the terrace.</p> <p>The issue remains as to whether the typology of having the studio partly located on the ground floor at the same level as the garage (the home office component) meets the definition of a studio which is typically to be located above a garage. The applicant has been asked to provide further clarification/justification in this regard.</p> <p>The following points were noted in support of this typology by the applicant:</p> <ul style="list-style-type: none"> <i>The home office is a response to a site specific anomaly for this</i>

	<p>is maintained with the inclusion of the studio office (see Appendix H).</p>	<p>dwelling, which is at the end of the block and due to the shape of the lot, an alternative design solution has been sought to make better use of the available land for the resident, which we propose to include a ground floor home office.</p> <ul style="list-style-type: none"> • The Studio dwelling characteristics at Table 5 of the FTCDG do not preclude inclusion of a ground floor office as part of a studio dwelling. • The studio with home office meets the requirements of 5.1 and 5.4 of the FTCDG • As an alternative design solution the proposal is consistent with the Vision and Principles of the FTCDG <p>It is noted that home office is not a defined use under the EP & A Act and is not specifically prohibited under the FTCDG or SEPP (SSD).</p> <p>On the basis of the above points and that there are no perceived impacts of the home office on the dwelling that it is associated with or the street scape, it is considered that the home office is a suitable proposal in this instance where the lot size at the ends of blocks permits additional floor area at the ground level.</p>
Further information is required regarding the dual use of a storage as a study area.	<p>We understand this is in reference to the Type I – one bedroom + study. The typology plan had previously shown the study as a flexible space that highlighted the whole room as storage. The intent of this was to show that the study room and its final configuration was flexible as to the location of storage (i.e. up to the purchaser) (see Figure 4).</p> <p>The typology plan has been updated (see Appendix D) to show the anticipated layout of the office and how a flexible storage shelf and furniture may be incorporated. The dwelling provides 6m³ storage in accordance with the Design Guidelines (see Figure 5).</p> <p>It is noted the room is not labelled for any use other than a study. It does not meet the dimensional requirements for a bedroom (bedroom requires 3m x 3m and subject room is 2m x 3m). Frasers are unaware of a regulation open to Council other than a condition of consent to regulate the room as a study. Such a condition would be very difficult to enforce once the dwelling has been sold.</p>	<p>The amended plans provide greater definition as to the proportion of the study area to be used as storage. The previous plan indicated that the whole study is to be used for storage and a study while the revised plans specifies the location of the required storage. This storage complies with the design guidelines. On this basis it is considered that the amended plans address the Panels concerns in this regard.</p>
The Panel was interested that BASIX	<p>Fraser's has amended the design for the Type K - 4-bedroom typology where the home faces the end of a block.</p>	<p>The applicant has confirmed that the removal of these windows will not affect BASIX compliance.</p>

<p>compliance was to be achieved through the deletion of windows, and asked whether the loss of amenity offered by those windows preserved good design.</p>	<p><i>The change is proposed not for Basix compliance but to facilitate the internal use of the home and how it is to be fit out. The change is limited to Block D-South and dwellings 12025 and 12154. Amended Plans are provided at Appendix A and shown at Figure 6 and Figure 7.</i></p> <p>BASIX</p> <p><i>The amended design has been reviewed by WSP (see Appendix E), who confirm the removal of the window does not raise any compliance issues with BASIX performance.</i></p> <p>Design and Amenity</p> <p><i>For background information, the inclusion of a window for this typology was introduced during Stage 1 as a compromise to the design to introduce more windows to the end block treatment. Whilst the direction for additional windows was agreed by Frasers, not all dwellings included spaces that were suitable for an additional window. This was discussed with Council's planning officers at the time.</i></p> <p><i>The existing display home features a Type K – 4 bedroom home with a family room that includes a solid wall as proposed (see Appendix F), allowing a real appreciation of the room and how it may be used. Feedback from purchasers who are considering purchasing this home have questioned why the home now features the inclusion of the additional window, as distinct from the display version, which, in the purchasers' view compromises the useability of the family room for need to place television and furniture against a wall.</i></p> <p><i>The room receives significant daylight from the 3-panel windows and sliding door facing the Mews and the streetscape will continue to be activated by the large dual sided balcony that faces both aspects, providing casual surveillance. The end block elevation continues to feature the same number of windows and balcony openings as originally proposed (see Figure 8).</i></p> <p><i>This proposed change is limited to those homes that have yet to go to market (Dwelling 12125 and 12154). The proposed change (see Appendix A) is the right outcome for residents who will use the space and there will be limited appreciation of the change when viewed from the streetscape.</i></p>	<p>The main impact of the amended window treatment to the northern end of D Block South is in how they provide activation and passive surveillance to the adjacent street.</p> <p>Council's City Design section has recommend that a condition of consent be imposed that would require the plans to be amended to reflect the plans reviewed by the DEP and therefore do not support the removal of these windows.</p> <p>The applicant has agreed with that the subject windows are to be reinstated and have provided amended plans accordingly.</p>
<p>The relevant application of the "Contributions Plans for Growth Areas" Planning Circular PS 19-002, and s.7.18 of the EP&A Regulation 2000 must be considered.</p>	<p><i>The regulation amendment prevents a consent authority from determining a development application unless there is a section 7.11 contributions plan under section 7.18 of the Act in force.</i></p> <p><i>The relevant S7.11 contribution plan applying to the land is the Liverpool Contributions Plan 2008 – Edmondson Park (the Plan). The original Concept Plan approval was based on 912 dwellings, which the Plan accounts for. The current status of dwellings is:</i></p>	<p>As mentioned by the applicant, the VPA required for the increase in the dwelling density as a result of Section 75W Modification to the Edmondson Park South Concept Plan (MP 10_0118 MOD 4) in which the dwelling yield of the Frasers Town Centre and overall Concept plan by 972 to 1884, is currently progressing. The original Contribution plan was based on 912 dwellings with the number of dwellings approved to date in the project and the subject 128</p>

	<p>-DA-767/2017 - 427 dwellings;</p> <p>- DA-621/2016 – 21 dwellings;</p> <p>- DA-779/2018 – 104 dwellings; and</p> <p>- This application - 128 dwellings</p> <p><i>Including this application, to date, the Edmondson Park project will deliver 680 dwellings. The subject DA will pay contributions in the form of money or a bank guarantee in accordance with 779/2017 and 767/2017 and as agreed by Council and approved by the Planning Panel previously. A Voluntary Planning Agreement (VPA) is in the process of being finalised in consultation with Council. Following agreement of the VPA, the subsequent contributions will be paid in accordance with the VPA applying to the land.</i></p>	<p>dwellings totalling 680 dwellings. In consideration of the VPA (pursuant to Condition 1.8A of the approved concept plan) to cover the uptake in population, Council has accepted the number of dwellings to be within the population of the current contribution plan thereby not requiring the finalisation of the VPA for this stage. It is noted that the DA approval for the development of residential precincts stage1 (DA 779/2017) and Town Centre Core (east) (DA 767/2017) facilitated the payment of a security in the form of bank guarantee for the amount of development contributions payable to Council. It is recommended that this will be the case for the applicable contributions for Stage 2 of RP-1.</p>
<p>Distances from units to the waste collection areas should be taken into account.</p>	<p><i>A majority of homes are serviced from a location close to the front of their dwelling, from a road or mews.</i></p> <p><i>Of the 128 dwellings in the Stage 2 application, those 12 homes that have a direct frontage to a park, rather than to a road or mews, are required to take their bins to a dedicated collection point at the closest road. The distance for a resident to the collection point is 35 metres or less. 35 metres is the maximum distance and most residents are located closer to the collection point (see Appendix G).</i></p> <p><i>These homes have a significant advantage of direct park fronting property, which has substantial amenity benefits including a more quiet and visual landscaped prominence which more than offsets facing a road or the need for a short walk to the waste collection point.</i></p>	<p>Following a review by Council's waste management section of the information provided by the applicant in response to the Panel's concerns regarding the distances to the waste collection areas, it is advised that the Waste Management section is satisfied that the distances to the collection points are acceptable. It is noted that there was also concern raised by the waste management officer regarding the identification of bins that are required to be placed in common collection points (dwellings associated with C-North Block and in Mews 2). A condition of consent requiring the numbering of the affected bins has been recommended to address this issue.</p>

As per the table above, the proposed development is considered acceptable with regards to the concerns raised by the SWCPP at the January 2019 briefing meeting. The applicant's responses above are excerpts from their written response, dated 6 March 2019. See Attachment No.5 of this report for the applicant's full response.

