Attachment 2 – Tables of Compliance

State Environmental Planning Policies — Page

- SEPP (Resilience and Hazards) 2021 — 2
- SEPP (Biodiversity and Conservation) 2021 — 3
- SEPP (Transport and Infrastructure) 2021 — 4
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Landcom Town Centre North Design Guidelines – October 2024 — 22

ENVIRONMENTAL ASSESSMENT

Statutory Framework

Environmental Planning and Assessment Act 1979

This Statement has been prepared in accordance with the provisions of the Environmental Planning and Assessment Act 1979. The proposed development has been considered having regard to the requirements of Part 4 of the Act.

State Environmental Planning Policy No. (Resilience and Hazards) 2021

i. Clause 4.6 Contamination and remediation to be considered in determining development application

The proposal has been assessed under the relevant provisions of SEPP (Resilience and Hazards) 2021, specifically Chapter 4 – Remediation of Land, as the proposal.

The objectives of SEPP (Resilience and Hazards) 2021 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 above 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.

Pursuant to Clause 4.6 of SEPP (Resilience and Hazards) 2021, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

This DA is supported by an Environmental Site Assessment (ESI). The ESI was reviewed by Councils Environmental Health officer who raised no objection subject to conditions of consent. It is considered that the ESI adequately demonstrates that the site is and/or can readily be made suitable to accommodate the proposed development.
Pursuant to Clause 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Remediation of Land, Council is also required to undertake a merit assessment of the proposed development. The following table summarises the matters for consideration in determining a development application.

Clause 4.6 - Contamination and remediation to be considered in determining development application	**Comment**
(1) A consent authority must not consent to the carrying out of any development on land unless:	
(a) it has considered whether the land is contaminated, and	Identified contamination are not considered to present an unacceptable risk with response to the proposed use. Councils Environmental Health officer reviewed the application and raised no objection subject to conditions of consent. Remediation works is not required.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	

Based on the above assessment, the proposal is considered to satisfy the relevant objectives and provisions of State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Remediation of Land. Therefore, it is considered that the subject site is suitable for the proposed development subject to conditions.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

i. Chapter 2 – Vegetation in non-rural Areas

The proposal does not exceed the biodiversity offsets scheme threshold. No vegetation is proposed for removal.

ii. Chapter 6: Water Catchments

The subject land is located within the Georges River Catchment and as such State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 6 Water Catchments, applies to the application. The Biodiversity and Conservation SEPP aims to protect the environment of the Georges River Catchment by ensuring that water quality impacts are considered.

In accordance with the SEPP, when a consent authority determines a development application, the provisions in Part 6.2 - Development in Regulated Catchments are to be considered and consent must not be granted unless the consent authority is satisfied that the matters have been addressed. Accordingly, a table summarising the matters for consideration in determining development applications (Part 6.2) and compliance with such is provided below.

Part 6.2 – Development in Regulated Catchments	
Division 2 – Controls on development generally	**Comment**
6.6 – Water quality and quantity	**Complies** The development would not result in any unreasonable impacts to water quality or quantity, and has been deemed satisfactory by Council's Land Development Engineering section.
6.7 – Aquatic ecology	**Complies** The development would not result in any adverse impacts on aquatic ecology.
6.8 – Flooding	**Complies** The site is not affected by flooding.
6.9 – Recreation and public access	**Complies** The development is unlikely to impact on public access to and around foreshores.
6.10 – Total catchment management	**Complies** The proposal satisfactorily manages stormwater and as such it is considered that it would not have an adverse impact on the total catchment.

Division 3 – Controls on development in specific areas	Comment
6.11 – Land within 100m of natural waterbody	**Complies** The Department of Planning and Environment—Water has advised that a controlled activity application should be made to the department. General Terms of Approvals have been provided. Clearing of vegetation on the site was previously approved under DA-472/2081.
6.12 – Riverine scenic areas	**Not applicable**
6.13 – Hawkesbury-Nepean conservation area sub-catchments	**Not applicable**
6.14 – Temporary use of land in Sydney Harbour Catchment	**Not applicable**
Division 4 – Controls on development for specific purposes	**Comment**
6.15 – Aquaculture	**Not applicable**
6.16 – Artificial waterbodies	**Not applicable**
6.17 – Heavy and hazardous industries	**Not applicable**
6.18 – Marinas	**Not applicable**
6.19 – Moorings	**Not applicable**
6.20 – On-site domestic sewerage systems	**Not applicable**
6.21 – Stormwater management	**Complies** Council's Land Development Engineers and Floodplain Engineers have reviewed the subject application and have provided conditions of consent aimed to improve the quality of expected stormwater discharge from the site and for the stormwater facilities over the site.
6.22 – Waste or resource management facilities	**Not applicable**
6.23 – Demolition on certain land	**Not applicable**

Based on the above assessment, the proposal satisfies the requirements of Chapter 6 and is considered to comply with the SEPP (Biodiversity and Conservation) 2021.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.98 – Development adjacent to rail corridors

The subject application fronts the Cumberland Line heavy rail corridor to the south, and as such the provisions of Clause 2.98 of the SEPP apply to the development. Clause 2.98(2) provides the following:

Clause	Comment
(2) Before determining a development application for development to which this section applies, the consent authority must—	

(a) within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and	**Noted**
(b) take into consideration— (i) any response to the notice that is received within 21 days after the notice is given, and (ii) any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.	**Considered** TfNSW (Sydney Trains) advised that the existing Access Gate, located in the south-eastern corner of the site, shall not be blocked at any stage and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities be made available. Relevant conditions of consent have been imposed requiring the incorporation of a Local Road be introduced, in lieu of a service road, along the eastern boundary to accommodate egress to the Access Gate.

