

Our Ref: M230257

13 November 2024

General Manager
Liverpool Council
Locked Bag 7064,
LIVERPOOL NSW 1871

Attention; Robert Micallef

Dear Robert,

**RESPONSE TO THE COUNCIL REQUEST FOR ADDITIONAL INFORMATION
495 Fourth Avenue, Austral (DA-311/2024)**

We act as town planning consultants to the applicants of the above property and prepared the original Statement of Environmental Effects. We have been instructed to respond to the issues raised by Council in their Request for Additional Information Letter (RFI) dated 1 October 2024. The issues are addressed in the amended Architectural Plans prepared by *Clarke Hopkins Clark* and supporting consultant documentation, which includes the following:

- Amended Traffic Report prepared by *CBRK*;
- Amended Landscape Plan prepared by *Ground Ink*;
- Amended Civil Documentation prepared by *Henry & Hymas*;
- Amended Waste Management Plan prepared by *Salt3*; and
- Amended Acoustic Report prepared by *Acoustic Dynamics*.

In addition to the above, a Design Excellence Panel (DEP) was also held on 12 September 2024 to discuss the proposed urban, architectural and landscaped design. The issues raised by the DEP have been considered throughout this Letter and within the supporting architectural documentation.

The proposal has been amended following collaboration and discussion with Council. An online meeting has been held between the Applicant's Project Team and Council on 16 October 2024 to discuss the various issues and proposed resolutions. During the meeting, an in-principle agreement was reached with Council regarding the potential layout and design of the development, particularly as it relates to the location and design of the through-site link and public piazza. There has also been email and phone correspondence between the Applicant and Council to discuss the issues and potential changes to the development. Following the Council meeting, a Regional Planning Panel Briefing was held on 21 October 2024 to discuss the proposed development. The comments made by the Regional Planning Panel are considered throughout this Letter and supporting documentation.

As demonstrated in the submitted architectural plans, the proposal has been amended to maximise public amenity, improve relationship to the neighbouring property and public domain and improve the overall urban, architectural and landscaped design. The proposal has been amended as follows:

- Increase the width of the pedestrian through-site link from 1.5m to 4m, where located along the eastern (side) boundary, including provision of openings from the tenancies where they oppose this area;
- Modify the pedestrian access through the site, enabling 24/7 public access via the through-site link, including accessible paths of travel through ramping and lift access;
- Improvement to the design of the public piazza fronting Gurner Avenue;
- Improvement to the landscaping and design of the southern boundary where it relates to the future public open space, including;
 - Increased width of the landscape strip along the southern boundary to accommodate additional vegetation;
 - Provision of two large deep soil zones within the south-western and south-eastern corner of the site;



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- Provision of two smaller deep soil zones centrally;
- Amendments to the corner of Fourth Avenue and Gurner Avenue, including;
 - Provision of Indigenous art, which will traverse the Gurner Avenue and Fourth Avenue frontages;
 - Improvements to activation through the provision of additional openings;
 - Relocation of supermarket team room to the corner, improving activation;
 - Incorporation of lighting on the upper level to maximise visual interest after daylight hours;
 - Provision of planting and bench seating;
- Modifications to the design of the internal mall area where it relates to the through-site link;
- Relocation of the BWS to the southern portion of the development;
- Increase provision of landscaping and vegetation throughout the site; and
- Minor alterations to the parking, services and facilities throughout the development.

Overall, the amended proposal provides for a comprehensive and well-considered response to the various comments provided by Council and the DEP. The development achieves a balance between creating a high-quality and sustainable centre that responds to the needs of the local community, whilst ensuring the proposal positively contributes to the future development of the neighbouring property. The proposal successfully responds to the issues raised by Council as identified in **Table 1** below. We thank Council for providing us with the opportunity to both collaborate and address the outstanding concerns.