4. DETAILS OF THE PROPOSAL

Development consent is sought for the construction of RP1 – Stage 2 at the subject site. RP1 – Stage 2 will introduce medium density housing within the developable area through the creation of four residential blocks and a Mews. No road construction is proposed as they were approved under DA-583/2017. The proposal has been overlayed on an aerial photo of the site for context, as shown in the following figure:



Figure 11: Proposed residential blocks, in white, within RP1 – Stage 2. (Note: RP1 – Stage 1 approved under DA-779/2017 is located to the west of the dashed lined area of Stage 2)

Dwellings:

- Construction of one-hundred and twenty eight (128) dwellings in the form of townhomes, terraces and studios over five residential blocks. The blocks are identified as: C-North, C-South, D- North and D-South, T-C and T-D, see Figure 14 below.
- The proposed block lengths are (approximately): C-North – 52m, C-South – 68.3m, D-North – 52.2m, T-C – 38.6m and T-D - 40.9m
- The dwelling typology mix within RP1 – Stage 2 includes one hundred and eight (108) Townhomes, ten (10) Terrace Homes and ten (10) Studio Homes.
- The townhomes have been designed as two rows of back to back three storey buildings, with at-grade parking underneath first floor central courtyards (see figure 12). The townhomes are not straight up from ground level like in a traditional terrace housing arrangement and intricately overlap one another. Single bedroom townhomes occupy only the ground level while 2, 3 and 4 bedroom townhomes extend from the ground levels to the third stories. Townhomes are proposed on blocks C-North, C-South, D-North and D-South only.

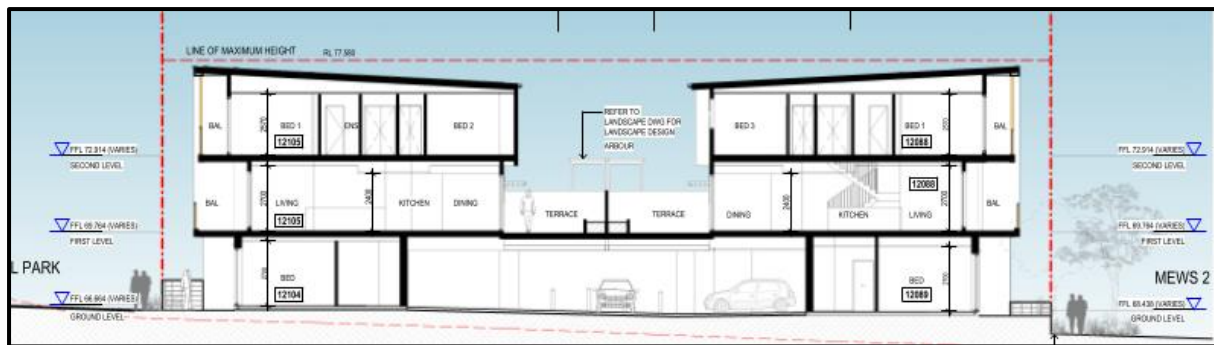


Figure 12: Typical cross-section of townhomes with at-grade parking and POS above.

- The townhomes proposed across the site will provide the following bedroom mix: 20 x 1 bedroom, 32 x 2 bedroom, 50 x 3 bedroom and 6 x 4 bedroom.
- The terrace and studios have been designed as two storey structures and are limited to block T-C and T-D only. The terraces have been designed to address Greenway with their main pedestrian access from this frontage. Vehicle access and parking is proposed at the rear from Local Street 7, in the form of ground floor single garages. Studios are situated at the first level addressing Local Street 7 and located above their own single garages and the terrace garages. Terraces will have ground floor private open space (POS) located between the terrace building and the garages and studios have POS in the form of balconies that will address Local Street 7 (see figure 13).
- A total of 10 terraces are proposed as 3 bedroom dwellings and 10 studios are all proposed as 1 bedroom dwellings.
- All dwellings have been designed to reflect a consistent modern architectural style, utilising a mix of cladding panels, face brick and aluminium profiling based on neutral tones. The colour palette is consistent within blocks C-North, C-South and T-C, utilising a colour palette of earthy tones using whites and various shades of brown and warm greys, with blocks D-North, D-South and T-D sharing a colour palette of whites and various shades of brown and warm greys whites.

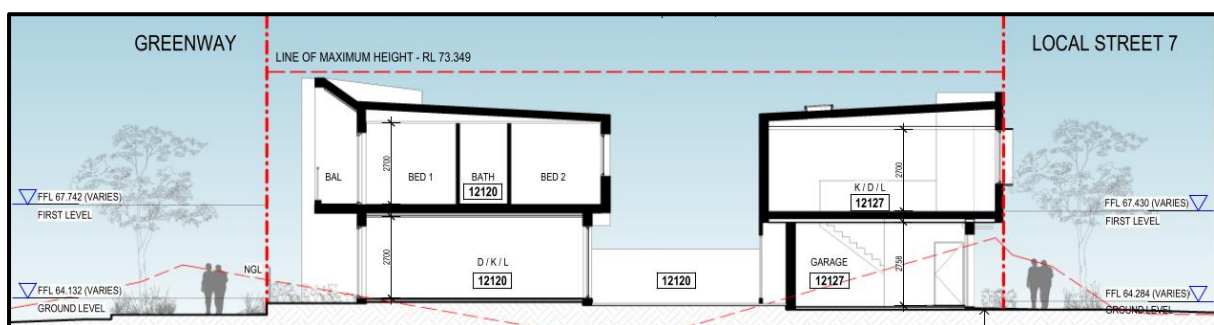


Figure 13: Typical cross-section of terraces with studios above garages at the rear of the site.

