

RECORD OF DECISION – APPLICATION TO AMEND A DEVELOPMENT APPLICATION UNDER S37 OF THE *ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021*

SYDNEY SOUTH PLANNING PANEL

DATE OF PANEL DECISION	15 August 2025
PANEL MEMBERS	Annelise Tuor (Chair), Penelope Holloway, Glennis James
DECLARATIONS OF INTEREST	Khal Asfour and Karl Saleh, both Councillors previously considered the matter during council meetings.

Application to Amend a Development Application under section 37 and 38 of the *Environmental Planning and Assessment Regulation 2021*

REQUEST – APPLICATION TO AMEND DEVELOPMENT APPLICATION PPSSTH-340

Application Details

PPSSSH-182 – CANTERBURY-BANKSTOWN – DA-1182/2024 – 83, 85 & 99 North Terrace BANKSTOWN 2200 – Compass Centre - Redevelopment of the Compass Centre site including the demolition of all existing structures, tree removal, site preparation and early works, bulk excavation, remediation works, and construction of a mixed-use development comprising a 2-level basement and a 5-storey mixed-use podium with three towers above, being a 19-storey hotel tower and two 24-storey residential towers

Background

The development application was lodged on 22 October 2024. Given the proposal has an Estimated Development Cost (EDC) greater than \$30 million, the Sydney South Planning Panel is the consent authority in accordance with Schedule 6 of the *State Environmental Planning Policy (Planning Systems) 2021*.

On 1 July 2025 the applicant uploaded an amended application to the planning portal. The amendments sought are specified in the letter from Ethos Urban (DA-1182-2024 – RFI Response Letter), dated 1 July 2025 (attached as Schedule 1).

On 2 July 2025 Council advised that it had received an amended application pursuant to section 37 of the *Environmental Planning and Assessment Regulation 2021* and that re-notification of the amended application will commence if the panel approves the application for amendment to the development application submitted under section 37.

Discussion

In accordance with s38 of the *Environmental Planning and Assessment Regulation 2021*, the panel as the consent authority, may through the NSW planning portal, approve or reject an application for an amendment to a development application submitted under section 37 of the EP&A Reg 2021.

Council's consultant's, SJB Planning, has reviewed the documentation submitted with the amended application against the provisions set out in Section 37 and 38 of the EP&A Regulation and provided advice to the panel in a memo dated 6 August 2025 (SJB Memo). It found that:

- the application for amendment satisfies the relevant provisions set out in Section 37 of the EP&A Regulation in that the application has been made on the NSW Planning Portal, includes an updated BASIX Compliance Report, BASIX Certificate and BASIX stamped plans and details the plans that have changed. For this reason, the application can be approved by the consent authority pursuant to Section 38(1) of the EP&A Regulation; and
- the proposed amendments do not materially change the development and are considered minor pursuant to Section 38(2). Therefore, date of lodgement does not change.

Panel Resolution

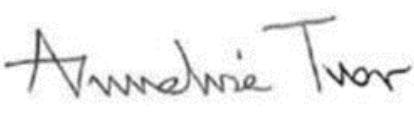
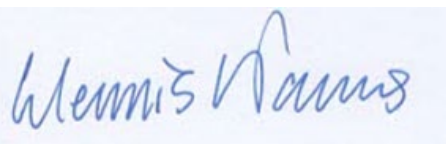
The panel has considered the proposed amendments outlined in Schedule 1 against the development as originally proposed and for the reasons in the SJB Memo, it approves the amendment in accordance with section 38 of the *Environmental Planning and Assessment Regulation 2021*.

In making its decision the panel notes that:

- no one would be prejudiced by the proposed amendments given the amended application would be readvertised and subject to public comment; and
- a thorough merit assessment would still be required in accordance with section 4.15 of the *Environmental Planning and Assessment Act, 1979* before any decision could be made, including consideration of submissions made on the amended proposal.

For the purpose of section 38(2) of the *Environmental Planning and Assessment Regulation 2021*, and for the reasons in the SJB Memo, the panel considers the amendments to the development application to be minor, and consequently, the date of lodgement of the development application does not change.

This is a resolution of the panel made on 15 August 2025.

PANEL MEMBERS	
 Annelise Tuor (Chair)	 Penelope Holloway
 Glennis James	

See next page



1 July 2025

2220681

Matthew Stewart Chief
Executive Officer
Canterbury-Bankstown Council 66/72
Rickard Road
Bankstown NSW 2200

Attention: Hayley Tasdarian (SJB Planning), Daniel Bushby (Canterbury-Bankstown Council)

Dear Hayley and Daniel,

**DA-1182/2024 – RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION
COMPASS CENTRE – 83-99 NORTH TERRACE, BANKSTOWN**

This letter has been prepared for Canterbury-Bankstown Council (Council) and SJB Planning as the assessment authority on behalf of Barings Real Estate Australia (Barings). It is prepared in response to SJB Planning's request for information (RFI) dated 18 February 2025 which raised a number of matters for consideration as part of the assessment of DA-1182/2024, being a DA for the mixed-use redevelopment of the Compass Centre site at 83-99 North Terrace, Bankstown (the site).

In summary, this response concludes that all queries and requests raised by SJB Planning on behalf of Council have been appropriately considered. Suitable clarifications, design amendments or adjustments (where necessary) have been accommodated within revised documentation.