Table 1 Summary of Council Issues and Responses

Council Comment	Response
<u>Design Excellence Panel</u>	
1. The applicant is to adopt the measures and rectify the issues raised by the DEP during the meeting held on 12 September 2024. Minutes of this meeting are attached to the portal along with this letter. A letter responding to each of the comments raised is also to be incorporated in the reply to this request for information which will assist in the assessment process of how the amendments address the comments.	<p>The proposal has been amended to respond to the various issues raised by the DEP. These include the following:</p> <ul style="list-style-type: none"> ● The public through-site link has been amended to 4m in width aligning with the DCP and allowing for flexibility in the future development of the neighbouring property; ● The through-site link is fully accessible to the public at all times, is predominantly open to the sky with part covered to allow for weather protection; ● The internal mall has been amended so that it is subordinate to and directs circulation to the through-site link; ● The proposal as amended provides multiple access points along the eastern façade, to the through-site link, which will enable access for the neighbouring property and development further to the east (such as the future educational facilities); ● Indigenous art has been incorporated on the corner of Gurner and Fourth Avenue and will be developed post consent; ● The southern boundary has been amended and provides increased vegetation, including a 1.1m landscaped strip, in addition to two large and two small deep soil zones, which when incorporated into the verge and street tree planting, will create a positive relationship to the future public open space; ● The southern boundary also includes bench seating for additional activation and recreation; ● The at-grade parking area as amended achieves 27% canopy coverage through an additional 13 trees, which

Table 1 Summary of Council Issues and Responses

	<p>represents an improvement over the original proposal at 21.4%;</p> <ul style="list-style-type: none"> • The frontage to Gurner Avenue has been further refined; and • The frontage to Fourth Avenue, including the loading dock, has been further refined through design measures. <p>Annexure A, Table 2 of this Letter provides a response to the specific comments of the DEP.</p>
<u>Design, Planning and Precinct Matter</u>	
<p><i>2. The development requires the amendment of a number of key elements constituting the need for a redesign of the proposed centre. To this effect, the key elements for redesign include widening of the eastern through site link, internal mall treatment, public accessibility, southern boundary activation and establishment of a deep soil zone, loading dock treatment, sheathing of the western façade, corner and streetscape activation and access point consideration. These are further expanded on within the points below.</i></p>	<p>The proposed development has been amended to address the key issues identified for the subject site. These have been addressed throughout this Letter and are demonstrated in the architectural plans.</p> <p>Specifically, the through-site link has been redesigned and expanded to a minimum width of 4m, which is open to the sky and activated along the eastern elevation through additional openings. The proposed pedestrian through-site link will be accessible 24/7, allowing access to the public eliminating the requirement of entering the internal retail mall. This also enables flexibility of design for adjoining property to the east, when it is developed in the future. Refer to the renders contained within the architectural package.</p> <p>In addition to the above, the development has considered the southern boundary activation and is discussed in further detail below.</p>
<p><i>3. The Liverpool Growth Centres Precinct Development Control Plan (LGCP DCP) Figure 3-4 illustrates a minimum of 8m wide pedestrian through site link, open to the sky (defined by the building lines), with the potential for double loaded active frontages, directly connecting Gurner Avenue and the future local street.</i></p> <p><i>Therefore, a minimum 4m wide through site link must be provided along the eastern boundary of the site (total 8m width once adjoining site develops). This through site link is to be the major link through the centre and the internal mall is to be closed off at the piazza end with the stairs removed at the south-western end of the piazza. Activation of shop fronts along the eastern side would also be necessary.</i></p>	<p>The Desired Future Layout as contained within the DCP does not indicate that the subject site is to provide for double loaded active frontages to the through-site link or to activate the eastern boundary. Notwithstanding, the proposal has been amended to provide a 4m wide link and provides for openings from the retail tenancies as located on the eastern façade. Active frontages are maintained to Gurner Avenue (including the corner with Fourth Avenue), the public piazza and southern edge of the building.</p> <p>The proposal has been amended to provide a 4m wide through site link. The design of the internal mall has been amended to ensure the pedestrian circulation is concentrated to the eastern through-site link.</p> <p>As described, openings and potential seating have been provided from the speciality retail tenancies along the eastern boundary.</p>