Clause 2.99 – Excavation in, above, below or adjacent to rail corridors

The subject application involves the penetration of ground to a depth of at least 2m below ground level on land within a rail corridor, and as such the provisions of Clause 2.99 of the SEPP apply to the development. Clause 2.99 provides the following:

Clause	**Comment**
(2) Before determining a development application for development to which this section applies, the consent authority must—	
(a) within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and	**Noted**
(b) take into consideration— (i) any response to the notice that is received within 21 days after the notice is given, and (ii) any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.	**Considered** As previously noted, TfNSW (Sydney Trains) advised that the existing Access Gate, located in the south-eastern corner of the site, shall not be blocked at any stage and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities be made available. Relevant conditions of consent have been imposed requiring the incorporation of a Local Road be introduced, in lieu of a service road, along the eastern boundary to accommodate egress to the Access Gate.
(3) Subject to subsection (5), the consent authority must not grant consent to development to which this section applies without the concurrence of the rail authority for the rail corridor to which the development application relates.	**Considered** Subsection 5 is not applicable; therefore, concurrence of the rail authority is required and has been received from Sydney Trains.

Clause 2.100 – Impact of rail noise or vibration on non-rail development

The subject application involves residential development on land in or adjacent to a rail corridor and is likely to be adversely affected by rail noise or vibration, and as such the provisions of Clause 2.100 of the SEPP apply to the development. Clause 2.100 provides the following:

Clause	Comment
(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.	**N/A**
(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—	
(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,	**Complies** A noise and Vibration Impact Assessment has been submitted. It is the finding of the noise and vibration impact assessment that the proposed development is compliant with the relevant noise and vibration criteria controls for this type of development, with the recommended design consideration provided in this report.
(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.	**Complies** A noise and Vibration Impact Assessment has been submitted. It is the finding of the noise and vibration impact assessment that the proposed development is compliant with the relevant noise and vibration criteria controls for this type of development, with the recommended design consideration provided in this report.

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development 2002

The proposal seeks approval for the construction 2 residential flat buildings, each containing a podium and 2 towers, comprising 37 terrace houses within the podiums and 221 apartment style units within the towers. The provisions of SEPP No 65 applies to the proposed development, as it has a height greater than 3 storeys and contains more than 4 residential apartments.

Clause 28(2) of the SEPP No 65 requires the consent authority to take into consideration:

(b) the design quality of the development when evaluated in accordance with the design quality principles, and

(c) the Apartment Design Guide.

An assessment of the proposal against the requirements of SEPP No 65 and the ADG was undertaken by the Liverpool Design Excellence Panel who is satisfied that the proposal meets

the requirements of SEPP and the ADG (refer to the DEP Minutes of 11 April 2024 for details). The following table outlines compliance with the ADG:

Provisions	Comment
PART 3 SITING THE DEVELOPMENT	
3A Site Analysis	
Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context DCP	**Complies** The proposed development is considered appropriate for its context. The building is consistent in scale with the future envisioned density of the locality. Edmondson Park is undergoing significant transformation from rural to urban land centred on the Edmondson Park railway station. Development of Edmondson Park will see the introduction of a new town centre featuring a diverse mix of commercial, mixed, retail and residential uses. Appropriate building setbacks have been provided, notwithstanding that ADG separations have not been met in full. The design of the proposed development is based on existing site conditions and its relationship to Maxwells Creek. The proposed development takes advantage of the northerly aspect where possible to maximise solar access to the development. The proposal provides for adequate presentation to the street and future public open space which provides for an aesthetically pleasing development.
3B Orientation	
3B-1. Building types and layouts respond to the streetscape and site while optimising solar access within the development 3B-2. Overshadowing of neighbouring properties is minimised during mid-winter	**Complies** The design of the proposed development is based on existing site conditions and constraints. The proposed development takes advantage of the northerly aspect where possible to maximise solar access to the development. The proposal provides for adequate presentation to the street and future public open space which provides for an aesthetically pleasing development. The building layout has been designed to address a variety of different frontages. The western frontage faces a proposed road interface with a future school, the southern frontage responds to the rail corridor, the northern frontage responds to the existing Buchan Ave, while the eastern frontage responds to the riparian corridor of Maxwells Creek. Solar access to units is maximised having regard to the site's orientation, in particular, the longer width of the towers orientated to face north. The location of the site adjacent to a Maxwells Creek and a transport corridor alleviate potential future overshadowing concerns. Direct sunlight to

	the neighbouring school site is maintained throughout the day.
3C Public Domain Interface	
3C-1 Transition between private and public domain is achieved without compromising safety and security 3C-2 Amenity of the public domain is retained and enhanced	**Complies** Ground floor units have been provided with direct street entry, thus contributing to safety and passive surveillance of the street. Changes in level between private terraces and the street level are aimed at improving visual privacy. As noted within the DEP minutes concern was raised as a number of areas in which the private terraces were located at the eye level of pedestrians using the adjacent public footpath. The applicant was recommended to incorporate measures to improve defensibility and privacy, while still maintaining an appropriate level of sociability, through solid elements, balustrade design, layered vegetation and planter boxes. Conditions of consent have been imposed to ensure compliance via the introduction of solid or visually opaque balustrade design and additional planters to ground floor and podium level courtyards. Planting has been provided along the edges of raised terraces. Mailboxes are located perpendicular to the street within the entry foyer. Bin storage is located on the basement concealed from the view of public. Dual chute systems are installed on each residential level. The building manager will be responsible for transporting waste from the waste discharge rooms to the Waste Holding Room on basement 1 within the northern podium. Council's Waste Management Section reviewed the waste storage and pick-up arrangements, and they are considered satisfactory. The substation is illustrated on plans and has been located away from the apartments. Hydrant booster illustrated on plans and located adjacent to the south-western pedestrian entry.
3D Communal and public open space	
3D-1. An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping 1. Communal open space has a minimum area equal to 25% of the site	**Complies** Total COS: 4830m^2 (39.8%) of COS is proposed for the residential component.