This cover letter includes a summary of the amended design, of which a key improvement sought incorporates additional residential communal spaces on level 5 to improve amenity afforded to residents. This cover letter also details other minor adjustments to the design and technical assessment undertaken to respond to RFI feedback including responses to matters relating to traffic, building height, amenity impacts of the proposal and neighbouring future development, and the urban design outcome for Council's allotment at 62 The Mall. The assessment undertaken finds that the proposal achieves an optimal development outcome that minimises associated environmental impacts.

A detailed and itemised response to each RFI comment raised by SJB Planning has been prepared by Ethos Urban with input from the design and technical consultant team (refer to **Attachment A**). This letter and the detailed response at **Attachment A** should be read in conjunction with the following supporting documentation:

- Updated Architectural Drawings prepared by PTW (**Attachment B**);
- Updated Design Report prepared by PTW (**Attachment C**);
- Updated Landscape Plans prepared by Site Image (**Attachment D**);
- Updated Landscape Design Report prepared by Site Image (**Attachment E**);
- Urban Design Analysis prepared by Hatch (**Attachment F**);
- Water Services Statement prepared by WSCE (**Attachment G**);
- Civil Engineering Statement prepared by Robert Bird Group (**Attachment H**);
- Flood Engineering Statement prepared by Xavier Knight (**Attachment I**);
- Tenancy Summary prepared by Retail Strategy Group (**Attachment J**);
- Hotel Plan of Management prepared by Tourism and Hospitality Services Australia (**Attachment K**);
- Childcare Plan of Management prepared by ECF Group (**Attachment L**);
- Clause 4.6 Variation Request for Building Height prepared by Ethos Urban (**Attachment M**);
- Updated Noise and Vibration Impact Assessment prepared by E-LAB (**Attachment N**);
- Traffic and Transport Statement prepared by PTC (**Attachment O**);
- Wind Statement prepared by CPP Wind Engineering Consultants (**Attachment P**);
- Landscape Statement prepared by Site Image (**Attachment Q**);

- Economic Assessment prepared by Ethos Urban (**Attachment R**);
- Services Statement prepared by WSP (**Attachment S**);
- Electric Vehicle Charging and Future Adaptability Statement prepared by WSP (**Attachment T**);
- Updated Plan of Management prepared by Essence Project Management (**Attachment U**);
- Structural Statement prepared by Robert Bird Group (**Attachment V**);
- Remediation Action Plan prepared by Douglas Partners (**Attachment W**);
- Memorandum in relation to Contamination Investigations prepared by Douglas Partners (**Attachment X**);
- Dewatering Management Plan prepared by Douglas Partners (**Attachment Y**); and
- Updated BASIX Compliance Report, BASIX Certificate and BASIX Stamped Plans (**Attachment Z**).

In responding to the range of matters raised by SJB Planning, amendments have been made to the proposed development. All of the changes maintain the intent of the proposed development but are important in addressing the matters for which Council has sought further information and clarification.

The key changes are illustrated in the Updated Architectural Drawings (**Attachment B**), the updated Design Report, which also includes the RFI Design Response Pack at Section 14 (**Attachment C**), the Updated Landscape Plans (**Attachment D**), Updated Landscape Design Report (**Attachment E**), and are detailed in this letter within **Section 1.0**. Further minor changes and clarifications have been made and are detailed in **Attachment A** and the other attachments accompanying this response to SJB Planning's RFI. Additional assessment of certain matters is also provided in **Section 2.0** of this letter.

1.0 Amended proposed development description

The amended proposal involves minor changes to the exhibited DA, as summarised in **Section 1.1**. In summary, the amended proposal seeks approval for the following development:

- Site preparation and early works, including demolition of all existing structures, bulk excavation, remediation and tree removal;
- Construction and use of mixed-use development comprising a five (5) storey mixed use podium, with three (3) towers above which are between 19-24 storeys. More specifically, the proposed development comprises:
 - a 19-storey hotel tower in the south-west corner of the site;
 - a 24-storey residential tower in the south-east corner of the site;
 - a 24-storey residential tower in the north-east corner of the site;
 - ground floor retail activating the ground plane;
 - a gym at the southeastern corner of levels 1 and 2;
 - a medium sized supermarket at the west of level 1;
 - provision of common residential amenity spaces at the north of levels 2 to 3;
 - a childcare use at the north-east corner of level 4;
 - ancillary uses associated with the hotel at level 4 of the hotel tower's podium;
 - medical centre uses in the southeast corner of level 4; and
 - provision of an internal north-south through site link connecting The Mall to North Terrace, as well as additional internal east-west links from Fetherstone Street and The Appian Way, providing connections to both The Mall and North Terrace.
- Construction of a two (2) level basement car park, as well as the inclusion of car parking on levels 1, 2 and 3 of the podium, which are to be sleeved through façade activation, active uses, landscaping and active mezzanine floors. The proposal will include:
 - a total of 495 car spaces;
 - 185 bicycle spaces; and
 - two (2) HRV, one (1) MRV and one (SRV) loading space
 - 27 motorcycle spaces
- Vehicular access from Fetherstone Street to the west of the site.
- Inclusion of podium terraces and landscaping throughout the site, including deep soil.
- Extension and augmentation of services and utilities to the development as required.

