

PANEL ASSESSMENT BRIEFING REPORT
SYDNEY WESTERN CITY PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSWC-560 – DA-225/2025 (PAN-527180)
PROPOSAL	Demolition of all existing structures, selective retention and removal of existing trees, earthworks, site remediation, construction of a neighbourhood shopping centre comprising of a full line supermarket, liquor store, 15 retail units (cold shell fit-out), 2 kiosks, food and beverage tenancy, car wash service, at-grade parking, loading facilities, landscaping, associated facilities, and business identification signage.
ADDRESS	95 Tenth Avenue, Austral Lot 1 DP 748006
APPLICANT	Mr Howard Hathorn, and Coles Group Property Developments Ltd
OWNER	Coles Group Property Developments Ltd
DA LODGEMENT DATE	13 May 2025
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Clause 2, Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021
CIV	\$50,007,000 (excluding GST)
CLAUSE 4.6 REQUESTS	No 4.6 Variation proposed
LIST OF ALL RELEVANT PLANNING CONTROLS (S4.15(1)(A) OF EP&A ACT)	• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> • <i>State Environmental Planning Policy (Industry and Employment) 2021</i> • <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>
TOTAL & UNIQUE SUBMISSIONS	17
KEY ISSUES	

	1. Traffic and Vehicle access requirements to the site (a) Streetscape Design Conflicts with Council's Edmondson Avenue Upgrade (b) Pedestrian Access Missing from North and East (c) No access the future eastern local road (d) Requirement for a roundabout at the intersection of Tenth Avenue, the future eastern local road, and the future south-eastern local road. (e) Vehicle access arrangements, including access from Edmondson Avenue, Tenth Avenue, and the future local road to the east. 2. Contributions Plan Non-Compliance (CF3 Shortfall) 3. Design Excellence Panel matters (a) Lack of Pedestrian Access from Tenth Avenue (Main Street) (b) Retaining Walls – Excessive Height and Poor Public Domain Interface (c) Insufficient Shade Tree Coverage in the Car Park (d) Façade presentation to the corner. 4. DCP Non-Compliance – Urban Design, Public Domain, Access, and Streetscape (a) Public Domain Integration – Lack of Interim Works and Poor Integration with Future Road Upgrades (b) Streetscape and Architectural Design – Inadequate Coordination with Council's Upgrade Works (c) Pedestrian Access and Connectivity – Missing Entrances and Poor Site Permeability 5. Proposed community centre, to be delivered as Stage 2 (Concept Stage), which was introduced into the DA following discussions with Council. (a) Potential VPA associated with Stage 2.
ATTACHMENTS	Attachment A: Draft Conditions of Consent Attachment B: Tables of Compliance Attachment C: Submissions (Redacted) Attachment D: Architectural Plans Attachment E: Landscape Plans Attachment F: Civil plans Attachment G: Traffic Impact Assessment Attachment H: Statement of Environmental Effect
PLAN VERSION	Various Plan Sets as per Attachments

PREPARED BY	Nabil Alaeddine Tamim Omar
DATE OF REPORT	27 May 2026

1. THE SITE AND LOCALITY

1.1 The Site

- The is located at: 83 Tenth Avenue, Austral (LOT 835 DP 2475), 255 Edmondson Avenue, Austral (PART LOT 1 DP 748006), 249 Edmondson Avenue, Austral (LOT 5 DP 210025).
- The subject site comprises dual frontages, with approximately 116 metres to Edmondson Avenue on the western boundary and 156 metres to Tenth Avenue on the southern boundary. The site also includes a minor frontage of approximately 44 metres to Buljbasich Street along the northern boundary. Furthermore, in accordance with the Austral and Leppington North Indicative Layout Plan, the site will benefit from an additional eastern frontage to a future road located on Lot 834 DP 2475, which is yet to be constructed. The total area of the site is 2.199Ha.
- The site is generally slope towards the northwestern corner which is the low point at RL 81.05. The high point on the site is located in the southwestern corner where the survey level is RL84.7. It is currently used for commercial and residential purposes with a neighbourhood centre containing a supermarket, retail and business tenancies, mechanical workshop and shop-top housing as the improvements at 249 & 255 Edmondson Avenue and detached residences and associated shed/ outbuildings at 83 Tenth Avenue.
- The vegetation on the subject site consists of 51 mature trees with associated shrubbery/ grassed areas.

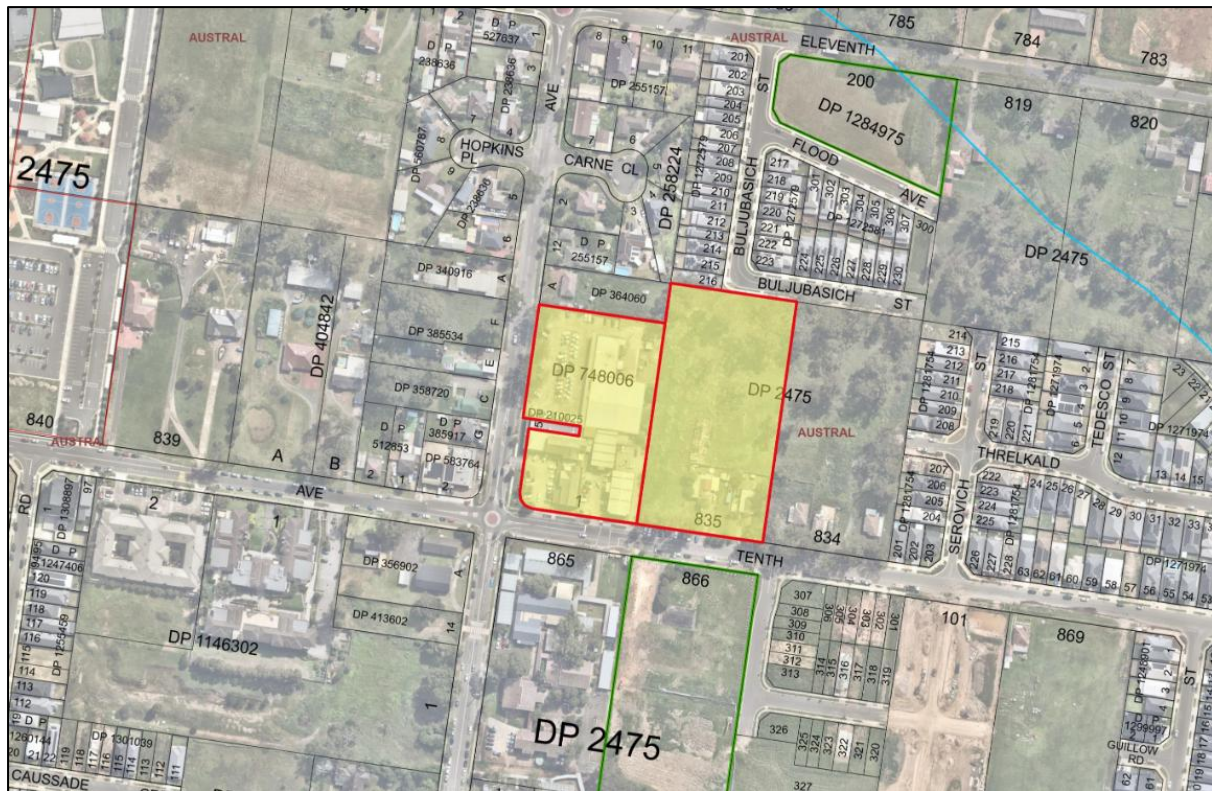


Figure 1: Site Map (source: Geocortex)

1.2 The Locality

- The subject site is located in Austral and is directly adjacent to the Austral Public School, which is located on the immediate south of Tenth Avenue. The surrounding locality is characterised by a mixture of small-scale commercial development in the immediate proximity and low-density residential on a wider scale.
- The Site is zoned B1 Neighbourhood Centre pursuant to the provisions of the State Environmental Planning Policy (Precincts: Western Parklands City) 2021.