2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)	Principal COS (APZ area): 2070m^2 COS with 2 hours or more of direct sun access: 1950m^2 (94%)
3D-2. Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	A total of 2120m^2 of communal open space is provided on the podium level divided into 3 distinct areas. Each area includes a roof garden, large BBQ areas, outdoor lounge area, raised planter beds and toilet amenities.
3D-3. Communal open space is designed to maximise safety	The COS is readily visible from habitable rooms and private open areas encouraging casual surveillance.
3D-4. Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	The central Garden Walk acts as a form of public open space that provides a link from the east to west for public thoroughfare while incorporating integrated furniture and lighting to improve wayfinding and further enhance the experience of the resident.
3E Deep soil zones	
Site Area – 12,090m^2 Min. Dimensions 6m Deep soil zone (% of site area) - 7%	**Complies** 1321m^2 or 10.9% deep soil is proposed on the site. As noted with the DEP minutes concern was raised that there is minimal deep soil provided within the site boundary resulting in little opportunity for substantial tree growth outside of the APZ area to the east. Additional smaller pockets (<6m in width) of deep soil of depths up to 1m are provided throughout the site, totalling a further 1800m^2, potentially resulting in a total deep soil of 26%.The development proposes much of its vegetation in communal areas and along the corridor adjacent to Maxwells Creek, which is acceptable. It is noted that the provided deep soil calculations rely on podium level planting. A condition of consent would be imposed requiring podium communal spaces to provide sufficient soil depth to support the landscaping being indicated. A minimum soil depth of 1.2m must be provided for podium planting to compensate for the loss of true deep soil area. Given the limited Deep soil area on-site, on-structure planting with a minimum soil depth of 1.2m will be acceptable, as it supports the successful growth of large trees (12m+).
3F Visual Privacy	
3F-1. Requirement: **Building Height** / **Habitable Rooms** / **Non Habitable Rooms**	<u>Up to 12m (Gound to Level 3):</u> • Greater than 6m separation has been provided to all units. <u>Up to 25m (Level 4 to 7):</u>

	and Balconies		• Block A to side boundary – 4.5m • Block A to front boundary – 5.5m • Between Block A & B – 12m*****
Up to 12m (4 Storeys)	6m	3m	• Block B to side boundary – 5m
Up to 25m (5-8 Storeys)	9m	4.5m	• Between Block B & C – 18m
Over 25m (9+ storeys)	12m	6m	• Block C to side boundary – 4m • Between Block C & D – 18m • Block D to side boundary – 5.5m • Block D to rear boundary – 10m <u>Variations 1*****</u> 18m separation distance is required for habitable rooms between Block A & B (Levels 4 to 7). As noted by the DEP 12m is provided and the applicant should investigate solutions to mitigate privacy issues, such as further offsetting windows, privacy screens, and or other devices, whilst still maintaining good amenity to the rooms affected. The separation between units A405 and B403 has been suitably addressed via the angled orientation of windows to B403 ensuring that views into neighbouring habitable rooms do not occur. The separation between units A405 and B402 (and units directly above) is considered suitable. The living room window of A405 has the potential to overlook the bedroom of B402 (and units directly above) a condition of consent requiring privacy screening in the form of translucent glazing to A405, A505, A605 and A705 would mitigate concerns. The separation within the subject site does not result in additional adverse amenity impacts to any other apartments.
3F-2. Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space			**Complies with Conditions** Communal open space and access paths should be separated from habitable room windows. As the DEP has noted privacy, safety and amenity concerns are evident such as eyelines from each side of the interfaces at similar level. Several ground floor living areas demonstrate a lack of privacy. While it is noted planter boxes, vegetation and level changes mitigate these concerns additional privacy conditions requiring partially solid upstands, solid or visually opaque balustrade design and additional planters to ground floor and

<table>
<tr><td></td><td>podium level courtyards would ensure this is achieved (Refer to 4L-1 below).</td></tr>
<tr><td colspan="2">3G Pedestrian access and entries</td></tr>
<tr><td>3G-1. Building entries and pedestrian access connects to and addresses the public domain
3G-2. Access, entries and pathways are accessible and easy to identify
3G-3. Large sites provide pedestrian links for access to streets and connection to
destinations</td><td>Complies
The proposal provides multiple pedestrian entries to all 4 street frontages, which are easily identifiable.

A main pedestrian link through the site has been incorporated in the form of the central Garden Walk that acts as a spine that divides both lots while providing residents a link between the future road to the west and the Maxwell Creek riparian corridor to the east.</td></tr>
<tr><td colspan="2">3H Vehicle Access</td></tr>
<tr><td>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes</td><td>Complies
Carpark access is integrated with the building’s overall façade via the future Faulkner Way road. Garbage collection, loading and servicing areas are screened within the basement level. The design is considered satisfactory by Council’s Traffic Engineer.</td></tr>
<tr><td colspan="2">3J Bicycle and Car Parking</td></tr>
<tr><td>3J-1.Minimum car parking requirement for residents and visitors to comply with Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever is less.
3J-2.Parking and facilities are provided for other modes of transport
3J-3. Car park design and access is safe and secure
3J-4. Visual and environmental impacts of underground car parking are minimised
3J-5. Visual and environmental impacts of on-grade car parking are minimised
3.J-6 Visual and environmental impacts of above ground enclosed car parking are minimised</td><td>Complies
The site is located within 800m of a railway station. Car parking must therefore comply with either the RMS Guide to Traffic Generating Development or the car parking requirement prescribed by the relevant council, whichever is less.