1.1 Design amendments made to the proposal

In response to the comments raised in the RFI and to allow for the provision of greater amenity for future residents, the following key changes have been made to the proposal:

- Replacement of the level 2 and 3 residential communal space in the north-eastern corner with a total of six (6) apartments and relocation of communal space to the podium rooftop level.
- Removal of nine (9) units from level 5 (units B-504, B-505, B-506, B-507, B-508, C-501, C-502, C-503, C-504) and replacement with residential amenities including a swimming pool, a gym, co-working room, video conference rooms, bookable dining room, multifunction room, and a residential lounge.
- The inclusion of the swimming pool on level 5 has resulted in a slight reduction in landscaped area by 153.03m² to ensure no paths of travel to the pool area are impeded.

In addition to these changes a number of other changes have been made to resolve the items raised in the RFI, which are detailed in the itemised Response Table prepared by Ethos Urban included at **Attachment A**. A comparative summary of the exhibited proposal and the amended proposal, highlighting the minor differences that have been made is provided in **Table 1**.

Table 1 Comparison of exhibited development with the amended proposal

Component	Exhibited development	Proposed development	Difference
GFA - total	40,874m ²	40,870m ²	-4m²
• Residential	• 25,087m ²	• 25,157m ²	• +70m ²
• Retail	• 4,533.7m ²	• 4,533.7m ²	• +24m ²
• Hotel	• 9,534m ²	• 9,534m ²	• -98m ²
• Gym	• 435.3m ²	• 435.3m ²	• Nil
• Childcare	• 576m ²	• 576m ²	• Nil
• Medical centre	• 708m ²	• 708m ²	• Nil
FSR	5:1	5:1	Nil
Maximum building height	RL 107.95 (86.18m)	RL 107.95 (86.18m)	Nil
Podium setbacks and separation			
• North	• 1m-4.4m setback to adjoining sites to the north-east of the site and 0m-16.2m separation from Building A to 3 Fetherstone Street	• 1m-4.4m setback to adjoining sites to the north-east of the site and 0m-16.2m separation from Building A to 3 Fetherstone Street	• Nil
• South	• 0-3m setback to North Terrace	• 0-3m setback to North Terrace	• Nil
• East	• 0-5.2m setback to The Appian Way	• 0-5.2m setback to The Appian Way	• Nil
• West	• 0-3m setback to Fetherstone Street, 0m-18.7m separation from 3 Fetherstone Street and 11.3m-13.1m from Building C to the former Bankstown City Library site	• 0-3m setback to Fetherstone Street, 0m-18.7m separation from 3 Fetherstone Street and 11.3m-13.1m from Building C to the former Bankstown City Library site	• Nil
Hotel rooms	169	169	Nil
Dwelling mix – total	339	336	-3
• Studio	• 55	• 54	• -1
• 1 bed	• 131	• 130	• -1
• 2 bed	• 132	• 131	• -1
• 3 bed	• 21	• 21	• Nil
Car spaces – total	495 (including 41 accessible spaces)	494 (including 41 accessible spaces)	-1 space
• Residential	• 240 (including 34 accessible spaces)	• 239 (including 34 accessible spaces)	• -1
• Retail and gym	• 124 (including 3 accessible spaces)	• 124 (including 3 accessible spaces)	• Nil
• Hotel & function centre	• 78 (including 2 accessible spaces)	• 78 (including 2 accessible spaces)	• Nil
• Medical centre	• 28 (including 1 accessible space)	• 28 (including 1 accessible space)	• Nil
• Childcare	• 25 (including 1 accessible space)	• 25 (including 1 accessible space)	• Nil

Bicycle spaces – total	185	185	Nil
- Residential - Retail - Gym - Childcare - Hotel	102 resident spaces in storage cages and 39 visitor spaces 15 staff and 9 visitor spaces 1 staff and 3 visitor spaces 6 staff spaces 10 spaces	102 resident spaces in storage cages and 39 visitor spaces 15 staff and 9 visitor spaces 1 staff and 3 visitor spaces 6 staff spaces 10 spaces	- Nil - Nil - Nil - Nil - Nil
Motorcycle spaces	24 motorcycle spaces	24 motorcycle spaces	Nil
Landscaped area	2,669.63m ² (32.7%)	2,516.6m ² (30.7%)	-153.03m ²
Deep soil area	130.8m ² (1.6%)	130.8m ² (1.6%)	Nil
Communal open space	2,076.4m ² (25.4%)	2,387.9m ² (29.2%)	+311.5m ²

2.0 Key design issues and responses

2.1 Urban design response at the interface to 62 The Mall

2.1.1 Optimal urban design outcome

The optimal urban design outcome for 62 The Mall and the broader development block involves the retention of Phil Engisch Reserve as public open space, which corresponds with the design of the subject proposal. In doing so, the aggregate development potential under the planning controls for the entire 62 The Mall allotment, is best positioned in a consolidated manner within the former library site, as illustrated in **Figure 1**.

The project team's optimal development outcome ensures a feasible future development outcome is capable of being achieved on Council's 62 The Mall site and whilst doing so, provides a range of additional public benefit outcomes, as follows:

- Allows for the realisation of a genuine through site link connecting from the railway station in the south through to The Mall (via the proposed development) in accordance with the applicable Bankstown City Centre DCP, as well as provide visual and spatial connections to and from Paul Keating Park, WSU Bankstown Campus, and Bankstown Library and Knowledge Centre.
- Positively contributes to 'The Avenue', which is an important character area envisaged in the Bankstown City Centre Master Plan as a 'pedestrian-oriented corridor imagined as Bankstown's central activity spine and high street' by retaining this pocket park at this key corner of The Avenue which is critical in such a rapidly growing city centre, as it provides an intimate space for socialising and areas of relief from busy street edges.
- Creates a high quality activated edge to Phil Engisch Reserve and to the city centre's premier open space Paul Keating Park, delivering on Council's design excellence objectives in clause 6.16 of the applicable Canterbury-Bankstown LEP 2023, which require that development achieves appropriate interfaces at the ground level with the public domain.
- Achieves the theoretical maximum FSR achievable for Council's site, within a massing concept, complying with the maximum building height, setbacks, separation distances, and compliance with key ADG metrics.
- Ensures the activation of the ground plane interfacing the retained Phil Engisch Reserve, rather than a development outcome that would result in a blank wall fronting this key corner in perpetuity. This optimal design solution also achieves the envisaged outcome in the applicable Bankstown City Centre DCP and the Bankstown City Centre Master Plan, by retaining Phil Engisch Reserve as open space.
- Results in a reduced overshadowing impact to the proposed development when compared to an alternative design outcome for 62 The Mall which includes built form on Phil English Reserve, and no reduction to the solar access compliance of 3-7 Fetherstone Street, when considered in conjunction with the proposed development.
- Allows for retention of 400m² of public open space with a contribution to Bankstown City Centre's limited tree canopy (8%) and its aim for 15% tree canopy set out in the Bankstown Tree Canopy Master Plan.
- Prevents additional flood impacts caused by development on the flood affected Phil Engisch Reserve, requiring additional flood mitigation measures such as flood storage and/or a new stormwater culvert which could further impact the commercial feasibility of developing this small component of 62 The Mall.

- Maintains the design outcome that has been endorsed by the DRP as it promises “a potential development that could set a high standard for the nature of new developments in the centre of Bankstown” and that on this basis “the Panel does not feel the need to fully review the project again”.

Further detail regarding each of these public benefits resulting from this optimal urban design outcome is provided under the following subheadings below.

An Urban Design Analysis has also been prepared by Hatch which provides a further assessment of the optimal urban design outcome for 62 The Mall (refer to **Attachment F**). Hatch has explored the different options available for the site and has found that the optimal urban design outcome for the development block involves retaining Phil Engisch Reserve as public open space and providing all its theoretically available development potential on the former library site. This future development outcome is also explored in greater detail in the Feasibility Study for 62 The Mall prepared by PTW (refer to Section 12 of the Updated Design Report included at **Attachment C**), with the key numeric details of the scheme also summarised in **Figure 1**.

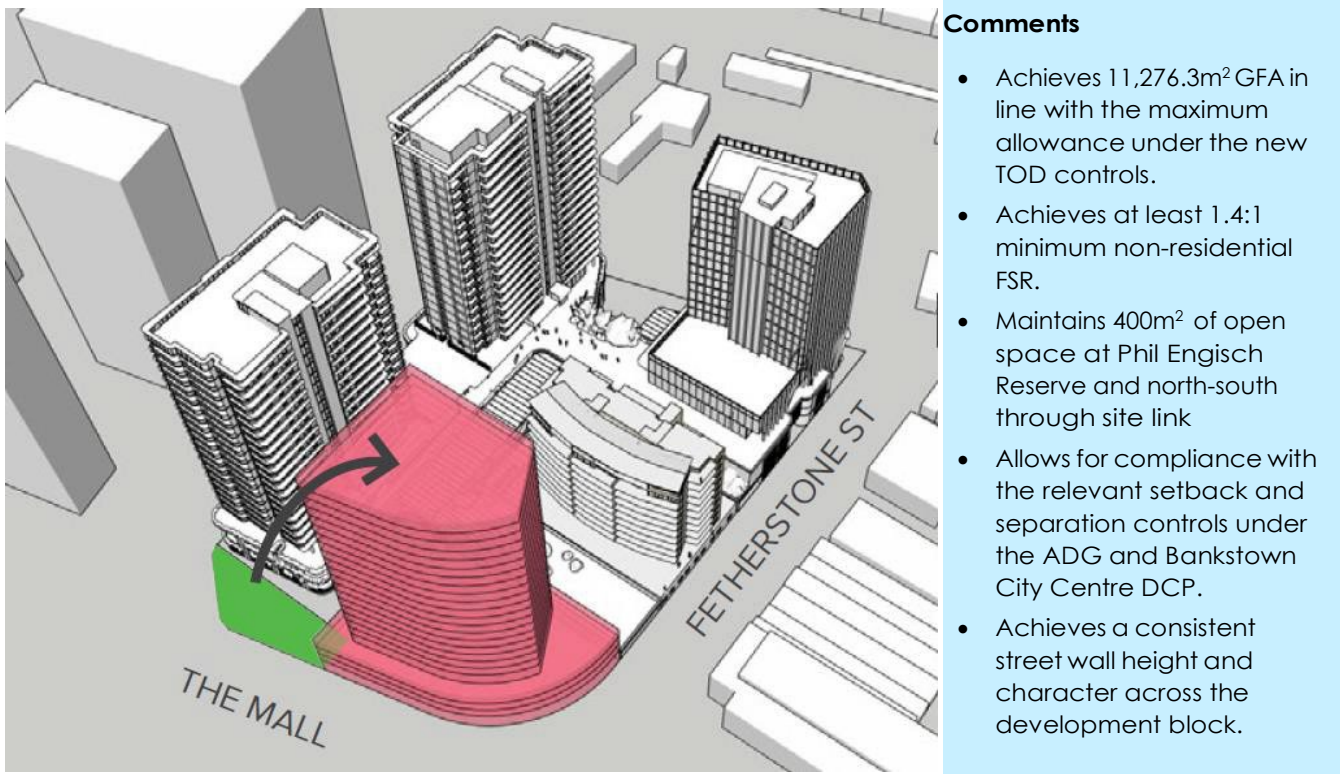


Figure 1 Optimal urban design outcome for 62 The Mall

Source: Hatch

Alignment with the applicable Bankstown City Centre DCP and strategic vision

The optimal urban design outcome also allows for the through site link providing a connection to The Mall envisaged in the applicable Canterbury-Bankstown Development Control Plan (DCP) 2023 to be seamlessly delivered and appropriately activated by retail uses and public domain in this north-eastern corner of the development block. In this regard, the applicable Canterbury-Bankstown DCP 2023 provision states:

Development must comply generally with the site layout shown in figure 3b below, with the intended outcome of:
(c) retaining the mid-block connection from the railway station to The Mall and The Appian Way.

As illustrated in **Figure 2**, this through-site link provides a connection through to The Mall, consistent with the requirements of the Canterbury-Bankstown DCP and in doing so also provides a seamless pedestrian link from Bankstown railway station and the future Bankstown Metro Station through to Bankstown City Centre's premier park, Paul Keating Park and the civic precinct including WSU Bankstown Campus, Bankstown Library and Knowledge Centre and Bankstown Civic Tower using the pedestrian zebra crossing to the north of Phil Engisch Reserve. In addition to providing this direct connection, this provides legible sightlines facilitating natural desire lines between destinations, legibility and safety. This is detailed further in the Urban Design Analysis at **Attachment F**.

Further to the above, it is important to note that the applicable version of the Bankstown City Centre DCP includes a figure which does not envisage any development on Phil Engisch Reserve, and which aligns with the ideal urban design outcome, and future development outcome set out in the Urban Design Analysis (refer to **Figure 3**). This is also reinforced in Council's endorsed Bankstown City Centre Master Plan, which earmarks Phil Engisch Reserve as open space, with no vision for development to be delivered on this part of 62 The Mall, as shown in **Figure 4**.



Figure 2 *Sightlines, desire lines, legibility and connectivity created by through-site link to The Mall and Paul Keating Park*

Source: PTW and Hatch



Figure 3 *Excerpt from the applicable Canterbury-Bankstown DCP 2023 envisaging no development on the land to the north of Building C, where Phil Engisch Reserve is located*

Source: Canterbury-Bankstown Council



Figure 4 *Excerpt from the Bankstown City Centre Master Plan envisaging no development on the land to the north of Building C where Phil Engisch Reserve is located and earmarking this land as 'open space'*

Source: Canterbury-Bankstown Council

Retention of activated open space which improves the urban design outcome

This optimal urban design outcome positively contributes to 'The Avenue', which is an important character area envisaged in the Bankstown City Centre Master Plan as a 'pedestrian-oriented corridor imagined as Bankstown's central activity spine and high street' by retaining this pocket park at this key corner of 'The Avenue'. This is critical in such a rapidly growing city centre, as it provides an intimate space for socialising and areas of relief from busy street edges. Otherwise, if development were to occur at the location of Phil Engisch Reserve this would result in a blank wall on the site that would greatly diminish the amenity of this key corner of 'The Avenue' and the city centre in perpetuity (refer to comparison images provided in **Figure 5** and **Figure 6**).

The small and atypical shape of Phil Engisch Reserve means a development on this site would remove valuable public open space, greenery, activation, connectivity, and overall integration with the Compass Centre, inconsistent with the design excellence requirements of clause 6.16 of the applicable Canterbury-Bankstown LEP 2023.

Additionally, retaining Phil Engisch Reserve as open space allows for 400m² of public open space to be retained and native mature trees to be kept on site for the long term, contributing to Bankstown City Centre's limited tree canopy of 8% and its aim for 15% tree canopy by 2036 as set out in the Bankstown Tree Canopy Master Plan. This will also create a high quality activated edge to Phil Engisch Reserve and to the city centre's premier open space Paul Keating Park, delivering on Council's design excellence provisions in clause 6.16 of the applicable Canterbury-Bankstown Local Environmental Plan (LEP) 2023 which require the achievement of appropriate interfaces at the ground level between the development and the public domain.

It is also noted that Barings are open to undertaking embellishment works within Phil Engisch Reserve as part of a separate process and agreement with Council which will further improve the urban design outcome achieved, subject to an agreed approach between both parties.



Figure 5 Preferred design outcome retaining Phil Engisch Reserve



Figure 6 Alternative outcome requiring removal of Phil Engisch Reserve

Source: PTW

Alignment with DRP feedback

Moreover, the DRP in its feedback from the first DRP meeting raised areas for investigation including the north-east corner of the podium responding more spatially to the open spaces to its north, as well as the activation of the civic precinct. Following this meeting, the design has been revised to allow for better activation of Phil Engisch Reserve and an improved spatial response to Paul Keating Park which has been achieved through inclusion of a splay at the north-east corner and active retail uses fronting Phil Engisch Reserve.

In light of the improved design, the DRP in its latest feedback noted that the proposal presented to the DRP promises 'a potential development that could set a high standard for the nature of new developments in the centre of Bankstown' and that 'the Panel does not feel the need to fully review the project again', highlighting the positive design outcome achieved in this location. Given its support of the proposed design, the DRP requested 'the proponents explore possible options for Phil Engisch Reserve, to pre-empt any development unfavourable to aspects of the current proposal, especially the spatial and visual relationship to Paul Keating Park from the north-facing spaces at ground and upper levels'.