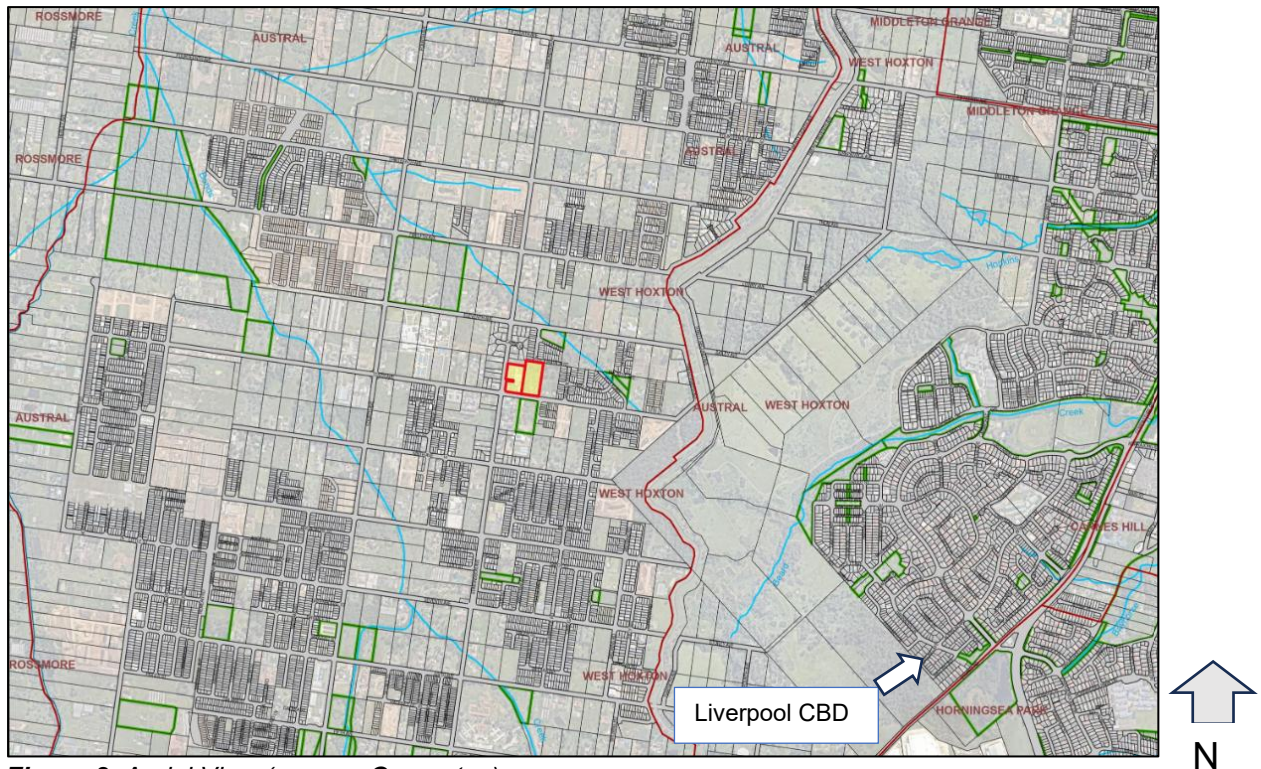


Figure 2: Aerial View (source: Geocortex)

- The surrounding zoning consists of SP2 Educational Establishment and RE1 Public Recreation to the south, SP2 Classified Road and B1 Neighbourhood Centre to the west R3 Medium Density Residential directly east and within the wider locality.

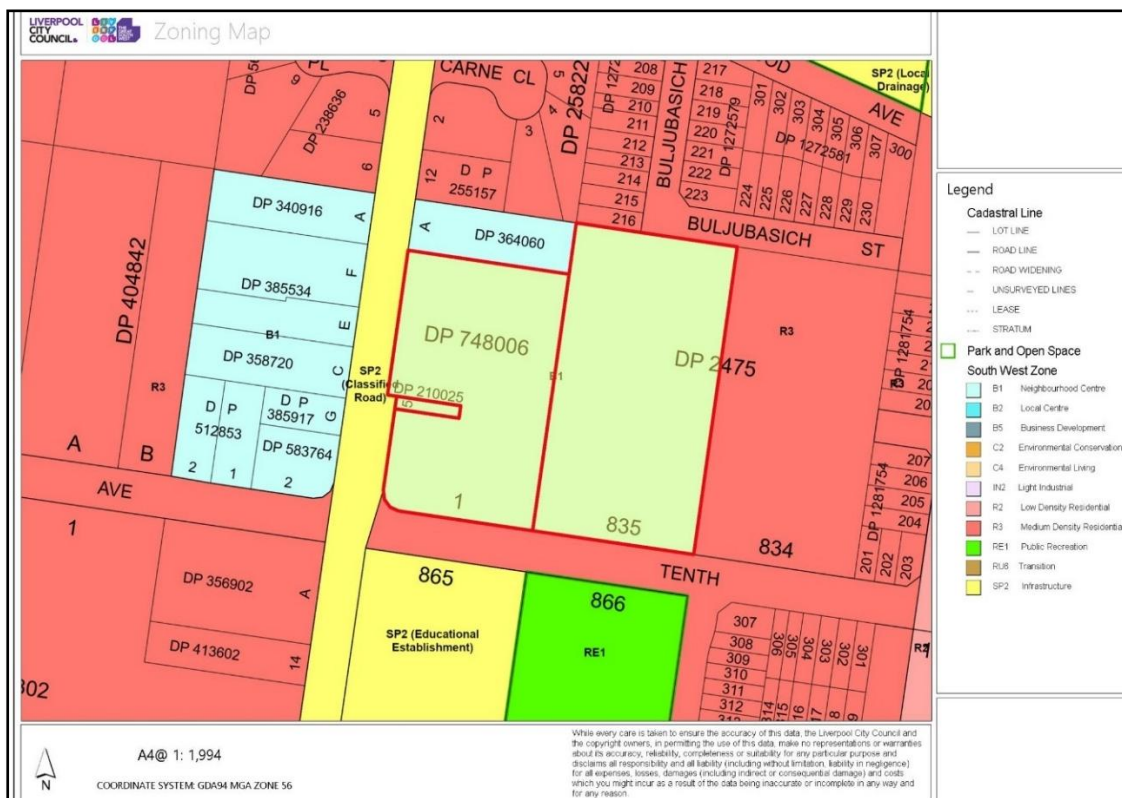


Figure 3: Source: Geocortex

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The development application was originally lodged for the *demolition of existing structures, selective tree removal and retention, earthworks, site remediation, and the construction of a neighbourhood shopping centre comprising a full-line supermarket, liquor store, 15 retail units (cold-shell fit-out), two kiosks, a food and beverage tenancy, a car wash facility, at-grade parking, loading areas, landscaping, associated site works and business identification signage.*