The parking rates prescribed under the Landcom Town Centre North Design Guidelines 2024 for Residential Flat Buildings is as per below:

<table>
<tr><th>Use</th><th>Rate</th><th>Units Proposed</th><th>Parking Spaces Required</th></tr>
<tr><td>Studio or 1 Bed</td><td>1 space per dwelling</td><td>37</td><td>37</td></tr>
<tr><td>2 Bed</td><td>1.2 spaces per dwelling</td><td>154</td><td>185</td></tr>
<tr><td>3 Bed +</td><td>2 spaces per dwelling</td><td>75</td><td>150</td></tr>
<tr><td>Visitor</td><td>1 space per 10 dwellings</td><td>-</td><td>27</td></tr>
<tr><td colspan="2">Total</td><td>266</td><td>393</td></tr>
</table>

The development proposes 393 car parking spaces. The parking is consistent with Edmondson</td></tr>
</table>

	Park Landcom Town Centre Design Guidelines (EP Design Guidelines) which seeks to restrain car usage.
PART 4 DESIGNING THE BUILDING	
4A Solar and Daylight Access	
1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter. 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	**Complies** 181 / 258 (70%) of the proposed apartments achieve a minimum of two hours solar access between 9am and 3pm in mid-winter. 39 / 258 units (15%) receive no direct sunlight.
4A-2 Daylight access is maximised where sunlight is limited **Objective 4A-3** Design incorporates shading and glare control, particularly for warmer months	**Complies** The site provides optimum solar access to apartments given the orientation and long frontages orientated to the north. The BASIX Certificate for the proposed development identifies that it achieves the required thermal comfort levels. Proposed materials and finishes incorporate shading and glare control measures including external louvres and awnings.
4B Natural Ventilation	
4B-1 All habitable rooms are naturally ventilated to create healthy indoor living environments.	**Complies** All rooms have openings to the exterior of the building providing the option for natural ventilation.
4B-2 The layout and design of single aspect apartments maximises natural ventilation	
4B-3 The number of apartments with natural cross ventilation is maximised 1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	 168 / 258 (65%) of apartments, all of which are in the first nine storeys, are naturally cross ventilated. The depth does not exceed 18m.
4C Ceiling Heights	
4C-1 Ceiling height achieves sufficient natural ventilation and daylight access. Measured from finished floor level to finished ceiling level, minimum ceiling	**Complies** All habitable and non-habitable rooms will have ceiling heights of 2.7m or greater.

heights are: Minimum ceiling height for apartment and mixed use buildings Habitable Rooms 2.7m Non-Habitable 2.4m If located in mixed use areas 3.3m for ground and first floor	
4C-2 Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms.	
4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building.	
4D Apartment Size and Layout	
4D-1 The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity 1. Apartments are required to have the following minimum internal areas: • Studio 35m² • 1 bedroom 50m² • 2 bedroom 70m² • 3 bedroom 90m² The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each. 2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	**Complies** All apartments complying with the minimum internal areas. All habitable rooms have a window to an external wall with a total minimum glass area greater than 10% of the floor area of the room.
4D-2 Environmental performance of the apartment is maximised. 1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height. Based on ceiling heights of 2.7m, habitable room depths are required to be limited to 6.75m. 2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m	**Complies** As the ceiling height is 2.8m, no habitable room depth will exceed 7m from a window.

<table>
<tr><td>from a window.</td><td></td></tr>
<tr><td>4D-3 Apartment layouts are designed to accommodate a variety of household activities and needs
1. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)
2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space)
3. Living rooms or combined living/dining rooms have a minimum width of:
• 3.6m for studio and 1 bedroom apartments
• 4m for 2 and 3 bedroom apartments
4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts</td><td>Complies
All master bedrooms and other bedrooms achieve the minimum required areas.

All apartments achieve the minimum dimension requirements to living/dining rooms.</td></tr>
<tr><td colspan="2">4E Private Open Space and Balconies</td></tr>
<tr><td>4E-1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity

1. All apartments are required to have primary balconies as follows:
<table>
<tr><th>Dwelling type</th><th>Minimum Area</th><th>Minimum Depth</th></tr>
<tr><td>Studio</td><td>4m²</td><td>-</td></tr>
<tr><td>1 bedroom</td><td>8m²</td><td>2m</td></tr>
<tr><td>2 bedroom</td><td>10m²</td><td>2m</td></tr>
<tr><td>3+ bedroom</td><td>12m²</td><td>2.4m</td></tr>
</table>
2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.</td><td rowspan="4">Complies on merit
While the majority of apartments comply with or exceed the minimum numeric requirements, there are several instances of non-compliance. These appear to be limited to the western 2-bedroom end units to Blocks C and D facing the side boundary, in which 9m^2 is achieved. This minor variation is supported as it assists in achieving building separation without significantly impacting on resident amenity.

Private open space is directly accessible from the living area of each dwelling and can be used in conjunction with these.

The balconies are integrated into the overall design of the development and form part of the detail of the building.