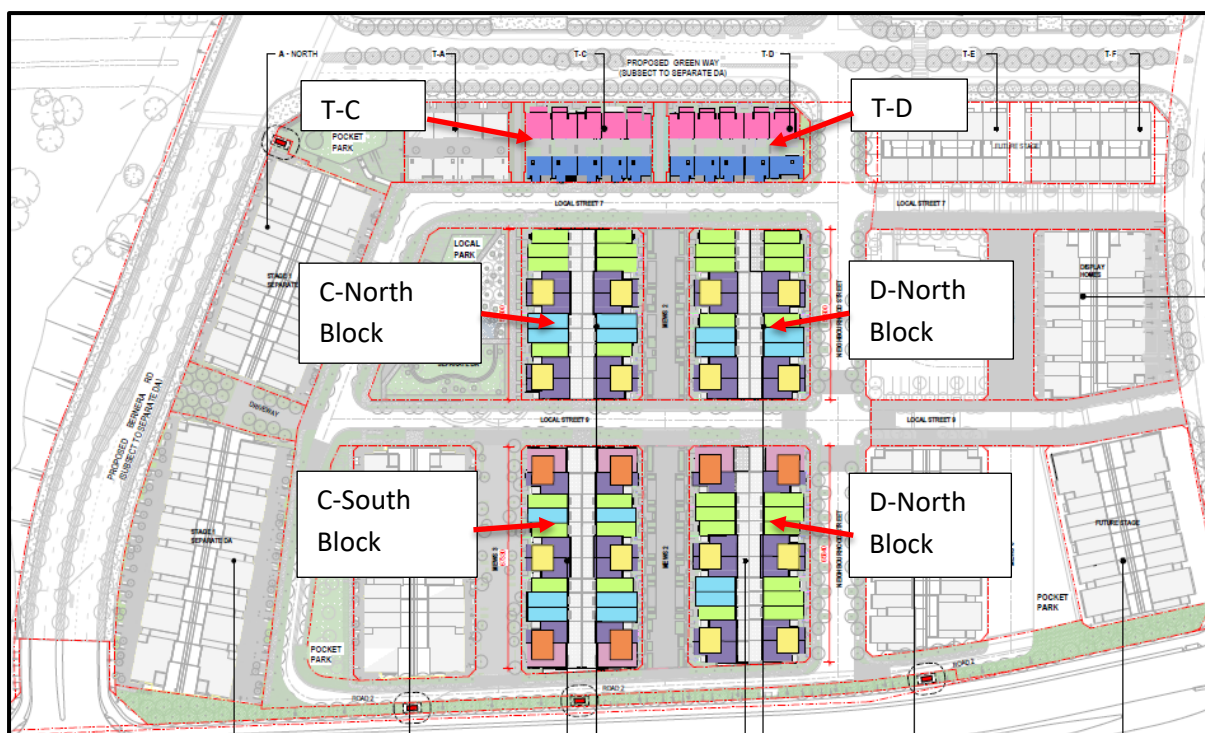


Figure 14: RP1 – Stage 2 site plan.

Vehicle Management:

- The proposal includes the construction of Mews No.2. A Mews is a shared pedestrian and vehicle zone to which some townhomes have been designed to address where they have no frontage to local streets. RP1 – Stage 2 includes the use of Mews No.2, which is located between Block C – North/South and Block D – North/South, as indicated in Figure 14 above. Mews No.2 is 14m wide and includes ten (10) on-street parking spaces, trees and landscaping and park benches (see figure 15). The Mews have been designed to have differing surface treatment to local streets so there is a visual demarcation between roads and the shared pedestrian environment.



Figure 15: Artist impression of the Mews

- The development proposes a total of one hundred and eighty four (184) covered parking spaces in the form of private garages and shared at-grade parking areas. Private garages are limited to single garages and serve the terraces and studio dwellings only. At-grade, shared and covered parking is provided at the rear of the townhomes for blocks C-North, C-South, D-North and D-South. The parking areas for blocks C-North, C-South, D-North, D-South have driveway access from Local Street 9.
- The development proposes ten (10) uncovered stacked parking spaces for each of the terrace dwellings in block T-A. These stacked spaces are located within the POS areas for these dwellings with access from Local Street 7 through the single garages.

Public Domain:

- A pedestrian pathway connecting Greenway to Local Street 7 is proposed adjoining and between block T-C and T-D. This space has an area of approximately 90m².

Subdivision

- Under DA-779/2017 Community title subdivision of RP1 into fifteen lots was approved. The Mews, parks and residential blocks will be provided as community allotments.
- Under subject application Blocks T-C & T-D will be strata subdivided as shown in figure 16 to allow the terraces and studios, and their respective garages, to be on separate titles.
- The proposed Townhomes located in Block C-North, C-South, D-North and D-South are to remain as Community title.

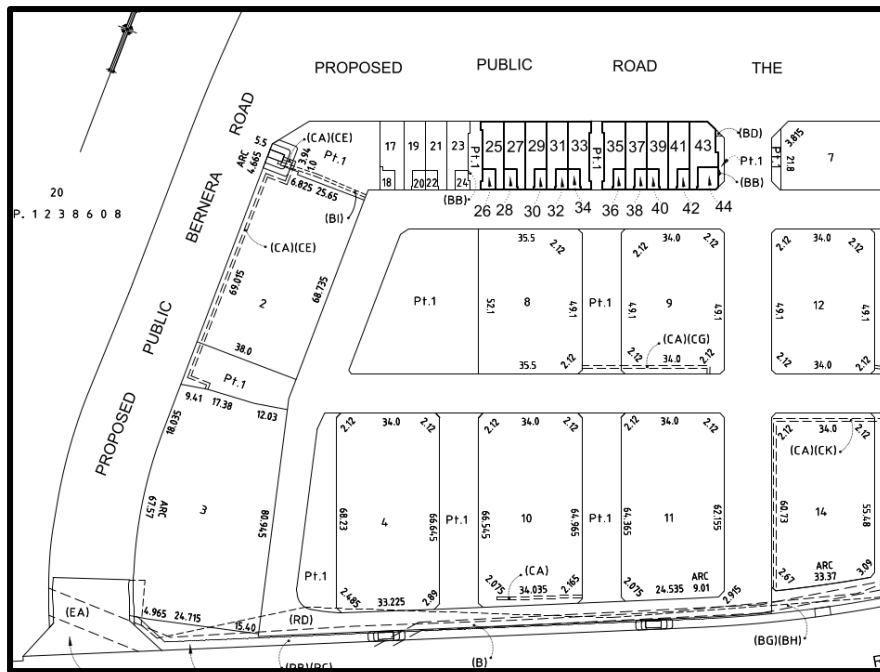


Figure 16: Excerpt from subdivision plan

Services and Infrastructure:

- Services such as water and sewer, electricity, telecommunications and gas were designed and approved for RP1 under DA-583/2017 and subsequent modification under DA-583/2017/A. Accordingly, the subject proposal will involve connection to those services.
- The location of substations across RP1 were approved as per DA-583/2017 as modified and do not form part of this application. All drainage works for RP1 have been designed and approved as per DA-583/2017 as modified and do not form part of this application. The proposed dwellings and Mews will connect into this drainage system.

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 (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)

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, RP1 – Stage 1, 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 RP1 – Stage 2 is demonstrated in the following figure, in the context of the adjoining land use zonings.