During the Class 1 appeal process, the integration of the community centre component was, in principle, agreed to be incorporated into the application through a staged development approach. Under this arrangement, Stage 1 would proceed as the neighbourhood shopping centre as currently proposed, while Stage 2 would comprise a concept proposal for the future community centre. This staging enables the detailed design, VPA negotiations, and delivery framework for the community centre to be resolved collaboratively between Council and the landowner, without restricting the centre from being constructed and operated. The community centre will therefore form part of a future development application for Stage 2, supported by ongoing consultation and the finalisation of the VPA.

In addition to the above, Council has identified that a **new roundabout is required** at the intersection of **Tenth Avenue, the future eastern local road, and the future south-eastern local road** to ensure safe and efficient vehicle movements generated by the development. This requirement has been communicated to the applicant throughout the assessment process; however, the applicant has not yet formally agreed to incorporate the roundabout works into the proposal. Notwithstanding this, the roundabout forms a necessary piece of intersection infrastructure arising from the development and is required to be included within the scope of works for Stage 1. The design, delivery and dedication of this intersection treatment will therefore need to be resolved as part of the amended proposal and addressed through the recommended conditions of consent.

Therefore the development as amended is for the *demolition of all existing structures, selective retention and removal of existing trees, earthworks, site remediation, construction of a neighbourhood shopping centre comprising of a full line supermarket, liquor store, 15 retail units (cold shell fit-out), 2 kiosks, food and beverage tenancy, car wash service, at-grade parking, loading facilities, landscaping, associated facilities, and a Signage Strategy including business identification with Concept approval for a Community Centre and Commercial building over 2 Stages.*

Specifically, as amended, the proposal involves a two-stage development as follows:

Stage 1:

- Demolition of all existing buildings and structures on site,
- Remediation, site formation and earthworks,
- Selective removal of existing trees and retention of trees in the north-eastern and south-eastern parts of the site,
- Construction of a single-storey building containing the following:

- A full-line supermarket with associated storage, staff, and back-of-house facilities
- A liquor shop
- Approximately 15 retail units (in cold shell condition), with flexibility to be amalgamated into larger units
- Two kiosks
- A loading dock
- Associated plant and equipment, including 2,000 sqm of solar panels with a capacity of 300kw
- Construction of a food and beverage tenancy and a car wash service facility (in the form of an outbuilding or “pad” tenancies).
- Construction of an at-grade car park with a total of 301 car spaces and 12 motorcycle spaces.
- Provision of 24 bicycle spaces at the main walkway and adjacent to the loading dock.
- Provision of access driveways to the site as follows:
 - Heavy Vehicle access with temporary light vehicle access off Edmondson Avenue, until the new Edmondson Avenue is constructed.
 - New two-way access to Tenth Avenue
 - New two-way access to the new Local Road to the east (To be constructed by the neighbouring approved development), and
 - proposed future road within the adjoining land to the east (Biffin Street)
- Landscaping, including canopy trees throughout the at-grade car park.
- Construction of retaining walls.
- Installation of awnings above the public footpaths.
- Reservation of 2,614m² of land for a future community facility to be acquired by Liverpool City Council. The above area will be turfed for use as a kick-about space and food trucks on a temporary basis, until such time as ownership of the land is transferred to the Council. A total of 21 car spaces are provided along the northern edge of this area, which are accessed from the shopping centre car park.
- Provision of a pedestrian walkway along the northern common boundary to enable future access to the adjoining property to the north at 265 Edmondson Avenue, should this neighbouring property be redeveloped to a commercial use.
- A signage strategy for the site that included the installation of business identification signage. This proposal seeks approval for the following, which is also outlined in the table below:
 - Detailed design of specific business identification, building identification, and directional signage; and
 - A signage strategy describing defined zones for future business identification signs relating to the individual tenancies. The signage strategy is prepared to avoid the need for separate development consents each time the occupation of the tenancies changes.

- The hours of illumination of the proposed signage will be 6am to 11:30pm.

Stage 2:

- Concept Approval for a new building comprising commercial and retail premises, and a community centre with a minimum of 1,000m² of gross floor area.
- Stage 2 only requires the approval of the identified building envelope of the new retail and community centre building.

The key development data is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Site area	2.199 ha (combined area of 249–255 Edmondson Ave & 83 Tenth Ave)
GFA	6,498m ²
FSR (retail/residential)	0.30:1
Clause 4.6 Requests	No Clause 4.6 variation requested
No of apartments	No Clause 4.6 variation requested
Max Height	10m (Max)
Landscaped area	Enhanced landscaping including strata vaults, canopy trees, hedging, and public plaza; 46% canopy cover over uncovered car spaces
Car Parking spaces	301 car spaces + 12 motorcycle spaces + 24 bicycle spaces