All balconies include balustrades of a sufficient height to ensure safety is maintained.</td></tr>
<tr><td>4E-2 Primary private open space and balconies are appropriately located to enhance liveability for residents</td></tr>
<tr><td>4E-3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building</td></tr>
<tr><td>4E-4 Private open space and balcony design maximises safety</td></tr>
<tr><td colspan="2">4F Common circulation and spaces</td></tr>
<tr><td>4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments.</td><td>Complies
No more than 8 apartments are proposed off a circulation core on any single level.</td></tr>
</table>

1. The maximum number of apartments off a circulation core on a single level is eight. 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	The proposal is 7 stories in height. 8 lifts are proposed across the four towers for the exclusive use of the residents.
4F-2 Common circulation spaces promote safety and provide for social interaction between residents	Common circulation spaces are provided. Direct and legible access is provided between vertical circulation points and apartment entries.
4G Storage	
4G-1 Adequate, well designed storage is provided in each apartment. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: **Dwelling Type** / **Storage volume** Studio / 4m³ 1 bedroom / 6m³ 2 bedroom / 8m³ 3+ bedroom / 10m³ At least 50% of the required storage is to be located within the apartment	**Complies** Compliant storage provided internally and externally.
4G-2 Additional storage is conveniently located, accessible and nominated for individual apartments	Storage bays are generally located adjacent to allocated parking spaces.
4H Acoustic Privacy	
4H-1 Noise transfer is minimised through the siting of buildings and building layout	**Complies** The layout and materials used within the apartment design will ensure that noise impacts will be minimised. Adequate building separation further mitigates sound travel. An additional condition, as recommended by the DEP, has been imposed requiring double glazing to openings facing Buchan Ave, Faulkner Way and the Rail Corridor. The apartments have been configured so that quiet spaces (e.g. bedrooms) are co-located.
4H-2 Noise impacts are mitigated within apartments through layout and acoustic Treatments	
4J Noise Pollution	
4J-1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	**Complies** Where appropriate, windows and door openings have been oriented away from noise sources. Acoustic report undertaken, which was found to be satisfactory by Council's EHO.
4J-2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	
4K Apartment Mix	
4K-1 A range of apartment types and sizes is provided to cater for different	**Complies** - 1 b/r = 37 / 13.9%

household types now and into the future. **4K-2** The apartment mix is distributed to suitable locations within the building	- 2 b/r = 154 / 57.9% - 3+ b/r = 75 / 28.2% A range of unit types have been provided, and they are distributed throughout the building. Larger townhouse style apartments are located on the ground level where there is the potential for more open space.
4L Ground Floor Apartments	
4L-1 Street frontage activity is maximised where ground floor apartments are located **4L-2** Design of ground floor apartments delivers amenity and safety for residents	**Acceptable** Direct street access and entries are provided for residents and visitors. Activity is achieved through private open terrace areas next to the street, with doors and windows also provided a street facing outlook. Safety is achieved through the elevation of private gardens and terraces and landscaping along private courtyards. While the terraces are typically elevated by more than 1m in accordance with Figure 4L.4 it has been noted by the DEP that the provided interface Scenario B section along the eastern side of the northern podium does not provide sufficient privacy with the eye level of passers by almost level with the occupants of the apartment. Additional privacy measures such as partially solid upstands, solid or visually opaque balustrade design and additional planters to the private open space of ground floor terraces would conditioned.
4M Facades	
4M-1 Building facades provide visual interest along the street while respecting the character of the local area **4M-2** Building functions are expressed by the facade	**Complies** The articulation of balconies and walls adds visual interest and results in a quality design outcome consistent with other modern residential buildings. A defined base, middle and top is apparent through changes in textures, material and colour.
4N Roof Design	
4N-1 Roof treatments are integrated into the building design and positively respond to the street **4N-2** Opportunities to use roof space for residential accommodation and open space are maximised. **4N-3** Roof design incorporates sustainability features	**Complies** The proposed roof form consists of a series of skillion-style pitched roof elements.
4O Landscape Design	
4O-1 Landscape design is viable and sustainable	**Complies** A comprehensive landscape plan has been

4O-2 Landscape design contributes to the streetscape and amenity	provided for the communal open space at the ground floor and on the rooftop. Appropriate species have been selected for the environment.
4P Planting on Structures	
4P-1 Appropriate soil profiles are provided	**Complies with conditions** A condition of consent would be imposed requiring podium communal spaces to provide sufficient soil depth to support the landscaping being indicated. A minimum soil depth of 1.2m must be provided for podium planting to compensate for the loss of true deep soil area. Given the limited Deep soil area on-site, on-structure planting with a minimum soil depth of 1.2m will be acceptable, as it supports the successful growth of large trees (12m+).
4P-2 Plant growth is optimised with appropriate selection and maintenance	
4P-3 Planting on structures contributes to the quality and amenity of communal and public open spaces	
4Q Universal Design	
4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members	**Complies** 54 / 266 (20.9%) of units have been identified as being silver level livable.
4Q-2 A variety of apartments with adaptable designs are provided	
4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs	
4R Adaptive Reuse	
4R-1 New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	**Not Applicable** The development does not propose new additions or adaptations to an existing building.
4R-2 Adapted buildings provide residential amenity while not precluding future adaptive reuse	
4S Mixed Use	
4S-1 Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	**Not Applicable** The development is for a residential flat building.
4S-2 Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	
4T Awnings and Signage	
4T-1 Awnings are well located and complement and integrate with the building design	**Complies** Awnings have been provided above building entrances.
4T-2 Signage responds to the context and desired streetscape character	
4U Energy Efficiency	
4U-1 Development incorporates passive environmental design	**Complies** The proposal satisfies the thermal targets of BASIX.
4U-2 Development incorporates passive	

solar design to optimise heat storage in winter and reduce heat transfer in summer	The majority of apartments are cross ventilated.
4U-3 Adequate natural ventilation minimises the need for mechanical ventilation	
4V Water Management and Conservation	
4V-1 Potable water use is minimised	**Complies** Portable water use will be minimised where possible. The BASIX Certificate identifies that the proposed development achieves compliance with water efficiency requirements. The stormwater management plan includes on-site detention in the common property, water quality treatment and water quantity management. Stormwater will be conveyed into the trunk infrastructure on Buchan Avenue.
4V-2 Urban stormwater is treated on site before being discharged to receiving waters	
4V-3 Flood management systems are integrated into site design	
4W Waste Management	
4W-1 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	**Complies** An adequately sized waste collection area for rubbish is discreetly located on Basement 1. Waste is transported from the chute discharge rooms to the waste collection room by the Building Manger. Direct access to the street is provided. Apartments are provided with a dual chute system to dispose of rubbish. Adequate storage areas are provided within the apartments to temporarily accommodate waste.
4W-2 Domestic waste is minimised by providing safe and convenient source separation and recycling	
4X Building Maintenance	
4X-1 Building design detail provides protection from weathering	**Complies** The proposal incorporates overhangs to protect walls and openings. Centralised maintenance, services and storage will be provided for communal open space areas within the building. The proposed external walls are constructed of robust and durable materials.