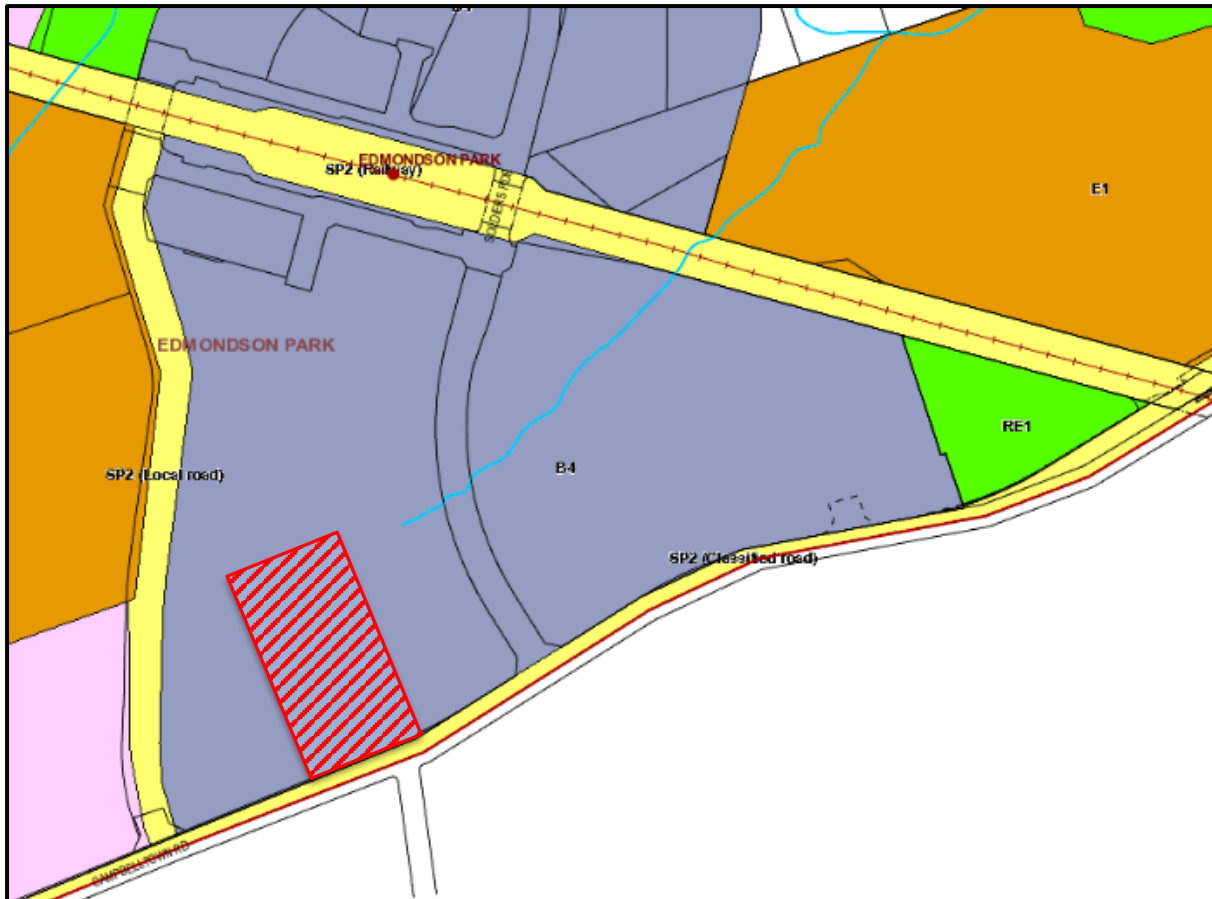


Figure 17: Zoning of the site, with approximate location of RP1 – Stage 2 hashed in red. (Source: Geocortex)

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 proposed development is best described as ‘multi dwelling housing’.

‘Multi dwelling housing’ is defined as follows:

*“**multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.*

Note. Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.”

Multi dwelling housing is listed as permitted in the zone with development 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 medium density housing that provides a mixture of compatible land uses at the site. The proposed will also allow the integration of medium density residential housing within walking distance to public transport, a future town centre and regional park land. Accordingly, RP1 – Stage 2 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:

“The RAP that has been provided complies with the relevant Guidelines for Consultants Reporting on Contaminated Sites published by the Office of Environment & Heritage dated August 2011 (reprinted and updated version).

Validation Report Requirement

Environmental Health required clarification as to whether the site had been remediated and validated in accordance with SEPP 55 and previous consents issued. A validation letter has been submitted by the applicant titled Subject: Edmondson Town Centre Located on Campbelltown Road, Edmondson Park, NSW 2174 (Validation Letter) (Ref: 0448934, Doc Ref: S009378) prepared by ERM-Services Pty Ltd dated 22 February 2019.

The letter provided a brief history of the previous investigations undertaken on the site and a summary of the contamination identified.

Section 6 Validation provides some details on the validation assessments that have taken place. PR1 had been remediated and subsequently validated within DL0448934_S008288_Interim Asbestos Clearance Certificate 2 (DLA, 2018). This included R1-3 and R2-3, W1-1 and W7-5 as identified in the RAP. 1664.69 tonnes of material was disposed of at a licensed facility

The town centre precinct, Bernera and Greenway Roads and Stockpile area removal included ACM Service conduits and Telstra pits that were also validated. 621.52 tonnes of material was disposed of at a licenced facility.

A Waste Classification Report was issued and the summary was provided in the validation letter.

Asbestos monitoring took place and during the remediation works between 2 May 2017 and 19 October 2018. All results were satisfactory and indicative of background concentrations thus presented no perceived risk to human health.

The applicant's consultant was contacted to identify whether a Validation Plan/ Report had been prepared in accordance with the RAP. The consultant has advised that a Validation Report had not yet been prepared as ERM had not been asked to finalise a report at this stage.

The applicant also confirmed that a validation report will be finalised in the coming months.

SEPP 55 requires a consent authority to consider whether the land is contaminated and if the land is contaminated, which it has done so, and that 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. As such, Environmental Health concurs with the validation letter author that the site is considered suitable for the proposed use. However, it would be advisable to require the submission of the validation report once prepared."

Based on the above, it is concluded that the site is suitable for the proposed use and the provisions of SEPP 55 have therefore been satisfied. A remediation validation report is conditioned to be provided prior to the issue of an occupation certificate for this Stage 2.

b) State Environmental Planning Policy (Infrastructure) 2007

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.

The applicant submitted an acoustic assessment in support of the application and in order to address the provisions of the Infrastructure SEPP 2007. Following an initial query as the veracity of the data used in the modelling for the acoustic report, Council's Environmental Health section have assessed the submitted responses from the acoustic consultant and have provided the following comments:

"The applicant has advised that the data utilised in the Noise assessment Edmondson Park Frasers Residential Precinct 1 – Stage 2 (Report No. 16178-R2, Version A) prepared by Wilkinson Murray Pty Limited dated 3 September 2018 was extracted from the

Campbelltown Road Upgrade Camden valley Way to Brooks Road Ref: Noise Assessment prepared by Wilkinson Murray Pty Ltd for the RMS dated 2011. The traffic volumes projected for 2026 was 24224 (Between Hume Highway on ramp and Macdonald Road) and 25884 (Between MacDonald Road and Zouch Road).

Environmental Health have identified a more recent report titled Campbelltown Road Upgrade Camden Valley Way to Brooks Road Ref Noise Assessment (Report No. 11313) prepared by Wilkinson Murray Pty Limited dated March 2013 (version D) and the projected volumes predicted are 20142 and 21521 respectively. Given the applicant has provided a higher anticipated traffic volume than the later report, the acoustic attenuation methods proposed for the proposed development are likely to be sufficient. Thus Environmental Health are satisfied with the information provided."

In this regard, the proposal is considered to be consistent with Clause 102 – Impact of road noise or vibration on non-road development of the Infrastructure SEPP 2007 and conditions are recommended to be imposed to that affect.

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-583/2017 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 multi dwelling housing areas are permissible with development consent in the B4 zone and are consistent with the objective 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 community title and 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 community title and strata subdivision at the site. Therefore subject to subclause (5), the minimum subdivision lot size provisions do not comply.
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.	Complies Maximum 11.7m height proposed.
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 the land on the Floor Space Ratio Map. Site affected by 2.5:1 FSR.	Complies Block C-North: FSR = 1.26:1 Block C-South: FSR = 1.28:1 Block D-North: FSR = 1.33:1 Block D-South: FSR = 1.29:1 Block T-C: FSR = 0.52:1 Block T-D: FSR = 0.53:1 Total RP1 – Stage 1: FSR = 1.1:1 Total RP1 – Stage 2: FSR = 1.03:1
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	To minimise the flood risk to life and property associated with the use of land. 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. To avoid significant adverse impacts on flood behaviour and the environment.	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

		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 made to make that infrastructure available when required	Complies Sydney Water has confirmed the availability of water supply and sewer management. Endeavour Energy has confirmed the availability of electricity.
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.	Not Applicable The Concept Plan in conjunction with the Frasers Town Centre Design Guidelines October 2017 makes the need for a separate DCP redundant. 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)
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.	Not Applicable The proposal does not include works on land identified on the Land Acquisitions Map.