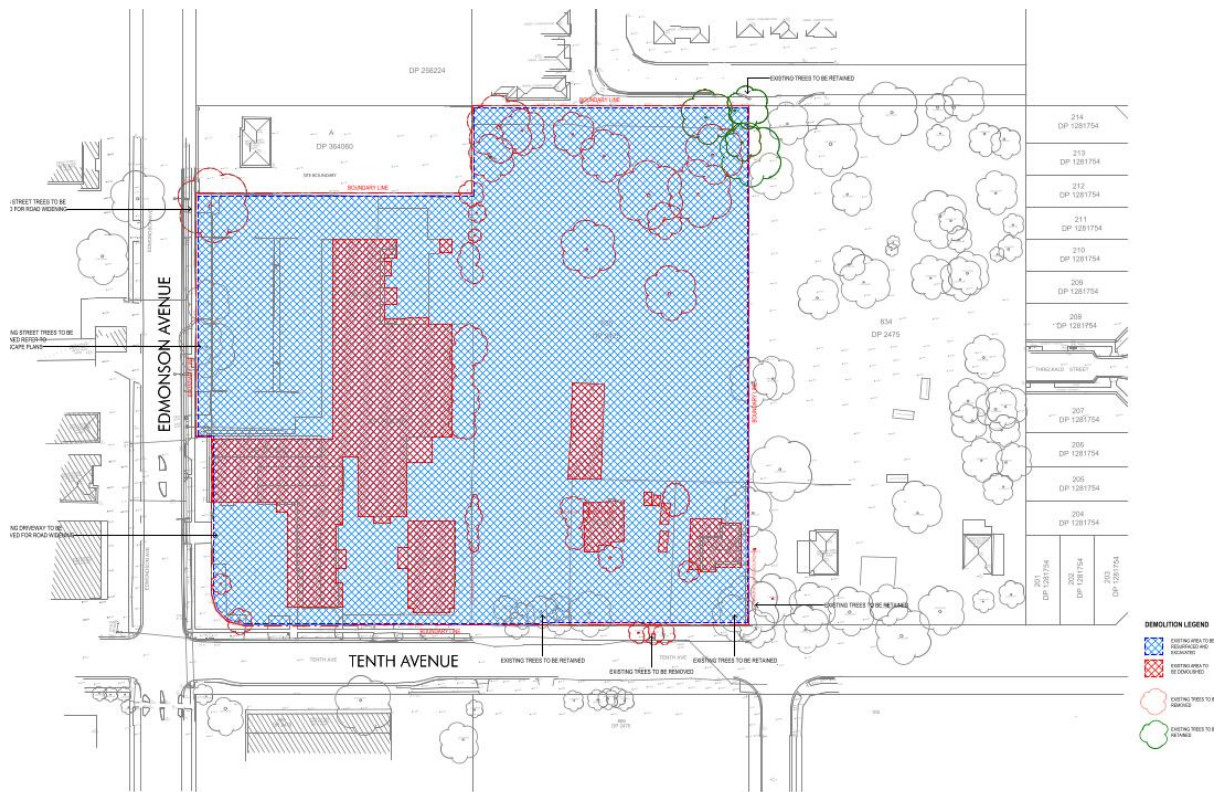


Figure 4: Demolition plans

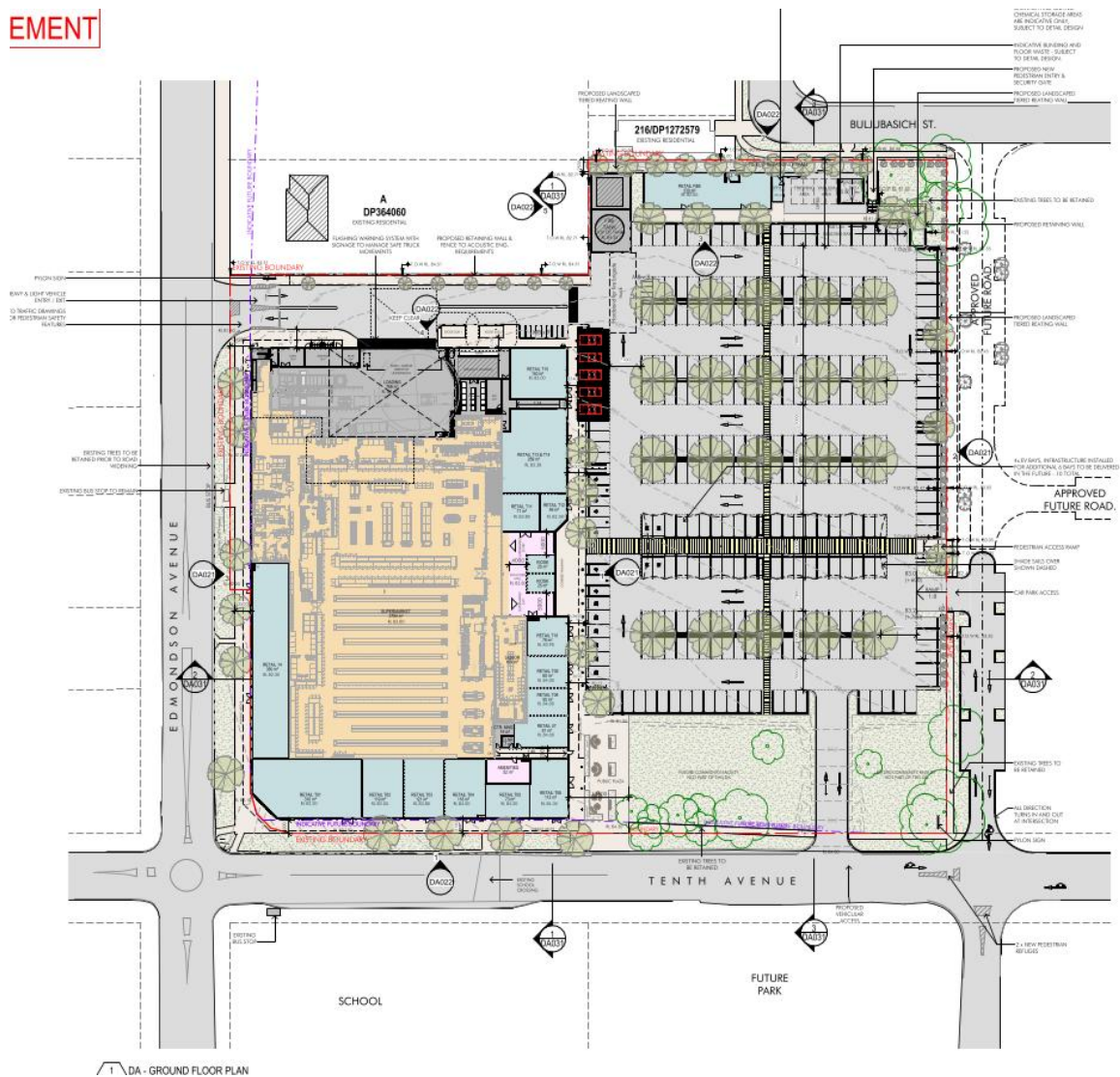


Figure 5: Proposed Site Plan – Existing Road Layout

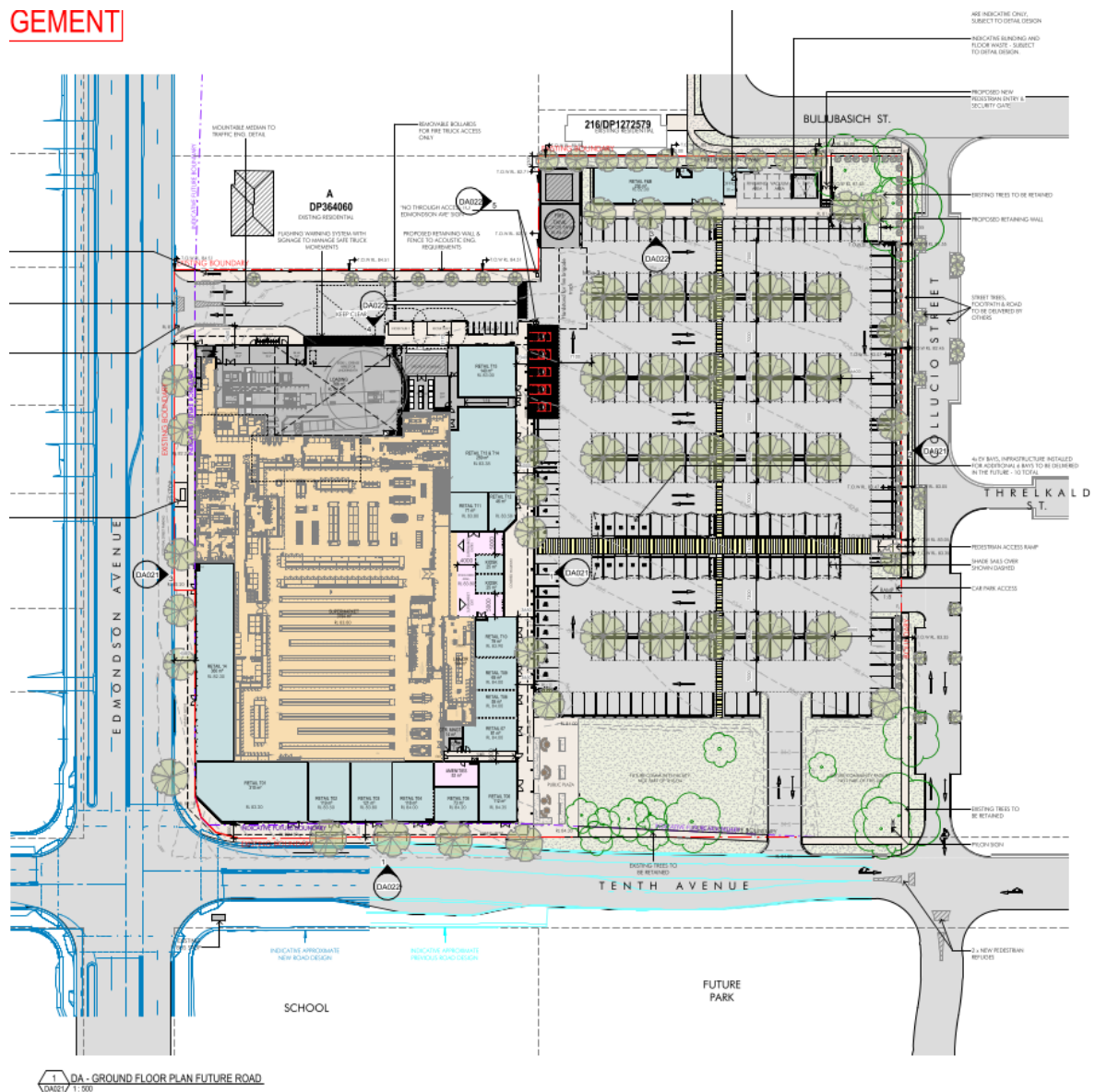
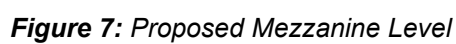