Table 1 Summary of Council Issues and Responses

<p>4. <i>The applicant must incorporate an accessible design solution adjacent to this link, ensuring public access does not rely on entering the private mall. Ramps or lifts direct to the site link without needing to traverse through the development are to be incorporated in the design of this through site link.</i></p>	<p>The proposal has been amended to deliver an accessible design. This includes a new public lift situated next to the through-site link and public piazza, which will be accessible at all times.</p> <p>Within the southern portion of the site, the proposal provides for accessible ramps which will allow for disabled access.</p>
<p>5. <i>The lack of a positive design response to the future park is a concern. The current design scheme demonstrates limited connection/ relationship of the proposed centre to the future public park to the south of the site, particularly with having the at grade parking proposed along the southern elevation and cut down into the site. A better design of the southern end of the site is to be formulated which presents a positive relationship with the future open space area.</i></p> <p><i>The applicant is to investigate the future design of this southern side of the development, whether this be by way of:</i></p> <p>Preferred option: <i>The implementation of a deep soil zone along the southern boundary and the removal of a row of parking spaces on upper and lower ground levels to accommodate this. This could result in a deep soil area approximately 6m wide from the southern boundary;</i></p> <p><i>A combination of deep soil zone as per point a) with some retail/ commercial component which can provide activation along the southern side of the site, whether this be with new built form and removal of parking; swapping some of the existing southern retail space with parking and relocating this retail space to the southern boundary; or a combination of the two;</i></p> <p><i>It is noted that with a redesign of the centre, the allocation of leasable floor space should be kept the same as what is proposed, without needing to provide further floor space. It is also noted that based upon the current floor space provided, a surplus of 46 parking spaces is provided in the current scheme.</i></p>	<p>Along the southern boundary, the DCP does not require a deep soil zone or streetscape activation, however, proposes the provision of a street defining building (zero setback). The proposal, as amended, does not provide for a building along the southern boundary, most relevantly due to on-going feasibility of leasing a significant amount of commercial floor area.</p> <p>Separately, it is also noted that the southern road and public open space have not yet been constructed, and Council do not have any indication of timing or design of the open space. This also impacts the feasibility of built form along this edge, where there will be no direct access or street presence.</p> <p>To offset this, the proposed development has provided a landscaped strip, in addition to two large and two small deep soil zones, which will include a significant number of large, mature trees and vegetation. The landscape strip is measured at 1.1m and the deep soil zones at 7.5m. When considered in conjunction to the verge planting and street trees, this will create a strong visual and flora relationship between the subject site and future public open space. The multiple layers of dense vegetation will improve the connection from the proposed development to the future park. The architectural package includes renders which demonstrate the strong relationship achieved through the abovementioned design and landscape measures. Amended Landscape Plans also provide details on the types of vegetation, which includes mature canopy trees.</p> <p>It is noted that along the southern boundary, until the construction of the roadway, a swale will be required, as requested by Council's civil engineer, as shown in the architectural plans. In order to accommodate the swale, the 1.1m landscape strip will only be constructed once the southern road is built. This is shown on the Upper Ground Floor Plan – Interim Planting DA3.2b of the architectural set.</p> <p>Separately, whilst the proposal will exceed the number of required car spaces, the Applicant has advised that this aligns with the customer feedback and expectations of similar developments.</p>
<p>6. <i>The corner of Fourth Avenue and Gurner Avenue and the northern half of the Fourth Avenue Frontage is to be</i></p>	<p>The corner of Fourth Avenue and Gurner Avenue has been amended to improve architectural and landscaped design, in</p>