This has been satisfied through the Urban Design Analysis prepared by Hatch at **Attachment F** and the Feasibility Study for 62 The Mall prepared by PTW, included in Section 12 of the Updated Design Report at **Attachment C**.

Mitigating flood impacts

Phil Engisch Reserve is currently flood impacted, as such a development of the site would result in increases to surrounding flood levels, as illustrated in the existing and proposed scenario 1% AEP depths provided at **Figure 7**. Development in this location would require additional flood mitigation measures such as flood storage and/or a new stormwater culvert. These measures could further impact the commercial feasibility of developing this small component of the site, and further substantiate the inclusion of development solely on the former library site.

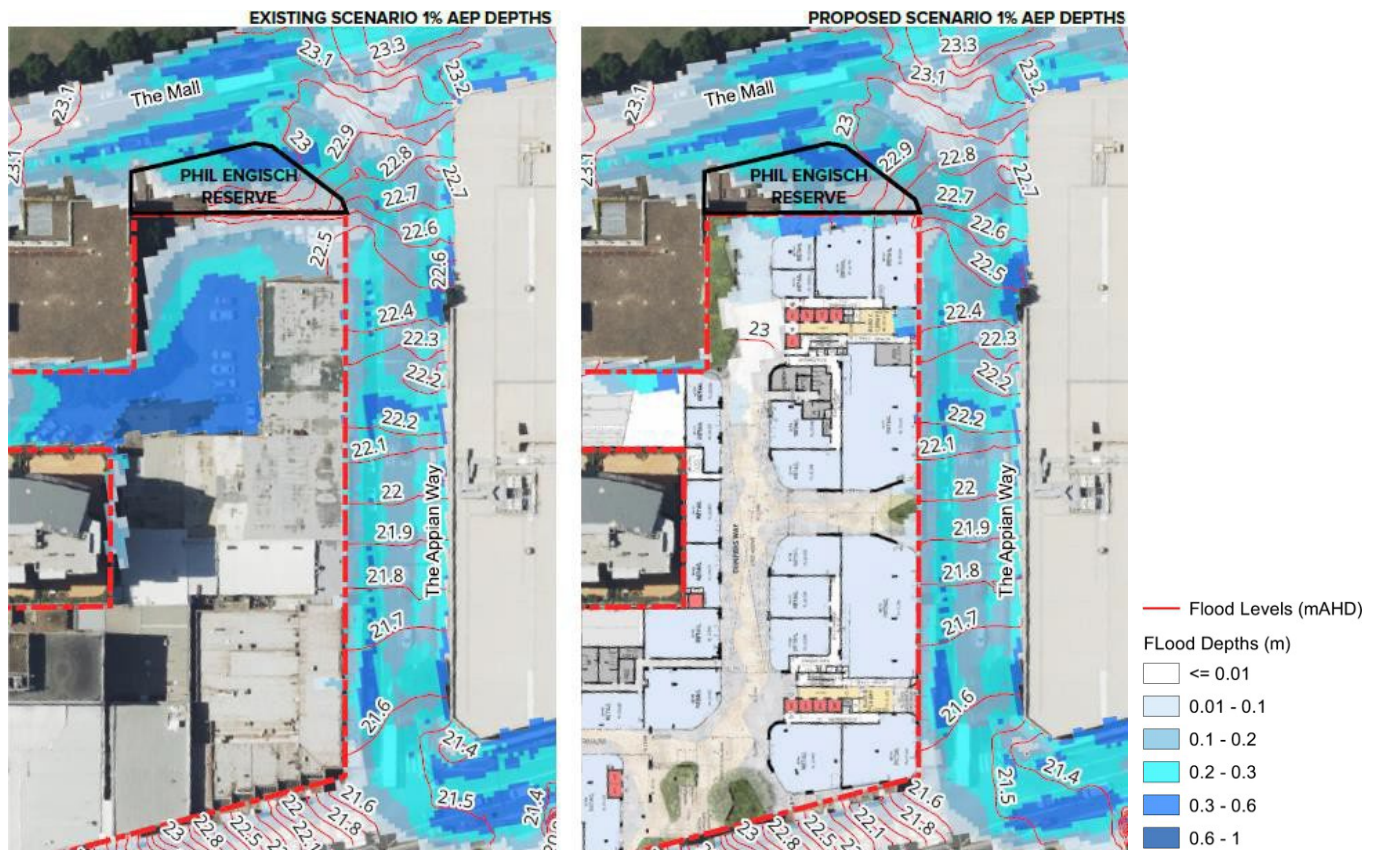


Figure 7 1% AEP depths as existing (left) and including the proposal (right)

Source: Xavier Knight

Assessment of overshadowing impacts for the proposal and 3 Fetherstone Street

PTW has undertaken a detailed feasibility study for 62 The Mall which further investigates the identified optimal urban design outcome and demonstrates that this can be designed in accordance with the applicable planning controls that will apply to this site under the Transport Oriented Development (TOD) rezoning of Bankstown (refer to Section 12 of the Updated Design Report included at **Attachment C**).

For comparison, the study includes an alternative option with a podium element in the location of Phil Engisch Reserve which highlights that the optimal future development outcome that retains Phil Engisch Reserve as open space achieves 5.8:1 FSR, compliance with the applicable maximum building height, setbacks, and separation distances. This is illustrated in **Figure 8** and **Figure 9** and a comparative summary of GFA achieved is provided in the Feasibility Study included in Section 12 of the Updated Design Report prepared by PTW included at **Attachment C**.