Figure 6: Proposed Site Plan – Future Road Layout



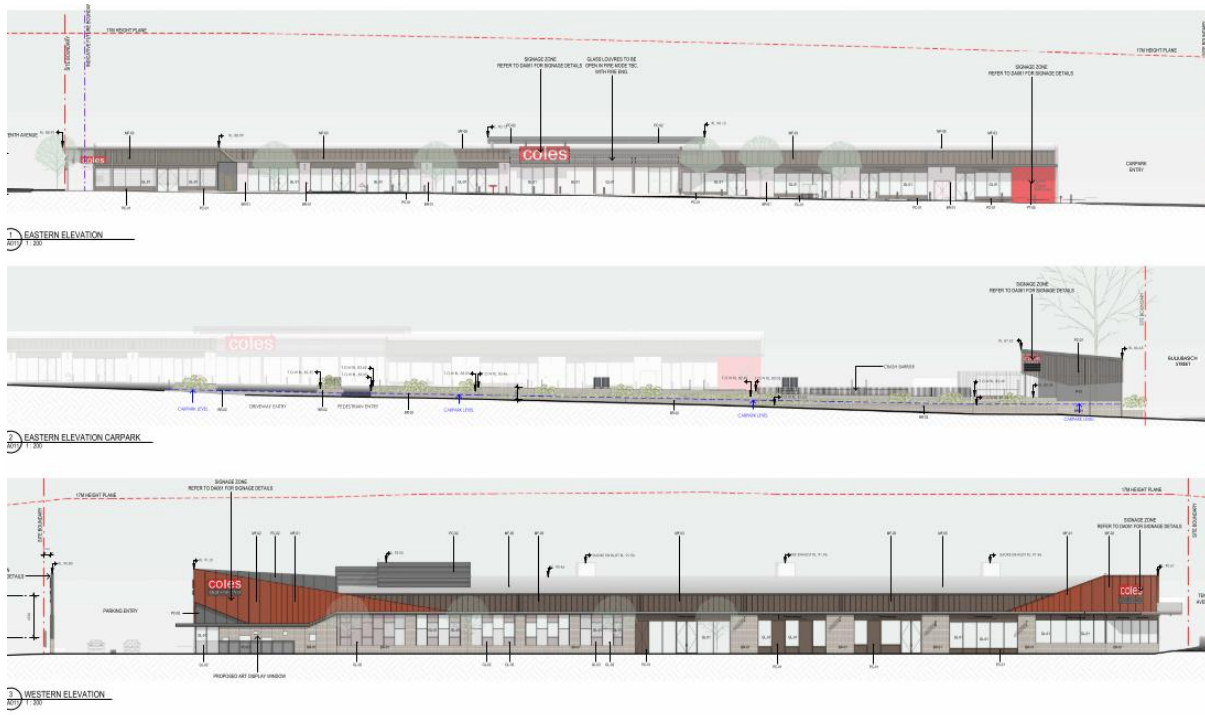


Figure 9: Proposed East and West Elevations

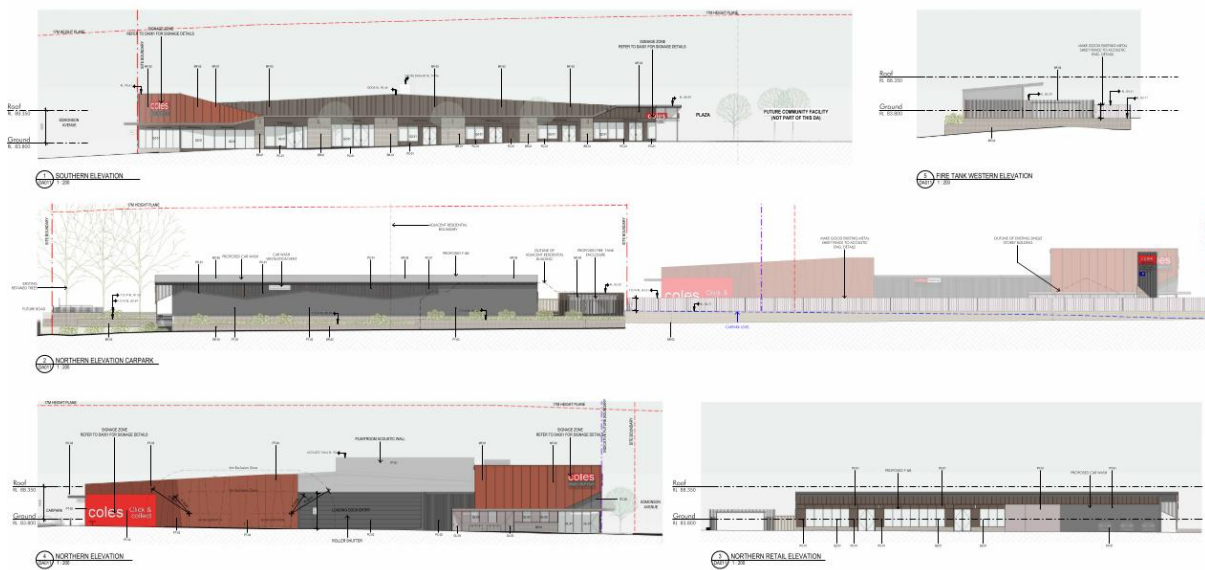


Figure 10: Proposed North and South Elevations



PERSPECTIVE 1 VIEW FROM TENTH AVENUE

INDICATIVE PLAZA DESIGN FOR ILLUSTRATIVE
PURPOSES ONLY - REFER TO LANDSCAPE
ARCHITECT'S DRAWINGS FOR DETAIL DESIGN

GENERAL NOTE:
SITE BOUNDARY IS SHOWN AS PER SURVEY "ACIS-TOPO. UTA".
PREPARED BY SETRA SURVEYING FEBRUARY 2024.
THE PROPOSED BUILDING HAS BEEN SETBACK TO ALLOW FOR FUTURE
ROAD WIDENING AS SHOWN IN DRAWINGS "EDMONSON AVENUE
UPGRADE DETAILED DESIGN - ROAD ALIGNMENT & DETAIL PLANS".
PREPARED FOR LIVERPOOL CITY COUNCIL BY STANTEC DECEMBER



PERSPECTIVE 2 VIEW FROM EDMONSON AVENUE



PERSPECTIVE 3 VIEW FROM EDMONSON AVENUE & TENTH AVENUE INTERSECTION

GENERAL NOTE:
THIS PERSPECTIVE IMAGE IS A REPRESENTATION OF THE PROPOSED DEVELOPMENT AND DOES NOT REPRESENT THE FINAL DESIGN.

Figure 11: *Proposed Perspective Images – Buildings*



PERSPECTIVE 4 VIEW FROM BULJUBASICH STREET



PERSPECTIVE 5 VIEW FROM BULJUBASICH STREET & FUTURE ROAD INTERSECTION



PERSPECTIVE 6 VIEW FROM FUTURE ROAD



PERSPECTIVE 7 VIEW FROM FUTURE ROAD PEDESTRIAN ENTRY

Figure 12: Proposed Perspective Images – Public Domain Areas

2.2 Background