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 2.6.1 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 of Concept Plan (MP 10_0118), was approved by the PAC in October 2017. MOD 4 which sets the strategic direction for development within FTC.

Accordingly, the proposed development is required to be consistent with MOD 4. The details of MOD 4 are listed in Section 2.6.2 of this report. As per Figure 10 (Master Plan for FTC), and the details of the proposal outlined in Section 4 of this report, RP1 – Stage 2 is considered to be consistent with MOD 4 and the concept approval for Edmondson Park South.

MOD 4 also includes an instrument of modification, which sets out the conditions of approval. The proposed development is considered to be consistent with the applicable conditions of approval for MOD 4. The instrument of modification is provided as Attachment No.7 of this report.

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 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 a DEP meeting on 16th August 2018. Accordingly, the following assessment of Council's DEP final comments is provided as follows:

DEP Comment, dated 16 August 2018	Council Comment
The Panel thanks the proponent for bringing the scheme to the Panel for consideration and the explanation provided by the applicant if the evolution of the scheme.	Noted

The panel confirms the applicant's advice that the issues raised in its previous minutes regarding stage 1 of this project have been incorporated into Stage 2 of Residential Precinct 1. Notably, the revised Stage 2 scheme incorporate the following key amendments:

- The width of the 2 and 3 bedroom dwellings has been increase to a minimum of 4m as recommended by the Panel;
- The spatial separation between opposite facing buildings is maintained at 8.6m inclusive of privacy measures;
- The block length does not exceed 80m (52-68m)
- Additional windows have been added to the ends of buildings – strongly articulated , large windows to improve presentation of the buildings; and
- Additional tree canopy proposed aimed to provide continuous cover for the streets.

The Panel is pleased that the issues raised in its previous minutes have been satisfactorily attended to by the applicant.

The width of all dwellings has been increased from the 3.7m internal width in DA-779/2017 to 4m.

The plans provided show that the width between the windows of townhomes opposite each other to be 8.6m. Notwithstanding this, the minimum distance between opposite rear facing townhomes has been decreased by the applicant to what was previously supported by the DEP. The applicant has agreed to reinstate the physical separation distance of at least 7.7m between townhomes by way of condition of consent.

Refer to discussion on building separation distance in Table 3 below.

The plans provided show the maximum block length of 68.7m which is considered to be in accordance with the DEP's comments.

The amended plans provided in the application show a deletion of one of the windows to the southern end of C-South Block and D-South Block to that provided to the DEP.

The reason stated is *'The change is proposed not for Basix compliance but to facilitate the internal use of the home and how it is to be fit out'* Additionally, *'Feedback from purchasers who are considering purchasing this home have questioned why the home now features the inclusion of the additional window, as distinct from the display version, which, in the purchasers' view compromises the useability of the family room for need to place television and furniture against a wall.'*

	<p>Council's City Design section has recommended that a condition of consent be included that requires that the plans comply with the plans reviewed by the DEP.</p> <p>On providing this recommendation to the applicant the applicant has reinstated the windows to that shown in the original design. In this respect the design is now in accordance with the DEP reviewed plans.</p> <p>Applicant has submitted plans showing an adequate provision of open space and canopy tree cover for RP1 – Stage 2. See Attachment No. 2 of this report.</p> <p>The proposed Mews No.2 provide more than 72% tree canopy cover and 15% cover within POS areas.</p> <p>Stage 1 of RP1 provided 52% canopy cover to Mews No.3 and 7% cover within POS areas. In this respect it is considered that that the proposed canopy cover proposed in for the Mews and POS areas for Stage 2 is more than consistent with that previously approved and is therefore supported.</p> <p>The Canopy coverage to the streets are considered to be consistent with the plans provided to the DEP meeting.</p>
<p>The Panel remain concerned about the effect of heat on the private courtyards and make specific note that the planting within these courtyards be heat tolerant, supported by a watering system that is managed as part of the communal space landscaping and is trellised to a pergola or similar that provides some privacy and shading in its own right.</p> <p>The Panel recommends that the applicant explore the option of using coloured bricks as oppose to painting the bricks</p>	<p>Applicants response:</p> <p>As agreed with the Panel for Stage 1, rear courtyard planter boxes include automatic watering systems and are to be protected and maintained as required by strata by-laws. Rear planters and arbours also include vegetation screening and shading that</p>

	<p>will assist in reducing the heat island effect.</p> <p>The applicant has not changed the proposal to use painted brickwork stating that the painted brickwork forms part of the 'Urban' scheme as outlined in the Design Report and is the preferred method of design by Frasers for this development. Additionally, it is stated that this finish has been tested successfully in the industry.</p> <p>City Design has reviewed and supported this materiality.</p>
The Panel is strongly supportive of the sustainability diagram in the architect's report and the various measures it shows that, taken together, can be expected to significantly reduce the developments environmental impact. These measures and the innovative strategies in site planning and building configuration (notably concealed at –grade parking, which further reduces the projects energy footprint by avoiding excavation and mechanical ventilation combine to demonstrate how a new generation of medium density housing can help address our housing and climate change challenges	Noted
All SEPP 65 apartment building must be designed by an architect and their registration number is to be on all drawings. The architect is to attend the DEP presentations	All plans include reference to a nominated architect with a valid registration number.
Consideration must be given by the applicant to the quality of material and finishes. All apartment buildings are to be made of robust, low maintenance materials and be detailed to avoid staining weathering and failure of applied finishes. Render is discouraged	The proposed colours and materials schedules is considered to be consistent with the DEPs comments in this regard. Council's City Design section has reviewed materiality and is supportive.
The Panel recommends a minimum of 3050to 3100mm floor-to-floor- height so as to comfortably achieve the minimum 2700mm floor-to-ceiling height as required by the ADG.	The plans provided show floor-to -floor heights of at least 3.1m. Conditions of consent will require that the construction certificate plans show a floor to ceiling height of 2.7m is achieved for all levels.
Sectional drawings at a scale of 1:20 of wall section through all materials, brickwork, edging details to be submitted.	A wall section has been provided. The external colours remain essentially the same as presented to the DEP. Council's City Design section has reviewed the materiality and is supportive.

The proposal is acceptable subject to the above Panel advice and will not need to be seen by the Panel again.	Noted
---	-------

Based on the above table, it is considered that subject to conditions the proposed development is generally consistent with Council's DEP comments and Section 1.7 of the FTC Design Guidelines.