The comparison also highlights that the development outcome that retains Phil Engisch Reserve as open space maintains a higher percentage of solar access compliance for the proposed development and does not reduce the solar access compliance of 3-7 Fetherstone any more than it is reduced by the proposal, as summarised in **Figure 10** and **Figure 11** below. Accordingly, this demonstrates that the future development outcome that retains Phil Engisch Reserve as open space achieves a superior solar access outcome for the proposed development, and that both options achieve the same solar access outcome for 3-7 Fetherstone including no additional reduction in its solar access compliance when considered in conjunction with the proposed development.

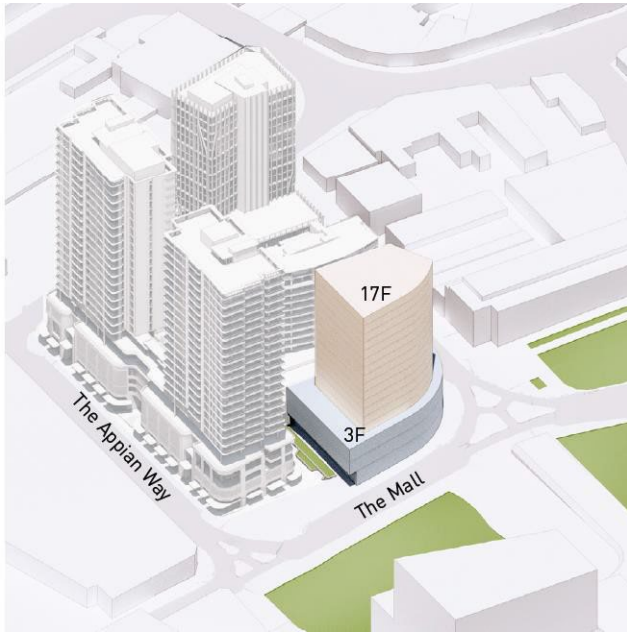


Figure 8 Preferred design outcome retaining Phil Engisch Reserve

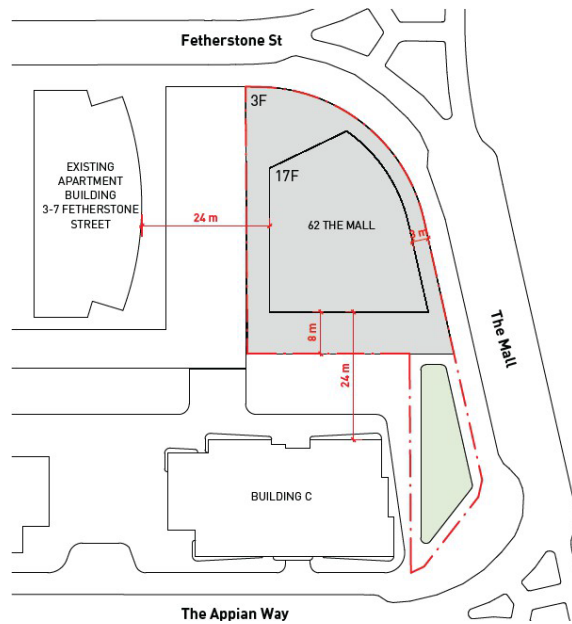


Figure 9 Alternative outcome requiring removal of Phil Engisch Reserve

Source: PTW

SOLAR ACCESS (COMPASS CENTRE)					
	BEFORE		AFTER		ADG
Total	336	100%	336	100%	
>2HRS	262	78%	246	73%	MIN. 70%
<2HRS	55	16%	71	21%	
0HRS	19	6%	19	6%	MAX. 15%

SOLAR ACCESS (3-7 FETHERSTONE)					
	BEFORE		AFTER		ADG
Total	59	100%	59	100%	
>2HRS	40	68%	40	68%	MIN. 70%
<2HRS	19	32%	19	32%	
0HRS	9	15%	9	15%	MAX. 15%

Figure 10 Solar access achieved by the proposal and 3-7 Fetherstone with the future development outcome on 62 The Mall that retains Phil Engisch Reserve and includes built form only on the former library site

SOLAR ACCESS (COMPASS CENTRE)					
	BEFORE		AFTER		ADG
Total	336	100%	336	100%	
>2HRS	262	78%	243	72%	MIN. 70%
<2HRS	55	16%	74	22%	
0HRS	19	6%	19	6%	MAX. 15%

SOLAR ACCESS (3-7 FETHERSTONE)					
	BEFORE		AFTER		ADG
Total	59	100%	59	100%	
>2HRS	40	68%	40	68%	MIN. 70%
<2HRS	19	32%	19	32%	
0HRS	9	15%	9	15%	MAX. 15%

Figure 11 Solar access achieved by the proposal and 3-7 Fetherstone with the future development outcome on 62 The Mall that includes built form in the location of Phil Engisch Reserve and on the former library site

Source: PTW

2.2 Solar access of apartments within the proposal

The design team has carefully designed the proposed development to maximise the amenity and solar access afforded to apartments within the proposed development. This has resulted in 263 out of the proposed 336 apartments (78%) receiving more than 2 hours solar access in accordance with the ADG, and only 19 apartments (6%) receiving no sun, which is a significantly positive amenity outcome for residents.