The development application was lodged on **13 May 2025**. A chronology of the development application since lodgement is outlined in **Table 2**.

Table 2: Chronology of the DA

Date	Event
4 June 2025	Exhibition of the application for 28 days

2 June 2025	DA referred to external agencies
14 August 2025	Design Excellence Panel meeting
16 September 2025	Request for Information from Council to the applicant
2 March 2026	Regional Panel briefing
16 March 2026	
31 October 2025	Amended plans lodged
17 December 2025	Appeal lodged with the LEC (Class 1)

2.3 Site History

- The site contains an existing neighbourhood centre.
- No concurrent applications.
- The site includes land identified for acquisition under the Austral & Leppington North Contributions Plan (CF3).
- The adjoining eastern land is approved for subdivision and will deliver the future local road.

3. PLANNING CONTROLS

The site is located within the B1 Neighbourhood Centre under the SEPP (Precincts – Western Parklands City) 2021. The proposal is permissible with consent.

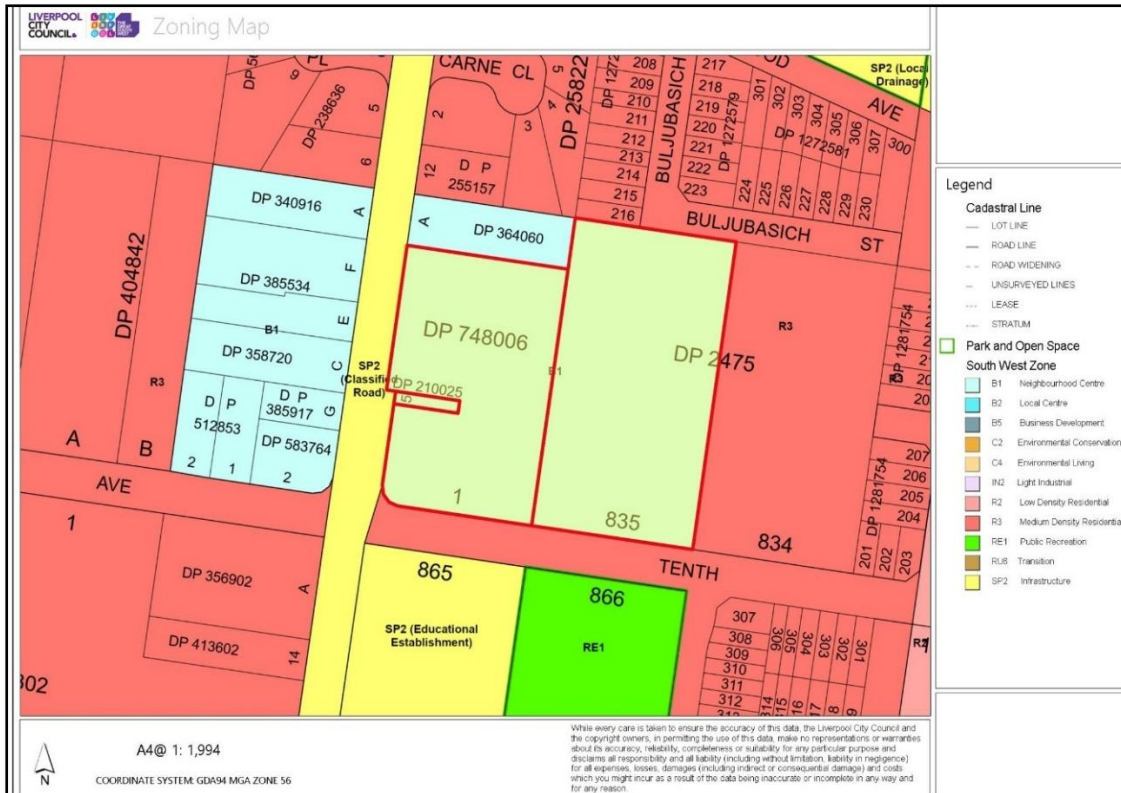


Figure 13: Zoning Map Extract

A summary of the key matters for consideration and non-compliances arising from the relevant EPIs are outlined in **Table 3**. The pre-conditions to the grant of consent have been considered and are outlined in bold.