Part 2 – Vision and Principles of the FTC Design Guidelines identifies the overall outcomes for the development of FTC. The proposed development is considered to be consistent with the vision and principles outlined in the guidelines. Part 3 – Key Elements and Urban Structure of the guidelines provides the preferred layout of development at the site. The proposal is considered to be consistent with Part 3 of the guidelines. Part 5 – Residential Precinct Built Form Guidelines provides performance criteria and design solutions for built form in the residential precincts. The performance criteria and design solutions are supported by a series of elements and characteristics which guide development. The following table provides an assessment of proposal against those elements and characteristics:

FTC Design Guidelines – Table 3 - Town Homes		
Element	Control	Compliance
Building Height	3 stories	Complies
Front setback	Where at ground level, 3m minimum from the front boundary to front building façade	<p>Complies</p> <p>C North Block – All dwellings provide minimum 3m front setback except Units 12085 and 12108 which provides 1.5m This is due to a splay provided on the north eastern and north western corner Block C-North. Accordingly, the ground level setback to Unit 12085 and 12108 are considered acceptable.</p> <p>Units 12096 provides a 2.05m Setback This is due to a splay provided on the south eastern and north western corner Block C-North. Accordingly, the ground level setback to Unit 12096 is considered acceptable.</p> <p>C South Block – all dwellings provide minimum 3m front setback except Units 12055, 12069, and 12084 which provide 1.5m setbacks. This is due to a splay provided on the north eastern, north western, and south eastern corner Block C-South. Accordingly, the ground level setback to Unit 12055, 12069, and 12084 are considered acceptable.</p> <p>D North Block – All dwellings provide minimum 3m front setback except Units 12001 and 12024 which provides 1.5m This is due to a splay provided on the north</p>

		<p>eastern and north western corner Block D-North. Accordingly, the ground level setback to Unit 12001 and 12024 are considered acceptable. Similarly, Units 12012 and 12013 provide setbacks of 2.05 and 2.06m respectively due to the splay provided on the south east and south west of corners of Block D-North. Accordingly, the ground level setback to Unit 12012 and 12013 are considered acceptable.</p> <p>D South Block – All dwellings provide minimum 3m front setback except Units 12025 and 12054 which provides 1.5m This is due to a splay provided on the north eastern and north western corner Block D-South. Accordingly, the ground level setback to Unit 12025 and 12054 are considered acceptable. Similarly, Unit 12039 provides setbacks of 2.09m due to the splay provided on the south east corners of Block D-South Accordingly, the ground level setback to Unit 12025, 12054 and 12039 are considered acceptable.</p>
	Where above ground level, 2m minimum from the front boundary to front building façade	<p>Complies</p> <p><u>First Floor:</u></p> <p>C North Block – all dwellings provide minimum 2m front setback</p> <p>C South Block – all dwellings provide minimum 2m front setback</p> <p>D North Block – all dwellings provide minimum 2m front setback</p> <p>D South Block – all dwellings provide minimum 2m front setback</p> <p><u>Second Floor:</u></p> <p>C North Block – all dwellings provide minimum 2m front setback</p> <p>C South Block – all dwellings provide minimum 2m front setback</p> <p>D North Block – all dwellings provide minimum 2m front setback</p> <p>D South Block – all dwellings provide minimum 2m front setback</p>

	An articulation zone may be established between the front setback to a distance of up to a minimum of 1m from the front boundary	<p>Complies</p> <p>C North Block – all dwellings provide minimum 1m front setback</p> <p>C South Block – all dwellings provide minimum 1m front setback</p> <p>D North Block – all dwellings provide minimum 1m front setback</p> <p>D South Block – all dwellings provide minimum 1m front setback</p>
Side Setback	Zero lot boundary	<p>Complies</p> <p>Zero setback to side boundaries for all dwellings</p>
Side Setback (corners)	Zero lot boundary	<p>Complies</p> <p>Zero setback to side boundaries for all corner dwellings</p>
Rear setback	Where above ground level, 3.5m minimum from the rear boundary to the wall of the dwelling	<p>Complies</p> <p>C North Block – all dwellings provide minimum 3.5m rear setback</p> <p>C South Block – all dwellings provide minimum 3.5m rear setback</p> <p>D North Block – all dwellings provide minimum 3.5m rear setback</p> <p>D South Block – all dwellings provide minimum 3.5m rear setback</p> <p>Notwithstanding the above, it is noted that the separation between windows on this level are 8.6m at the terrace level however the upper separation between buildings for some of the units is 300mm narrower than that approved in Stage 1 under DA-779/2017. The applicant was asked for clarification on this with the following response:</p> <ul style="list-style-type: none"> • The rear setback control is exceeded, being 3.7m and greater than the 3.5m minimum required by the FTCDG. • The 0.15m (150mm) difference to the Stage 1 design is due to increased wall thickness in Stage 2 compared to Stage 1. • The critical 8.6m window wall separation is maintained as are the amenity concerns previously raised.

		<ul style="list-style-type: none"> • <i>We are fully compliant with the Concept Approved Design guidelines.</i> • <i>This dimension has no impact on the amenity of homes.</i> • <i>This additional 150mm per home of internal floor space is to the benefit of those who have purchased the home.</i> • <i>Reduction of this dimension could be achieved but is of no benefit to the purchaser (lost internal area) and is simply additional documentation at our end for a minor construction cost saving.</i> • <i>We propose that on this basis, that documented is the best solution and we ask to proceed on this basis.</i> <p>The reduction of the separation distance is considered to be a departure from the plans and the separation approved under DA-779/2017 which was the basis of the information provided to the DEP (the Panel) for Stage 2 of the Residential Precinct. Consideration of this variation, would require that the plans are to be re-presented to the Panel for review. On advising this to the applicant, the return advice was for the consent to condition that the separation between the buildings be a minimum of 7.7m.</p> <p>On this basis the rear setbacks for the lots that currently have a minimum separation distance of 7.4m of will be conditioned to have a separation distance of 7.7m with all other separation distances to remain as provided.</p>
Internal Separation	The minimum internal separation between windows facing across courtyards above car parking is 8m	<p>Complies</p> <p><u>First Floor:</u></p> <p>C North Block – all dwellings provide minimum 8m internal separation between windows</p> <p>C South Block – all dwellings provide minimum 8m internal separation between windows</p> <p>D North Block – all dwellings provide minimum 8m internal separation between windows</p> <p>D South Block – all dwellings provide minimum 8m internal separation between windows</p> <p><u>Second Floor:</u></p> <p>C North Block – all dwellings provide minimum 8m internal separation between windows</p>

		<p>C South Block – all dwellings provide minimum 8m internal separation between windows</p> <p>D North Block – all dwellings provide minimum 8m internal separation between windows</p> <p>D South Block – all dwellings provide minimum 8m internal separation between windows</p>
Landscaped Area	Single storey ground floor townhomes are to provide a minimum of 25% of the front courtyard space as landscaped area.	<p>Complies</p> <p>C North Block - all single storey dwellings provide a minimum 25% of front courtyard as landscape area</p> <p>C South Block – all single storey dwellings provide a minimum 25% of front courtyard as landscape area</p> <p>D North Block – all single storey dwellings provide a minimum 25% of front courtyard as landscape area</p> <p>D South Block – all single storey dwellings provide a minimum 25% of front courtyard as landscape area</p>
	Upper level townhomes are to provide a minimum landscaped area of 1m ² within their front entry courtyard; and	<p>Complies</p> <p>C North Block – upper level dwellings provide a minimum of 1m² of front courtyard as landscape area</p> <p>C South Block – upper level dwellings provide a minimum of 1m² of front courtyard as landscape area</p> <p>D North Block – upper level dwellings provide a minimum of 1m² of front courtyard as landscape area</p> <p>D South Block – upper level dwellings provide a minimum of 1m² of front courtyard as landscape area</p>
	a planter bed (on structure) with a minimum depth of 600mm along their rear courtyard boundary.	<p>Complies</p> <p>C North Block – all applicable townhomes are provided a planter bed (on structure) with a minimum depth of 600mm along their rear courtyard boundary.</p> <p>C South Block all applicable townhomes are provided a planter bed (on structure)</p>