Table 1 Summary of Council Issues and Responses

<p><i>reconfigured to provide active frontages. In this regard, the corner treatment must be enhanced to allow more active uses, and the loading dock is to be sleeved behind commercial/ retail uses which front Fourth Avenue, concealing the loading area.</i></p>	<p>addition to activation. As shown in the architectural plans, the proposal includes Indigenous art located on the corner of the site, which extends along both Gurner Avenue and Fourth Avenue. This corner is further articulated through additional deep soil landscaping, vegetation and public seating, and lighting design on the upper level which will provide visual interest after day light hours.</p> <p>Furthermore, additional openings have been provided on the corner and along Fourth Avenue to improve activation. This further enhanced through the relocated supermarket team room, which is now located on the corner which contributes to the activation and casual surveillance.</p> <p>Whilst the loading dock has not been sleeved, it is integrated into the overall design of the development as it fronts Fourth Avenue. Specifically, the façade is articulated through well-defined materiality, including concrete and vertical cladding. Landscaping is also integrated along this boundary, including vertical planting to soften the built form. The proposed roller shutter will be closed when not in operation, and will merge into the colour scheme of the overall development.</p>
<p><i>7. Evidence of alternative design options for the layout of the secondary retail, activation of edges, loading dock location, through site link, and vehicle entry location are to be provided.</i></p>	<p>The proposed development, as amended, demonstrates a high-quality response to the desired future characteristics of the surrounding locality. It is noted that the public piazza is measured at 16.4m in width, which exceeds the minimum of 12.5m required to be provided on the subject site, per the DCP. This 16.4m width is supported by a similarly generous depth of 13m, which enables delivers a public piazza area of 213.2m². The public piazza is also designed to incorporate high quality materials, facilities and landscaping, which will activated and directs circulation to the through-site link.</p>
<p><i>8. Gurner Avenue access/egress is discouraged and should be removed to keep the 'high street character' of Gurner Avenue consistent and not broken by driveways. The driveway location must also consider the existing school across the road and potential traffic conflicts which may arise. All vehicular movements into the site are to be along Fourth Avenue.</i></p>	<p>The provision an 8.2m wide vehicular access point from Gurner Avenue will have no adverse impact on the character of the streetscape. This is due to the following:</p> <ul style="list-style-type: none"> • The access point, when compared to the overall length of the site fronting Gurner Avenue is subordinate in size and will not impact the street character; • The proposal provides a considerable amount of activation from the commercial and retail uses along the streetscape, in addition to those proposed within the public piazza; • The proposed landscaping, including street trees, will soften the overall built form and further limit the impact of the cross over; and • There is an established character of existing vehicular access from Gurner Avenue, including Al-Faisal College directly opposite the site which contains a large black fence