Table 3: Summary of Key Matters in the Relevant EPIs

EPI	Matters for Consideration	Comply (Y/N)
SEPP Resilience and Hazards) 2021	Chapter 4 Remediation of Land.	Y/N
SEPP (Transport and Infrastructure) 2021	- Schedule 3 2.122 Traffic Generating Development	Y
SEPP (Biodiversity and Conservation) 2021	Chapter 6 Water Catchments,	Y
SEPP (Industry and	Chapter 3 – Advertising and Signage	Y

Employment) 2021		
SEPP (Precincts – Western Parkland City) 2021	• Chapter 3 Sydney Region Growth Centres • Appendix 4 Liverpool Growth Centres Precinct Plan	Y
SEPP (Planning Systems)	Clause 20(1) declares the proposal as regionally significant development pursuant to Clause 2 of Schedule 6.	Y
Growth Centres DCP	- Part 2: Precinct Planning Outcomes; - Part 3: Neighbourhood and Subdivision Design; - Part 5: Centres Development Controls; - Part 3: Centre Development Controls; and - Part 4: Site Specific Controls.	Y

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in **Table 4**.

Table 4: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
TfNSW - Roads	SEPP (Transport and Infrastructure) 2021, s2.122 traffic generating development	Rejected	N/A
Referral/Consultation Agencies			
Sydney Water	Sydney Water Act 1994 Section 78	Supported, Subject to Conditions	Y
Endeavor Energy	SEPP (Transport and Infrastructure) 2021, s2.48	Supported, Subject to Conditions	Y
Jemena	SEPP (Transport and Infrastructure) 2021, s 2.77	Rejected	N/A

4.2 Council Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 5**.

Table 5: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	No objections subject to recommended conditions	Yes (Conditions)
Flooding	No objections subject to recommended conditions	Yes (Conditions)
Traffic	Not Supported – <i>Refer to key issues for further details</i>	Yes (Conditions)
Design Excellence Panel (DEP)	Not Supported – <i>Refer to key issues for further details</i>	Yes
Urban Design & Public Domain	No objections subject to recommended conditions	Yes (Conditions)
Building	No objections subject to recommended conditions	Yes (Conditions)
Fire Safety	Not comments required	N/A
Environmental Health	No objections subject to recommended conditions	Yes (Conditions)
Waste	Not comments required	N/A
Economic Development	No objections subject to recommended conditions	Yes
Heritage	No objections subject to recommended conditions	Yes (Conditions)
Public Art	Initially not supported; however, conditions have now been provided, and the outstanding matters can be addressed under the recommended conditions of consent. Approval is therefore subject to those conditions.	Yes (Conditions)
Community Planning) Social planning)	No objections subject to recommended conditions	Yes
VPA and Contributions	Insufficient Information – VPA under negotiation for Stage 2 Standard contributions will apply under Stage 1 until such time as Stage 2 is finalised.	Yes (Conditions)

4.3 Community Consultation

The proposal was notified in accordance with Council's Community Participation Plan from 16 June 2025 until 14 July 2025. A total of 17 unique submissions, raising various matters. Refer to Attachment C.

5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

5.1. Traffic and access requirements to the site

(a) Streetscape Design Conflicts with Council's Edmondson Avenue Upgrade

Issue: Council's Traffic Engineers do not support long-term vehicle access or a right-turn lane into the site from Edmondson Avenue due to pedestrian safety risks and the future increase in traffic volumes anticipated from surrounding development. This position is consistent with the Edmondson Avenue Upgrade and broader network planning requirements.

Comments: Applicant's Response / Solution The applicant has agreed, via a recommended condition of consent, that:

- Interim access from Edmondson Avenue will operate as two-way access for all vehicle types, including heavy vehicles, until the Edmondson Avenue Upgrade is delivered.
- Once the upgrade is completed, access arrangements will revert to the configuration required by Council's Traffic Engineers, consistent with the endorsed road design and safety requirements. This will include loading and heavy vehicle access and a left-in / left-out arrangement from Edmondson Avenue only.
- This ensures the development can function safely in the interim while maintaining full compliance with the future upgraded road network.

This approach resolves the conflict between the proposed access arrangement and the long-term streetscape and traffic design outcomes for Edmondson Avenue.

Resolved Y/N: Y

(b) Pedestrian Access Missing from North and East

Issue: No pedestrian access was originally provided from Buljbasich Street.

In the amended plans (Issue A to P) submitted on 8 May 2026 during the Class 1 Appeal, the applicant has incorporated a dedicated pedestrian access point from Buljbasich Street. This revision now provides a direct and safe pedestrian connection into the site from the northern frontage.

Resolved Y/N: Y

(c) No access the future eastern local road

Issue: The future local road to the east is located entirely within the neighbouring approved development and, in its current form, does not provide access to the subject site. The

amended plans submitted on 8 May 2026 now propose both vehicular and pedestrian access from this future road.

The landowner of the subject site is currently negotiating delivery arrangements with the adjoining landowner regarding the timing and construction of the local road. Coles Group has advised Council that an agreement in principle has been reached, which would allow Coles to construct a portion of the road, including a temporary cul-de-sac, enabling two-way access to the site to be delivered concurrently with the neighbourhood centre.

- (d) **Requirement for a roundabout** at the intersection of Tenth Avenue, the future eastern local road, and the future south-eastern local road.

Issue: Council notes that under the Austroads Guide to Traffic Management, Part 4, indicates that a formal intersection treatment, likely a roundabout, will be required at the junction of Tenth Avenue, the future local road, and the future southern local road adjacent to the planned park and Council-owned land.

At the time of preparing this report, the applicant had not committed to constructing the roundabout. Council's Traffic Section considers this intersection treatment to be critical to the safe and efficient operation of the road network. The roundabout would significantly improve traffic flow, reduce vehicle–pedestrian conflict, and enhance safety for school children, particularly given the expected expansion of Austral Public School and the associated increase in student numbers.

Comments: The requirement for a roundabout at the intersection of Tenth Avenue, the future East Road, and the future South-East Road has been consistently identified as a critical piece of infrastructure necessary to support the safe and efficient operation of the neighbourhood centre at 83 Tenth Avenue. The roundabout is required to manage increased traffic volumes generated by the development and to ensure safe vehicle movements within the future road network.

While the applicant has acknowledged the need for the roundabout, they have not formally agreed to design or construct this infrastructure as part of the current development application. Notwithstanding this, the development is dependent on the roundabout to ensure appropriate traffic distribution, safe access, and compliance with Council's road hierarchy and network planning.

The applicant has suggested that Council could construct the roundabout; however, the roundabout is not identified or funded under Council's Contributions Plan. As a result, if the developer does not agree to deliver the roundabout in conjunction with the proposal, there is a significant risk that the infrastructure may never be constructed, which would in turn create long-term traffic and safety issues for the surrounding road network.