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

The site is zoned R1 General Residential pursuant to State Environmental Planning Policy (Precincts—Western Parkland City) 2021.

The SEPP (Precincts – Western Parkland City) 2021 Land Use Table for the R1 General Residential zone is replicated below:

Zone R1 General Residential

1 Objectives of zone

a) *to provide for the housing needs of the community,*
b) *to provide for a variety of housing types and densities,*
c) *to enable other land uses that provide facilities or services to meet the day to day needs of residents.*

2 Permitted without consent

Environmental protection works; home occupations.

3 Permitted with consent

Attached dwellings; boarding houses; centre-based child care facilities; community facilities; dwelling houses; earthworks; food and drink premises; group homes; hostels; kiosks; markets; multi dwelling housing; neighbourhood shops; places of public worship; ***residential flat buildings****; roads; semi-detached dwellings; shop top housing; signage; any other development not specified in subsection (2) or (4)*

4 Prohibited

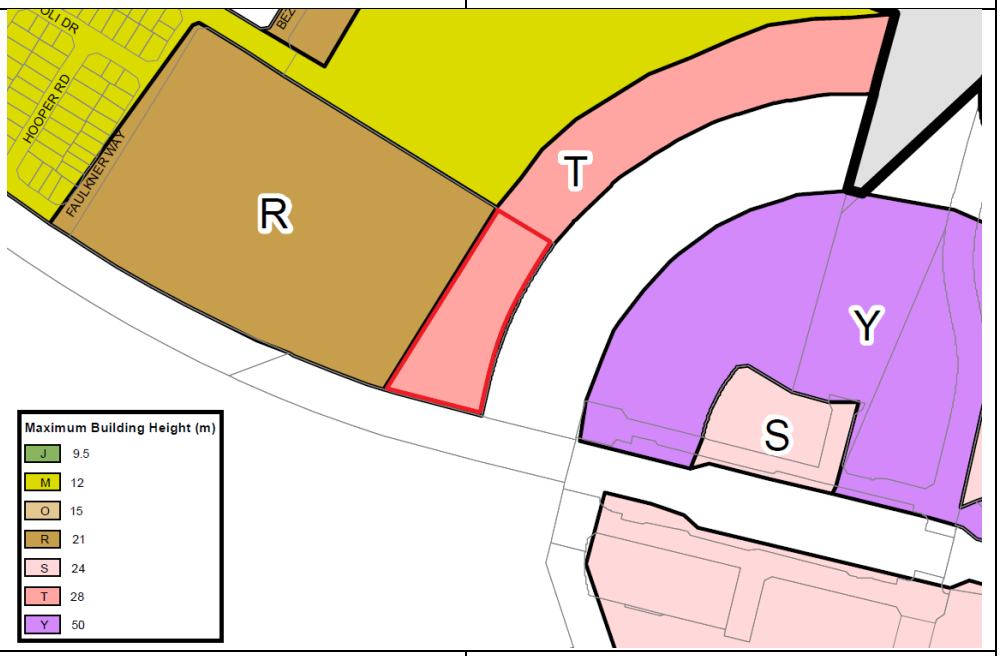
Agriculture; air transport facilities; amusement centres; backpackers' accommodation; boat repair facilities; boat sheds; caravan parks; charter and tourism boat facilities; commercial premises; correctional centres; crematoria; depots; entertainment facilities; extractive industries; farm stay accommodation; forestry; freight transport facilities; function centres; highway service centres; home occupations (sex services); hotel or motel accommodation; industrial retail outlets; industries; marinas; passenger transport facilities; port facilities; public administration buildings; recreation facilities (major); registered clubs; research stations; restricted premises; restriction facilities; rural industries; service stations; sex service premises; specialised retail premises; storage premises; transport depots; truck depots; vehicle body repair workshops; vehicle repair stations; warehouse or distribution centres; waste or resource management facilities; wholesale supplies.

Comment:

The site is zoned R1 under the provisions of the SEPP (Precincts – Western Parkland City) 2021. The proposed residential flat building is permitted within the zone and would meet the objectives of the zone.

Compliance with the relevant provisions of the Liverpool LEP 2008 is outlined in Table 2 below.

SEPP (Precincts – Western Parkland City) 2021		
Clause	**Provision**	**Comment**
Clause 9 – Zone	Zone Objectives and Land Use Table	**Complies** The proposal is permissible with development consent within the R1-General Residential zone and is consistent with the objectives of the zone.
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.	**Satisfactory** The maximum building height breaches the 28m height limit. These breaches are generally limited to the lift overrun and articulating roof/parapet features and a 4.6 variation has been submitted and deemed satisfactory.

	Pursuant to SEPP (P-WPC) 2021 the site is affected by a 15m height limit. Pursuant to MOD 5 the site is affected by a 28m height limit.	<u>Block A (north)</u>: Lift overrun: 84.70 NGL: 54.20 Height: 30.5m N/W corner parapet: 84.50 NGL: 55.60 Height: 28.9m Roof: 83.30 NGL at lowest point: 54.76 Height: 28.54m <u>Block D (south)</u>: Lift overrun: 86.90 NGL: 58.00 Height: 28.90m S/W roof corner: 87.00 NGL: 58.8 Height: 28.2m S/E roof corner: 86.20 NGL: 56.00 Height: 30.2m
		
Clause 19 – Floor space ratio	No FSR control is defined for the subject site.	**Not applicable**
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 25 – Bush fire hazard reduction	Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without consent.	**Noted** The application was referred to NSW RFS who raised no objection, subject to recommended conditions.