Table 1 Summary of Council Issues and Responses

	<p>and vehicular access, and is unlikely to change in the near future.</p> <p>Given that the vehicular access points is minor in scale it will ensure that pedestrian hierarchy is maintained as a priority along Gurner Avenue, and is therefore acceptable.</p> <p>From a traffic perspective and in accordance with submitted Traffic Letter, direct vehicular access to the basement via Gurner Avenue is essential. That is, the amount of parking spaces and overall size of the basement requires the provision of two separate vehicular access points. By these two points, including direct vehicular access to the basement car park from Gurner Avenue, the impact to traffic within the surrounding road network is significantly reduced. This access point has been analysed and operates with a high level of service with minimal delays during peak periods.</p> <p>The driveway will also include design measures to provide pedestrian priority and soften the impact, namely, pavement treatment as suggested by Council. This will reinforce pedestrian priority and ensure the on-going safety of operation.</p> <p>Importantly and as discussed, the access to the proposed basement is subordinate to the overall character of the street frontage and will not detract from the 'main street' desired future character in the DCP.</p>
<p>9. Clarification is sought for the height of the acoustic barriers on the rooftop. Acoustic barriers are to be shown on the architectural plans and incorporated into the total height calculation of the development. It is preferred that where a barrier may not be required around the entire perimeter of the rooftop, the indicative barriers are to be in a localised position around the plant. These are to be amended in the acoustic report and architectural plans.</p>	<p>The Architectural Plans have been amended to include the height of the acoustic barrier. It is demonstrated that the proposed development is situated well below the maximum height of 17m permitted for the subject site. It is also noted that the acoustic barrier is localised to the plant and condenser deck as shown in the architectural plans. An amended Acoustic Report is also submitted with this response.</p>
<p>10. Windows are to be added to the western side of the commercial element of the proposal.</p>	<p>Openings have not been provided on the western façade of the commercial development as they will overlook the roof top and is considered to be an inferior outcome in terms of design and amenity. Openings are provided to the eastern, northern and southern facades which will improve amenity and casual surveillance.</p>
<p>11. The Natural Ground Level line (NGL) is to be shown on all sections and elevations.</p>	<p>The architectural plans have been amended and natural ground line is included.</p>
<p>12. The site is classified as bushfire prone land. The Statement of Environmental Effects says a bushfire report was prepared however, this cannot be located. A Bushfire</p>	<p>A Bushfire Report has been prepared and was submitted on the Planning Portal on 3 October 2024.</p>

Table 1 Summary of Council Issues and Responses

<p><i>Report is to be submitted for assessment of the application.</i></p>	
<p><i>13. The applicant is to clarify the purpose of the easement for management of vegetation within the eastern site. If an easement is to be proposed over this site, adjoining owners consent and an agreement between the parties is required for the establishment of this easement.</i></p>	<p>It is noted that the easement notation is incorrect and this is not proposed over the neighbouring property.</p>
<p><i>14. The design of the centre is to incorporate elements such rainwater harvesting for reuse on site for landscaping watering, toilets etc.</i></p>	<p>The architectural plans and civil plans clearly show the location of the rainwater tank.</p>
<p><i>15. The applicant is to provide a Connecting with Country Strategy which informs the proposal and the proposed public art and landscaping across the development. This strategy will ensure that the design reflects and incorporates the cultural and historical significance of the area, aligning with local Indigenous values and practices. Public Art is to also be undertaken in collaboration with local First Nations artist/s.</i></p>	<p>The Applicant proposes to engage an Indigenous artist post consent. The artwork is to be applied to the nominated façade, being part of the corner of Gurner Avenue and Fourth Avenue, which extends along both frontages. It is request that this is imposed as a condition of consent, similar to the below:</p> <p><i>“A Connecting to Country strategy during the detailed design stage is to be prepared and must be submitted to Council. This strategy should outline how it will be integrated into the overall design, including its impact on architectural expression, landscape design improvements, and public art strategy.”</i></p>
<p><u>Environmental Health</u></p>	
<p><i>16. Council’s Environmental Health Section advises that the hours for the loading dock use be amended to be between 7am and 10pm (instead of 6am to 10pm) due to the period between 6am-7am being considered to be sensitive nighttime period to mitigate any sleep disturbance to surrounding properties. This is also in line with the previous approval provided for DA-381/2023 at Eighth Avenue. Saturday & Sunday & Public Holidays trading – 7am to 10pm Rotary auger compacter not to be used between 10pm and 7am</i></p> <p><i>It should also be noted that more residential development with an increased density is likely to occur even closer to the shopping centre than the existing residential dwellings, due to significant growth in the area. Other recommendations suggested to mitigate any potential noise include the following: As such, the applicant is to consider these revised hours of the listed items and confirm if they are satisfied with what is specified and amend their documentation accordingly.</i></p>	<p>The loading dock hours are considered in the amended Acoustic Report submitted with the application. Whilst 6am commencement of the loading dock is supported by the Acoustic Report, it is proposed to operate from 7am to 10pm to ensure minimal adverse amenity impact to existing and future neighbours.</p> <p>The proposal is to operate as follows, which is supported by the amended Acoustic Report per Section 5.2:</p> <ul style="list-style-type: none"> • Centre: The proposed centre will operate from 6am to 12pm, 7 days a week; • Woolworths Supermarket: The proposed supermarket will operate from 6am to 12pm, 7 days a week; • BWS: The proposed BWS will operate 7 days a week, as follows; <ul style="list-style-type: none"> ○ Monday to Saturday: 8am-9pm ○ Sunday: 9am-8pm • Commercial tenancies: The proposed commercial tenancies will operate from 6am to 12pm 7 days a week; • Retail tenancies: The proposed retail tenancies will operate from 6am to 12pm, 7 days a week; and