		<p>with a minimum depth of 600mm along their rear courtyard boundary.</p> <p>D North Block – all applicable townhomes are provided a planter bed (on structure) with a minimum depth of 600mm along their rear courtyard boundary.</p> <p>D South Block – all applicable townhomes are provided a planter bed (on structure) with a minimum depth of 600mm along their rear courtyard boundary.</p>
Private open space	Where for a 1 bedroom dwelling, 10m ² minimum area and 2.5m minimum dimension	<p>Complies</p> <p>All one bedroom units in all blocks comply with the 10m² and 2.5m dimensioned POS</p>
	Where for a 2 bedroom dwelling, 12m ² minimum area and 2.5m minimum dimension	<p>Complies</p> <p>All two bedroom units in all blocks comply with the 12m² and 2.5m dimensioned POS</p>
	Where for a 3 bedroom dwelling, 15m ² minimum area and 3m minimum dimension for courtyard and 2m minimum dimension for balconies	<p>Complies</p> <p>All three bedroom units in all blocks comply with the 15m² and 3m dimensioned POS</p> <p>All three bedroom units in all blocks provide above ground level private open space which do not rely on balconies for POS</p>
	The primary private open space is to be accessed directly from living rooms	<p>Complies</p> <p>All units in all blocks provide primary POS directly from living areas.</p>
Garage	Access is provided via a common driveway at the rear of dwellings	<p>Complies</p> <p>All units in all blocks provide common driveways from the rear of dwellings.</p>
Solar Access	70% of dwellings (including townhomes and terraces, but excluding studio dwellings) within each Precinct receive at least 2 hours of sunlight between 9am and 3pm on 21 June to at least one living room or 50% of the primary private open space.	<p>Complies</p> <p>87% of dwellings within RP1 – Stage 2 receive solar access in accordance with this control</p>
Car parking	<p>1-2 Bedroom Dwellings 1 Space</p> <p>3-4 Bedroom Dwellings 2 Spaces</p> <p>Visitors Provided on-street within the Mews</p>	<p>Complies</p> <p>C North Block:</p> <p>All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>C South Block:</p>

		<p>All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>D North Block: All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>D South Block: All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>Visitor parking is provided in Mews No.2</p>
Bicycle Parking	No requirement if adequate space is provided in the dwelling, storage or parking area.	<p>Considered Acceptable</p> <p>All dwellings have been amended to include additional storage area and have sufficient room at the ground level to accommodate bicycle parking.</p>
BASIX	<p>Minimum performance against BASIX Version 2.3 / Casurina_2_38_3:</p> <ul style="list-style-type: none"> • Energy: minimum 66 • Water: minimum 50 	<p>Complies</p> <p>Submitted BASIX certificates meet minimum energy and water targets.</p>
Architectural Diversity and Quality	Within a Precinct, architectural diversity and quality is achieved through articulation, modulation, roofscapes, variation in the types of dwelling modules, and use of materials, to create a unique but unified architectural language	<p>Complies</p> <p>Council's DEP has reviewed the town homes and support the design quality and architectural expression proposed by the applicant.</p>
Materiality	A variety of quality materials, such as timber, brick, and metal cladding should be used across Precincts to create variety, establish character and respond to the future context	<p>Complies</p> <p>Council's DEP has reviewed the town homes and supports the materiality of the project.</p>
Dwelling Size	<p>Dwellings are required to have the following minimum internal floor areas:</p> <ul style="list-style-type: none"> • 1 bed 50m² • 2 bed 75m² • 3 bed 90m² <p>For each additional bedroom a further 12m² is required. The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each</p>	<p>Complies</p> <p>C North Block: All dwellings in C North Block comply with the minimum area requirements.</p> <p>C South Block: All dwellings in C South Block comply with the minimum area requirements.</p> <p>D North Block: All dwellings in D North Block comply with the minimum area requirements.</p> <p>D South Block:</p>

		All dwellings in D South Block comply with the minimum area requirements.
Dwelling width	Dwellings have a minimum width of 4m	<p>Complies</p> <p>C North Block – all dwellings provide minimum width of 4m.</p> <p>C South Block – all dwellings provide minimum width of 4m.</p> <p>D North Block – all dwellings provide minimum width of 4m.</p> <p>D South Block – all dwellings provide minimum width of 4m.</p>
Bedroom size	One bedroom has a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	<p>Complies</p> <p>All bedrooms in C North Block meet the minimum area requirements.</p> <p>All bedrooms in C South Block meet the minimum area requirements.</p> <p>All bedrooms in D North Block meet the minimum area requirements.</p> <p>All bedrooms in D South Block meet the minimum area requirements.</p>
Storage	<p>The following storage is provided:</p> <ul style="list-style-type: none"> • 1 bed 6m³ • 2 bed 8m³ • 3+ bed 10m³ 	<p>Complies</p> <p>Applicant has provided the architectural plans to show storage areas in accordance with this control.</p>
Floor to ceiling height	<p>A minimum of 2.7m is to be provided in all living rooms and bedrooms</p> <p>A minimum of 2.4m is acceptable in kitchens, bathrooms and upper level bedrooms</p>	<p>Complies</p> <p>C North Block – All dwellings provide 2.4-2.7m ceiling heights.</p> <p>C South Block– All dwellings provide 2.4-2.7m ceiling heights.</p> <p>D North Block – All dwellings provide 2.4-2.7m ceiling heights.</p> <p>D South Block – All dwellings provide 2.4-2.7m ceiling heights.</p>
Fences	Fences and planting delineate private open space from adjoining public domain areas. Fences should be low to medium height, and palisade with open battens in style	<p>Complies</p> <p>Proposed fences are low to medium height and palisade style.</p>

Dwelling Entries	Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street	Complies Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street.
Passive surveillance	Windows are provided to the local street frontages. Where blank walls are unavoidable, they are designed to face dwelling entries	Complies In accordance with discussion with Council's DEP the applicant has amended the proposal to reduce the amount of blank walls to the streetscape with the inclusion of additional windows on the block ends.

FTC Design Guidelines – Table 4 – Attached Dwellings

Element	Control	Compliance
Building Height	2-3 storeys 3-4 storeys when a home office is provided at ground level	Complies Attached dwellings are two stories.
Ceiling Height	Predominantly 2.7m with a 2.4m minimum	Complies Attached dwellings provide 2.4-2.7m ceiling heights.
Front setback	2.5 m minimum from the front boundary to front building façade	Complies 3m front setback provided to all attached dwellings except for Unit 12123 which built to the boundary due to the provision of a splay on the north eastern corner of T-D block – A zero side setback for corners is permitted in the Design Guidelines and the setback for Unit 12123 is considered acceptable in this instance.
	An articulation zone may be established between the front setback to a distance of up to a minimum of 1m from the front boundary	Complies 1m to all balconies.
Side Setback	Zero lot boundary	Complies Zero setback provided to all dwellings.
Side Setback (corners)	Zero lot boundary	Complies Unit 12123 has a zero corner setback.
Rear setback	0.5m minimum from rear lane boundary to garage door	Complies 1m rear setback provided to all dwellings.
Internal Separation	The minimum internal separation between windows and the rear wall of a studio dwelling is 4.5m	Complies 5.0m provided between the rear of the attached dwellings windows and the rear wall of the studios. The separation between Unit 12123 and Unit 12124 was raised in the Panel briefing meeting with applicant providing the response that the distance between the

		studio wall apart from the storage cupboard associated with the principle dwelling was 5.0m which complies with the controls. It is noted that with the 4.1m separation provided between the storage component of the terrace house at the rear of its courtyard, the private open space area is compliant with the controls (not including the shared space for car parking). In consideration of the above it is considered that sufficient internal separation between the dwellings has been achieved.
Garage	Access to be provided from the rear	Complies Access provided from Local Street 7.
Landscaped Area	15m ² minimum area	Complies All dwellings exceed the minimum landscaped area requirement.
Private open space	25m ² minimum area and 3m minimum dimension	Complies All dwellings exceed the minimum POS area requirement and provide a minimum 3m dimension.
	Provides for flexible use as additional car space	Complies Each dwelling provides room within the POS areas for a stacked parking space.
	Is accessed directly from living rooms	Complies All dwellings provide POS access directly from a living room.
Solar Access	70% of dwellings (including townhomes and terraces, but excluding studio dwellings) within each Precinct receive at least 2 hours of sunlight between 9am and 3pm on 21 June to at least one living room or 50% of the primary private open space.	Complies 87% of dwellings within RP1 – Stage 2 receive solar access in accordance with this control.
Car parking	1-2 Bedroom Dwellings 1 Space	Not applicable
	3-4 Bedroom Dwellings 2 Spaces	Complies 2 spaces provided for each attached dwelling proposed
Bicycle Parking	No requirement if adequate space is provided in the dwelling, storage or parking area.	Considered Acceptable Dwellings have been amended to include additional storage area and have sufficient room in proposed garages to accommodate bicycle parking.
BASIX	Minimum performance against BASIX Version 2.3 / Casurina_2_38_3: T - C	Complies Submitted BASIX certificates meet minimum energy and water targets.