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.	**Complies with conditions** The site does not include any land identified as flood prone land. The proposal was assessed by Council's Floodplain Engineering Section who are satisfied with the proposal subject to conditions of consent.
Clause 28 - Exceptions to development standards—other development	Development consent may, subject to this section, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument	**Satisfactory** As above
Clause 30 – Architectural roof features	To permit variations to maximum building height standards for roof features of visual interest.	**Satisfactory** As above
Clause 31 – Preservation of Trees	Approvals required for tree removal.	**Not Applicable** Tree removal has already been approved as part of separate DAs, within R1 zoned land. The application was referred to Council's Landscape officer who raised no objection.
Clause 32 – Native Vegetation areas	Requires the protection and management of native vegetation areas.	**Not Applicable** Tree removal has already been approved as part of separate DAs, within R1 zoned land. The application was referred to Council's Landscape officer who raised no objection.
Clause 33 – Heritage Conservation	Consent required to demolish heritage buildings or works.	**Complies with conditions** The proposed development has been considered by Council's Heritage Officer and no objections or concerns have been raised, subject to conditions.
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 with conditions** Confirmation from relevant utility and infrastructure providers that the site is capable of being adequately serviced has been obtained. Standard conditions of consent to ensure the site is connected to water, reticulated sewer and 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.	**Complies** It is noted that as MOD 5 to the Edmondson Park South Concept Plan Town Centre North Precinct was approved 14 February 2025. The Edmondson Park Town Centre North Design Guidelines dated October 2024 apply.
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 subject land is not identified for acquisition by Council. It is adjacent to land zoned for Local Open Space and Railway corridor acquisition.

Landcom Town Centre North Design Guidelines – October 2024

The Landcom Town Centre North Design Guidelines October 2024 apply to the subject following the approval of the MOD 5. The guidelines are designed to guide the design and built form of development within the town centre and adjoining residential precinct.

Compliance with the relevant provisions of the Landcom Town Centre North Design Guidelines is outlined in Table 3 below:

Table 3 – Compliance with Landcom Town Centre North Design Guidelines

Landcom Town Centre North Design Guidelines		
Table 11 Residential Flat Building Characteristics		
Element	**Characteristics**	**Proposed**
Building Height	Up to 15 Storeys	**Complies** 8 storeys proposed.
Materiality	A variety of quality materials including brick, concrete, timber and cladding should be used to encourage variety and contribute to the character of the Precincts. It is recommended that the colour and texture of the materials reflect parkland character through selection of natural materials and an earthy colour palette. Materials should be robust and fire-retardant. Roofs should be non- reflective to not detract from the visual landscape amenity of the area.	**Complies** A variety of materials has been utilised including brick, concrete, timber and cladding. The podium terraces have been detailed with brickwork, the colour of the brickwork changes as per the rondo colour pattern which give the terraces a unique identity and avoids the built form looking repetitive. The terraces have been further articulated with off-from concrete elements to balance the extensive brickwork. Dark metal palisade balustrades are also used to add another layer of texture to the facade. The materials chosen for the apartment buildings include off-from concrete for

		the expressed slabs, textured fibre cement cladding and concrete breezeblocks to various balconies. The pop-up roof elements are also proposed to be off-form concrete. Roofing material is not reflective and does not detract from the visual landscape amenity of the area.
Dwelling size	Dwellings are required to have the following minimum internal floor areas: • 1 bed 50 m^2 • 2 bed 70 m^2 • 3 bed 90m^2 For each additional bathroom a further 5 m^2 and for each additional bedroom a further 12 m^2 is required Adequate amount of universal access units to be provided (in accordance with the Apartment Design Guidelines)	**Complies** All apartments comply with the minimum internal areas. 20% of the total apartments incorporate the Livable Housing Guidelines silver level universal design features in accordance with the ADG.
Dwelling width	Dwellings are required to have a minimum width of 4m internally to avoid deep narrow layouts	**Complies** All apartments have a minimum width of 4m.
Bedroom size	Master bedrooms have 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 bedrooms have a minimum area of 9m^2, master bedrooms have a minimum area of 10m^2. All bedrooms have a minimum dimension of 3m excluding the wardrobe space.
Dwelling entries	Dwelling entries should be clearly identified and legible from the street	**Complies** Dwelling entries are clearly identifiable from the street.
Ceiling height	To be compliant with building separation requirements as per the ADG.	**Acceptable** As noted in the SEPP 65 assessment above some minor variation is supported in this instance. The separation within the subject site does not result in additional adverse amenity impacts to any other apartments.
Front Setback	As per Table 5 and Figure 10. <u>Required Front Setback</u> Northern frontage: 0-3m East/South frontage: 3.6m Western frontage: 4m	**Complies** <u>Provided Front Setback</u> Northern frontage: 3.5m Eastern frontage: 15m Southern frontage: 10m Western frontage: 4m

Table 5 Setbacks and Fencing

Figure Key	Setback	Encroachment/ Articulation zone	Permissible Articulation Elements	Interface
	0-3m 0-3m	3m 3m	Awnings, shopfronts, colonnades. Verandah, front step, upper balcony.	Awnings, colonnades, permitted to extend beyond lot boundary into verge. 1.2m courtyard wall (local stone).
	3m (5.5m for front garages)	1.5m	Verandah, front step, upper balcony.	1.2m fence wall.
	4m (5.5m for front garages)	1.5m	Verandah, front step, upper balcony.	1.2m fence/wall or open yard, service lane, garage.
	3.6m	3m*	Verandah, front step, upper balcony.	1.2m white masonry courtyard wall and hedge.
	1m	-	-	1.8m maximum fence/wall of the same primary material as the front fence. 50% transparent.