Table 1 Summary of Council Issues and Responses

	<ul style="list-style-type: none">• Loading dock: The proposed loading dock will operate from 7am to 10pm, 7 days a week. <p>The above hours of operation are consistent with the approved development at 260 Eighth Avenue, Austral (DA-381/2023). In addition, per the Acoustic Report it is shown that the proposed hours of operation will not result in any adverse impact to the aural amenity of the neighbouring properties.</p>
<u>Traffic</u>	
<i>17. The applicant is to submit plans demonstrating any required road improvements and intersection treatments for the Fourth Avenue and Gurner Avenue frontages.</i>	Civil documentation submitted originally detailed the proposed road improvements.
<i>18. The applicant is to submit plans showing the locations of the proposed access way to the car park and loading dock off Fourth Avenue from the intersection of Fourth Avenue and Gurner Avenue.</i>	Refer to Civil and Architectural Plans which include specific location and distances of the access ways.
<i>19. Provide a Road Safety Audit addressing the movements to and from the site accesses and whether the estimated increased volumes require a dedicated right turn lane or left turn lane into the proposed access driveways, or whether the right turn movement should be prohibited from the site into Fourth Avenue.</i>	<p>The Traffic Report has addressed the safety concerns and complies with AS2890.1-2004. Access to the proposed development contains clear sightlines which minimises any potential safety risk along the street frontages. Furthermore, it is to noted that it is uncommon for turning bays to be provided along Fourth Avenue, which is a local road and on a straight section with appropriate sightlines, and is therefore not proposed.</p> <p>Council may wish to impose a condition of consent requiring a Road Safety Audit to be prepared post approval.</p>
<i>20. Access arrangements, parking layout, servicing and vehicle swept paths should be reviewed and confirmed with compliance certification.</i>	Swept paths were provided in Traffic Report submitted with the DA. Refer to Traffic Letter, whereby access arrangements, parking layouts and servicing generally complies with Australian Standards.
<u>Land Development Engineering and Flooding</u>	
A detailed civil response is to be provided by 19 November 2024 to respond to the issues raised by Council.	

Conclusion

We consider that the additional details and justifications submitted with this response addresses the concerns raised by Council. For the reasons discussed in the Statement of Environmental Effects prepared by *Planning Ingenuity*, the proposed modifications are considered to be satisfactory against the relevant planning controls and/or their objectives, will not have an adverse impact on the amenity of adjoining properties, is in the public interest and worthy of Council's support.

If you have any questions please do not hesitate to contact the undersigned on 9531 2555.