	<ul style="list-style-type: none"> • Energy: minimum 69 • Water: minimum 53 <p>T- D</p> <ul style="list-style-type: none"> • Energy: minimum 70 • Water: minimum 53 	
Architectural Diversity and Quality	Within a Precinct, architectural diversity and quality is achieved through articulation, modulation, roofscapes, variation in the types of dwelling modules, and use of materials, to create a unique but unified architectural language	Complies Council's DEP has reviewed the attached dwellings and support the design quality and architectural expression proposed by the applicant.
Materiality	A variety of quality materials, such as timber, brick, and metal cladding should be used across Precincts to establish character and respond to the future context	Complies Council's DEP & Council's City Design Section have reviewed the town homes and supports the materiality of the project.
Dwelling Size	Dwellings are required to have a minimum internal area of 100m ²	Complies All dwelling comply with the minimum internal area requirement.
Bedroom size	One bedroom has a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	Complies All dwelling comply with the minimum bedroom areas and dimensions.
Storage	10m ³	Complies Applicant has amended the architectural plans to show storage areas in accordance with this control.
Floor to ceiling height	A minimum of 2.7m is to be provided in all living rooms and bedrooms	Complies 2.7m provided in all living rooms and bedrooms.
	A minimum of 2.4m is acceptable in kitchens, bathrooms and upper level bedrooms	Complies 2.4m provided in kitchens, bathrooms and upper level bedrooms.
Fences	Fences and planting delineate private open space from adjoining public domain areas. Fences should be low to medium height, and palisade with open battens in style	Complies Proposed fences are low to medium height and palisade style.
Dwelling Entries	Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street	Complies Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street.

FTC Design Guidelines – Table 5 – Studio Dwellings		
Element	Control	Compliance
Building Height	2 storeys (including garage)	Complies Studios are located at the first level above garages.
Ceiling Height	Predominantly 2.7m with a 2.4m minimum	Complies Studios provide 2.7m ceiling heights.
Lane setback	0.5m minimum at ground level	Complies 1m setback provide to laneway at ground level
	0m at level 1	Complies Zero setback to lane at first level
Side Setback	Zero lot boundary	Complies Zero setback to side boundaries
Internal Separation	5.0m minimum between studios and attached dwellings	Complies 5m provided between studios and attached dwellings at first level See Above for Units 12123 and 12124
Garage	To be located below studio	Complies Garages associated with studios are located below respective studio dwellings
Private open space	4m ² minimum area and 1.5m minimum dimension in the form of a balcony	Complies Each studio dwelling provides 5.12-9.5m ² of balcony POS
Solar Access	Skylights should be provided for all studio dwellings.	Complies Each studio proposes skylights
Car parking	1 Space	Complies Each studio is provided with 1 car parking space
Bicycle Parking	No requirement if adequate space is provided in the dwelling, storage or parking area.	Considered Acceptable Dwellings have been amended to include additional storage area and have sufficient room in proposed garages to accommodate bicycle parking
Materiality	A variety of quality materials, such as timber, brick, and metal cladding should be used across Precincts to establish character and respond to the future context	Complies Council's DEP and Council's City Design section have reviewed the town homes and supports the materiality of the project.
Dwelling Size	Dwellings are required to have a minimum internal area of 45m ²	Complies Each studio dwelling has an internal area of 46-70.4m ²
Bedroom size	The bedroom has a minimum area of 9m ² (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	Complies Each studio have bedrooms of between 9.92m ² and 12.49m ²

Storage	4m ³	Complies Applicant has amended the architectural plans to show storage areas in accordance with this control.
Floor to ceiling height	A minimum of 2.7m is to be provided, excluding kitchens and bathrooms where 2.4m is acceptable	Complies 2.7m provided in all living rooms and bedrooms and 2.7m provided in kitchens, bathrooms and upper level bedrooms
Dwelling Entries	Dwelling are clearly defined from garages and legible from the street	Complies The doorways to the studio dwelling are considered to be clearly separated from the garages.

Based on the above tables, it is considered that subject to conditions the proposed development is generally consistent with Part 5 – Residential Precinct Built Form Guidelines of the Edmondson Park Frasers Town Centre Design Guidelines which provides performance criteria and design solutions for built form in the residential precincts.

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.6 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.

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 dwellings and 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 landscaping provision, in both deep soil and planter bed arrangements. The planting species and coverage have been reviewed by Council's Tree Officer, Sustainable Environment Planner, DEP and City Design section all of whom have raised no objection to the landscaping options and their impact to the natural environment. Details as to specific landscape tree species have been recommended as a condition of consent. 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 of 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 and the commencement of the Town Centre core. There are no other buildings apart from Edmondson Park Railway Station that are clearly visible from RP1 – Stage 2. 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 medium density housing located close to public transport services and a future mixed use town centre. The future town centre will offer future residents ready access to goods, services and community facilities.

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

The site is considered to be suitable for the proposed 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 development is also consistent with the Edmondson Park South concept approval (MP 10_0118) and MOD 4 of Concept Plan (MP 10_0118).

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 - No conditions.
Community Planning	No objection - No conditions.
Waste	No objection - Subject to conditions.
Natural Resources Planner	No objection - No conditions.
City Design	No objection – Subject to conditions.

(b) External Referrals

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

Department	Comment
Roads and Maritime Services (RMS)	No objection – Subject to conditions.
Endeavour Energy	No objection – Subject to conditions.
NSW Police – Liverpool Local Area Command	No objection – Subject to conditions.
Transport for NSW	No objection – Subject to conditions.
TransGrid	No objection – No conditions
Sydney Water	No objection – Subject to conditions.

(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 28 days from the 16 January to 13 February 2019.

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, 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 RP1 – Stage 2 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 **\$1,694,211.00**.

It is noted that Special Infrastructure Contributions may be applicable to the development. A condition of consent will require the applicant to apply to the Department of Planning for the applicable contribution for the development.

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 substantially 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.
- 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.

It is for these reasons that the proposed development is considered to be satisfactory and the subject application is recommended for approval, subject to conditions.

9 ATTACHMENTS

1. Architectural Plans and Subdivision Plan
2. Landscape Plans
3. Statement of Environmental Effects
4. Final DEP Minutes

5. Applicants response to SWCPP and Council Deferral Matters
6. Legal Advice
7. Instrument of Modification MOD 4
8. Recommended Conditions of Consent
9. Edmondson Park Frasers Town Centre Design Guidelines
10. Accessibility Report
11. Acoustic Report
12. a) Bushfire Assessment Report and b) Bushfire Planning Assessment Addendum
13. Preliminary Geotechnical Report
14. Geotechnical, Contamination and UXO – Site Suitability Assessment
15. Additional Geotechnical Investigation
16. Remediation Action plan
17. Traffic Report
18. CPTED Report
19. BASIX Certificates