As requested in RFI comments, a detailed overshadowing analysis has been conducted of the future neighbouring developments at 62 The Mall and the Town Centre Precinct of Bankstown Central, in line with their envisaged density set out in the TOD controls and the new Bankstown City Centre DCP. This analysis has found that the cumulative overshadowing impact of these future developments would result in 64% of apartments in the proposed development receiving more than 2 hours solar access in accordance with the ADG. There would be no increase in the number of apartments in the proposed development receiving no sun.

While these future neighbouring developments would result in such a reduction to the solar access achieved at the site, it is noted that the proposal has been designed in accordance with the scale and separation controls envisaged in the applicable planning controls. It has also been designed in a manner that maximises the solar access achieved for the site, in alignment with the design guidance in Section 4A of the ADG. Specifically, the following design moves have been employed to achieve the optimal solar access outcome for residents within the proposed development:

- The buildings are oriented to have northern sun, as well as being primarily oriented to face east and west to maximise solar access for the apartments (refer to **Figure 12**).
- The living room and other habitable rooms are located behind the outer external wall where possible, to optimise solar access (refer to **Figure 13**).
- The larger unit types have been designed as corner apartments with dual aspects, maximising solar access and improving amenity for a greater number of residents (refer to **Figure 14**).

Further detail in this regard is provided in the Solar Access Study within Section 13 of the Updated Design Report at **Attachment C**.

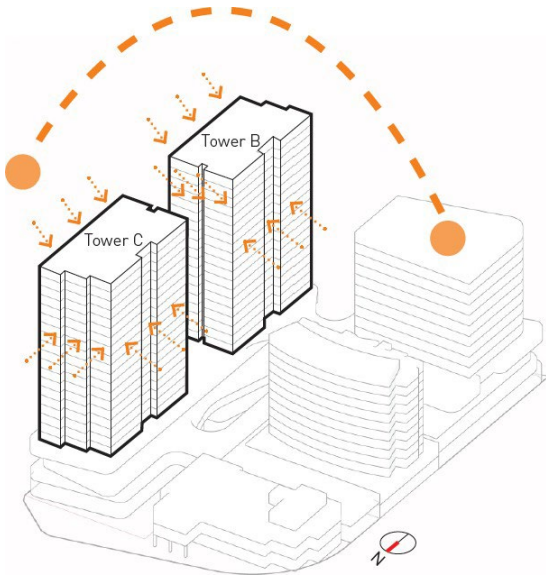


Figure 12 Orientation of buildings which maximises northern, eastern and western sun for apartments

Source: PTW

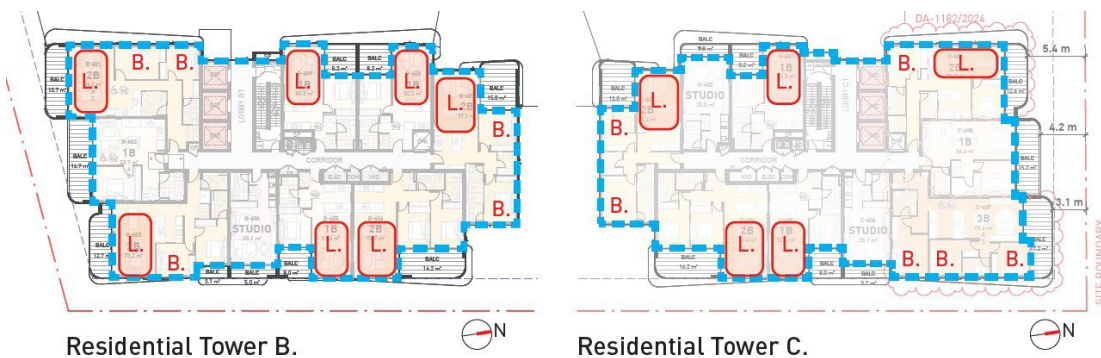


Figure 13 Location of habitable rooms behind the outer wall to optimise solar access

Source: PTW

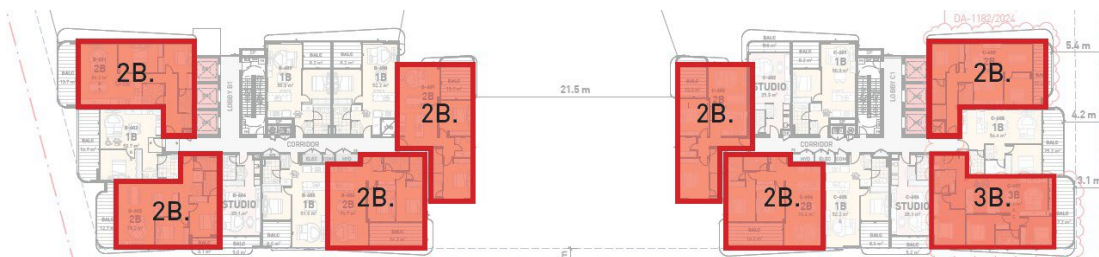


Figure 14 Inclusion of larger apartments on corners with dual aspects to maximise amenity outcomes

Source: PTW

3.0 Conclusion

We trust the contents of this letter and its attachments address the items raised by SJB Planning. It is our opinion that the proposal has substantial merit and as has been demonstrated in the DA documentation to date, there are a wide range of benefits that will be brought to the site, the surrounds, and the broader Bankstown City Centre through the proposal.

Should you have any additional queries or require further information, please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Costa' followed by a stylized 'D'.

Costa Dimitriadis

Principal, Planning

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0424 445 345

A handwritten signature in blue ink, appearing to read 'DHoward'.

Daniel Howard

Director, Planning

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