Yours faithfully,

Planning Ingenuity Pty Ltd



Jonathan Joseph
ASSOCIATE DIRECTOR





ANNEXURE A

Design Excellence Panel



Table 2 DEP Issues and Responses

Council Comment	Response
<u>Context & Site Strategy</u>	
<i>There was extensive discussion regarding the significant variation from the desired future layout outlined in the Liverpool Growth Centre Precinct Development Control Plan (LGCP DCP). Major concerns raised include the compromised public through site link, plaza and the lack of consideration for the neighboring community center, the local park and a broader context (discussed further in the following sections).</i>	This is addressed throughout Table 1 , noting that the proposal provides a through-site link and public piazza which aligns with that envisaged by the DCP. This will enable a superior relationship to the future community centre and wider context.
<i>Due to the absence of consideration of the immediate context, the Panel strongly recommends that the applicant incorporate a design response to future school sites, located to both the north and east, into their urban design analysis and placemaking strategies. Considering the likely demand for practical and convenient connections between the school drop-off areas and the supermarket pick-up area, these links should be a key consideration in the design process, especially in terms of site planning, the public space network, and desired pedestrian movement.</i>	The proposal, as amended, represents an appropriate response to the surrounding educational facilities where possible. Specifically and to the north, the proposal provides active frontages to Gurner Avenue and a generous public piazza and through-site link which is consistent with the DCP. This will therefore deliver an appropriate relationship to the existing school. To the east, the proposal as amended will enable redevelopment of the neighbouring property, which will by virtue enhance the relationship to the future educational establishment to the east. The proposal also includes numerous connection points to the east which will also allow circulation to the broader context.
<i>The Panel emphasises the importance of this development, as it is the first within the Gurner Avenue Neighbourhood Centre and highlights the need for careful consideration of all interfaces with neighbouring sites. What is proposed for the subject site will have a direct impact on their future development potential. As a result, it is essential to adhere to the DCP's envisioned centre structure and public amenity. The current scheme falls short of achieving this DCP standard amenity in its present form.</i>	As described above and in Table 1 , under points 1 to 3.
<i>Connecting with Country strategy The Panel recommends that the landscape and site planning strategy acknowledge topography, endemic vegetation patterns and water flow across the site. If the applicant would like to include indigenous style graphics or murals as part of their connecting to Country strategy a local artist with authentic connections to this place should be engaged to work on this element.</i>	Revised Landscape Plans have been submitted with this application which provide additional details on vegetation proposed.
<u>Public Through Site Link & Plaza</u>	
<i>The panel do not support the downsizing of the DCP standard public through site link and the design treatment of it. The LGCP DCP Figure 3-4 illustrates a minimum of 8m wide pedestrian through site link, open to the sky (defined by the building lines), with the potential for double</i>	The through-site link is open to the sky and provided at 4m in width, with a direct relationship to the neighbouring property. This is addressed in points 1 to 3 in Table 1 .

Table 2 DEP Issues and Responses

<i>loaded active frontages, directly connecting Gurner Avenue and the future local street. The LGCP DCP envisions that this through site link is to be shared and activated with the adjoining community centre. However, the proposed development only provides a 1.5m wide thoroughfare along the common boundary.</i>	
<i>The current scheme proposes a 6.5m wide internal mall fully enclosed within the development and covered by a roof structure. This does not comply with the requirements of the through site link, in position, scale or intent. This self-interested approach is not supported by the Panel, as it fails to function as a true public through site link, potentially allowing nighttime closures, redirecting pedestrian movement into the private development, and diminishing the desired visual connection from the public domain. The applicant must incorporate an accessible design solution adjacent to this link, ensuring public access does not rely on entering the private mall.</i>	<p>As above, the proposal has been amended and designed to comply with the DCP requirements. The through-site link is 4m in width, open to the sky and the internal mall has been designed to direct circulation along the eastern boundary.</p> <p>After hours, the through-site link will be fully accessible to the public. This link also incorporates accessible design solutions as set out in Table 1, under point 4.</p>
<i>The Panel recommends that the next presentation include evidence of alternative design options for the layout of the secondary retail, activation of edges, loading dock location, through site link, and vehicle entry location. In addition to the above the Panel enquired if the proponent had undertaken a precedent study of similar sized plaza spaces, their function, activation and quantum of paving to soft landscaping. A precedent study of this type would be useful given that the scale of the plaza is reasonably modest in plan yet appears quite expansive in some of the imagery.</i>	<p>The proposal as amended incorporates improved circulation and relationship to the surrounding locality, activation and vehicular entry and exit. It is noted that the loading dock is unchanged, however is appropriate per point 6 in Table 1.</p>
<i>Considering above, the public amenity, benefit and development potential for neighbouring site are significantly compromised by the downsizing of the through site link. The applicant must revisit the design and demonstrate how the proposed development, along with the future community facility, will achieve the DCP standard or equivalent public amenity as outlined in the DCP.</i>	<p>As above, the proposal complies with the through-site link requirement and is therefore acceptable.</p>
<u>Southern Interface Treatment</u>	
<i>The Panel inquired how the proposed development would positively response to the future park, as it appears that the current design does not comply with the LGCP DCP, which clearly requires developments in the centre to relate to the park located to the south, and the Figure 3-4 indicates a street defining building line at this location. The Panel acknowledges that the site is constrained by slopes but notes that the applicant chose to lower the site below</i>	<p>The proposal, as amended, successfully responds to the future public open space and roadway to the south. This is addressed in detail under Point 5 of Table 1.</p>