* Including 0.6m groundcover zone adjoining boundary.

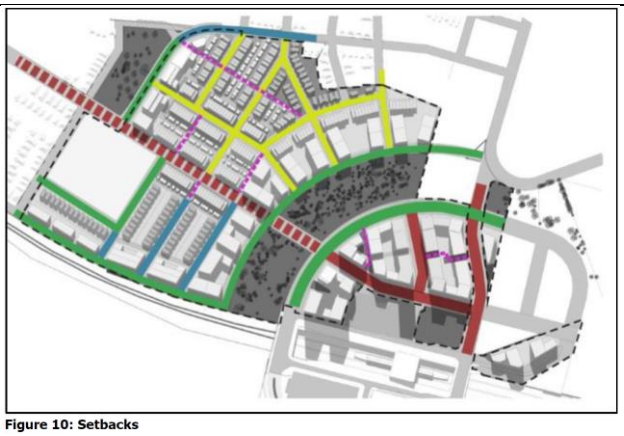


Figure 10: Setbacks

Side setback	To be compliant with building separation requirements as per the ADG.	**Complies** As noted in Attachment 2 side setbacks comply with the minimum separation distances required under the ADG.
Side setback (corners)	As per Table 5 and Figure 10 of the Guide	**Complies** Corner units comply with the setbacks outlined within Table 5 and Figure 10.
Rear setback	To be compliant with building separation requirements as per the ADG.	**Complies** As noted in Attachment 2 rear setbacks comply with the minimum separation distances required under the ADG.
Passive surveillance	Building entries, balconies and windows address the street to provide passive surveillance. Where blank walls are unavoidable, they are designed to face dwelling entries. Refer to DS3.6, DS3.7 and DS3.8 for detailed specifications regarding façade hierarchy relating to activation and surveillance.	**Complies** Building entries, balconies and windows oriented to the street are provided allowing for passive surveillance opportunities. Blank walls are avoided through appropriate articulation.
Landscaped area	Deep soil planting provisions are made in the common courtyard and generally located to the southern side of the space.	**Acceptable** While the majority of the deep soil zone is allocated to the eastern APZ, additional smaller pockets (<6m in width) of deep soil of depths up to 1m are provided throughout the site including common courtyard areas.
Fences	Generally, fences should use permeable materials and treatments. Where possible, the front fencing should be the same as the dominant external façade material of the dwellings. Colorbond front fencing is not permitted. Fences should be low to medium height. Refer to Table 4 for character-based frontage/ fence/ interface types.	**Not Applicable** Fencing not proposed. Ground floor terrace apartments are shielded from the public domain via balustrades, railing and landscaping.

<table>
<tr><td>Primary private open space</td><td>Individual balconies are provided.

Ground level apartments each have their own private open space that either access directly to the street or to the communal courtyard space.</td><td>Complies
Individual balconies are provided.

Ground level apartments have their own private open space facing the street of internal corridors.</td></tr>
<tr><td>Solar access</td><td>70% of dwellings 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.</td><td>Complies
181 / 258 (70%) of the proposed apartments achieve a minimum of two hours solar access between 9am and 3pm in mid-winter.</td></tr>
<tr><td>Maximum car parking</td><td>As per Table 2.

Car parking is provided as basement car parking.
<table><tr><th colspan="2">Table 2 Car Parking Rates</th></tr><tr><th>Use</th><th>Maximum Rate</th></tr><tr><td colspan="2">Residential Flat Building/Mixed Use Apartment Building/Walk-Up Apartment, /Terrace Housing/Integrated Residential Flat Building and Strata Terrace/Manor Home/Cottage Dwelling/Attached Dwelling/Semi-Detached Dwelling/Studio Dwelling</td></tr><tr><td>Studio Dwellings and other one bedroom dwellings</td><td>One space per dwelling.</td></tr><tr><td>Two bedroom dwellings</td><td>1.2 spaces per dwelling.</td></tr><tr><td>Three bedroom dwellings or more</td><td>Two spaces per dwelling.</td></tr><tr><td>Visitor</td><td>One space per 10 dwellings.</td></tr><tr><td colspan="2">Other Land Uses</td></tr><tr><td>Low Density/Detached Dwellings</td><td>Two spaces per dwelling.</td></tr><tr><td>Retail</td><td>4.1 spaces per 100m^2 of GLFA.</td></tr><tr><td>Educational</td><td>To be confirmed during detailed design.</td></tr><tr><td colspan="2">All other Land Uses Not Identified Above</td></tr><tr><td colspan="2">RMS Guidelines or justified by a Traffic Impact Assessment Report.</td></tr></table></td><td>Acceptable

The development proposes 393 car parking spaces. The parking is consistent with Edmondson Park Landcom Town Centre Design Guidelines (EP Design Guidelines), which seeks to restrain car usage.</td></tr>
<tr><td>Bicycle parking</td><td>As per Table 2. However, there is no requirement for a space to be provided if adequate space is provided in the storage or parking area.</td><td>Complies with condition
Dedicated bicycle storage has not been provided, however individual apartments have been provided with storage space within the parking area that may be utilised for bicycle storage.

The provided Traffic Assessment notes that it is expected that 266 bicycle spaces shall be provided via dedicated bicycle parking areas, storage cages and/or inside dwellings as to meet the requirements outlined above as part of the post DA or pre-Construction Certificate (CC) stage. A condition of consent would be imposed to ensure compliance.</td></tr>
</table>