Table 2 DEP Issues and Responses

<i>the natural ground level for on-grade parking. This resulted in a significant retaining wall facing the future local street and park to the south. A lack of positive design response to the future park is a concern.</i>	
<i>The applicant explains that the on-grade parking will not have an adverse visual impact on the future park due to dense boundary planting and it's lower level. However, the current boundary planting area appears quite narrow and lacks sufficient deep soil, which will limit the growth of mature trees. Additionally, the Panel has been informed that the development includes about 46 surplus parking spaces. Considering this surplus and the need to maximise the deep soil zone (DSZ) as advocated by the applicant, the Panel emphasises that there are opportunities to expand the DSZ along the southern boundary. The Panel strongly recommends that the applicant revise the parking arrangement to establish a true DSZ, free of any underground structures.</i>	As above, deep soil zones have been improved along the southern boundary to provide a successful relationship to the future public open space. This includes a number of vegetative layers which will enhance the visual and flora relationship.
<i>By increasing the DSZ and re-arranging the car parking design, the applicant is required to comply with LGCP DCP Part 5.3.8 and ensure that the on-grade parking achieves that tree canopies can cover 50% of the car space surface area (excluding car park travel lanes).</i>	The proposal achieves a canopy coverage of 27% through an additional 13 trees, which represents an improvement over the original proposal at 21.4%. Whilst not strictly satisfying the DCP requirement, this is considered acceptable as there will be a strong relationship create to the public open space due to the numerous layers of vegetation.
<u>Active Frontages & Vehicular Access</u>	
<i>The Panel inquired whether commercial use or retail use are proposed along Gurner Avenue as discrepancies have been noted. The applicant confirmed that specialty retail is intended along the street frontage such as real estate agencies and mortgage brokers. Subsequent submissions must make the use of all spaces clear.</i>	The proposal includes the provision of retail and commercial uses at-grade fronting Gurner Avenue. These uses will align with the definitions contained within the SEPP. The exact uses cannot be confirmed at this stage, however, commercial uses will be consistent with office and business premises and retail per the standard definition.
<i>Considering the surrounding emerging residential character and desirable streetscape, the Panel recommends the applicant reconfigure the loading area, allowing more active uses along Fourth Avenue and the corner of Fourth Avenue and Gurner Avenue. This recommendation aligns with LGCP DCP.</i>	The loading area has been concealed within the overall built form as set out under point 6 in Table 1 .
<i>The Panel emphasizes that in order to promote a 'High Street' character and a pedestrian friendly environment, particularly given the proximity to the plaza, vehicular entry should be avoided from Gurner Avenue. A single point vehicular entry along Fourth Avenue is highly recommended.</i>	The provision of a vehicular access point from Gurner Avenue is considered acceptable as discussed under point 8 of Table 1 .