To ensure the road network functions safely and effectively, a condition of consent is recommended requiring the applicant to design and construct the roundabout, together with the associated road connections, prior to the commencement of operation of the development. This condition secures the delivery of the infrastructure irrespective of the applicant's current position and ensures the development does not proceed without the necessary traffic upgrades in place.

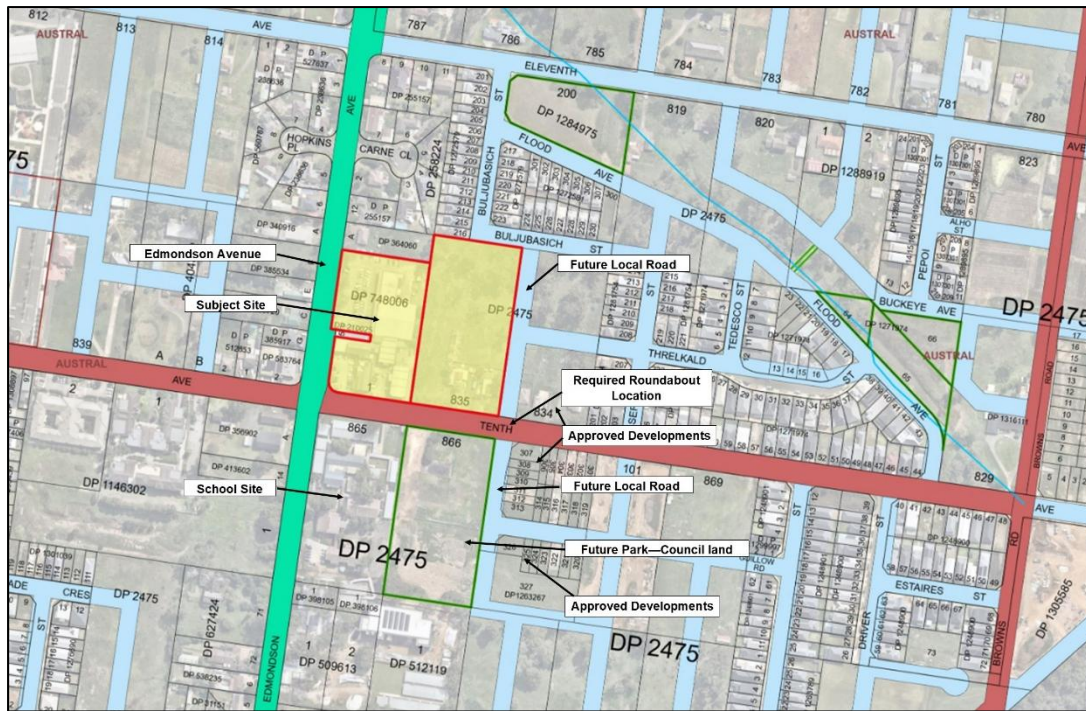


Figure 14: Zoning Map Extract

Resolved Y/N: Pending agreement by the applicant

- (e) **Vehicle access arrangements**, including access from Edmondson Avenue, Tenth Avenue, and the future local road to the east.

The proposal involves three vehicle and pedestrian access points to the site. Access from Edmondson Avenue will operate as an interim two-way arrangement for all vehicle types. Once the Edmondson Avenue Upgrade is completed, this access will transition to a left-in/left-out arrangement and be restricted to heavy and loading vehicle access only, consistent with Council's endorsed road design and safety requirements.

The second access point, located on Tenth Avenue, will operate as two-way access from the outset and will continue to function as a primary movement corridor for light vehicles.

The third access point is proposed from the future eastern local road, which is to be partially constructed by the applicant in accordance with an agreement with the adjoining landowner. This access will also operate as two-way vehicle movement and will form part of the long-term road network supporting the development.

Resolved Y/N: Y

5.2. Contributions Plan Non-Compliance (CF3 Shortfall)

Issue: Developer Contributions

The subject site includes land identified for acquisition for a community facility, noting:
"The Austral Contributions Plan identifies the CP item area of CF3 to be 2,867m²... The amended plans propose 2,614m²... being a shortfall of 253m²."

The key points are:

- The Contributions Plan requires 2,867m² of land for CF3.
- The development proposes only 2,614m², resulting in a 253m² shortfall.
- Council has not finalised the design of the future community facility; therefore, the full CP-identified area must remain available to ensure flexibility in layout and function.
- Because the proposal does not provide the required land area, Council cannot be satisfied that the development meets s4.15(1)(a)(ii), s4.15(1)(b), and s4.15(1)(e) of the EP&A Act.
- The shortfall represents a failure to meet a mandatory precondition of the Contributions Plan and undermines the delivery of essential community infrastructure.

Comments: This matter has now been fully resolved. The applicant has indicated a willingness to enter into a Voluntary Planning Agreement (VPA) to address the shortfall in land area identified under the Contributions Plan (CP). The VPA would secure a monetary contribution equivalent to the value of the CP item, enabling Council to design and deliver the future community facility in accordance with its requirements.

Although the Contributions Plan identifies a land area of 2,867m² for CF3, the DCP references a minimum 2,000m² community facility. These discrepancies were considered during discussions with the applicant. The applicant has agreed to prepare a concept design and commit to the future delivery of a community facility on the site, incorporating a minimum 1,000m² community centre footprint as requested by Council's Community Planning team.

Under the proposed VPA, the community facility would be delivered as Stage 2 of the development, with this DA establishing the concept layout only. The proposed 2,614m² land allocation is considered acceptable in this context, notwithstanding the differences between the CP and DCP requirements.

In addition, the applicant will work collaboratively with Council through the VPA process to finalise the design, staging, and delivery arrangements for the community facility, including activation of the street frontage and the lodgement of a future development application for its construction. To ensure that the VPA and the detailed design of the community centre are progressed as part of Stage 2, a standard contributions condition will be imposed under Stage 1. This condition secures the delivery of the community centre should Stage 2 not be resolved through the VPA discussions with Council.

Resolved Y/N: Y

5.3. Design Excellence Panel matters

Issues: Lack of Pedestrian Access from Tenth Avenue (Main Street)

The initial proposal failed to provide a primary pedestrian entry from Tenth Avenue, despite multiple DCP controls requiring large-format retail premises to address and activate the main street. The DEP emphasised that the supermarket must include a street-facing entrance and that the development should improve connectivity between Tenth Avenue, Edmondson Avenue, the school, the future park, and the community centre.

Comments: Pedestrian access has been provided in amended plans provided 8 May 2026 that provide pedestrian access to the Local Road to the North, South (Tenth Avenue), and the East (Unbuilt local road)

Resolved Y/N: Y

Issue: Retaining Walls – Excessive Height and Poor Public Domain Interface

Retaining walls up to 2 metres high create significant visual bulk, poor passive surveillance, and an inappropriate interface with surrounding streets and residential areas. Although some stepping and landscaping were introduced in later plans, the DEP found the revisions insufficient, particularly at the northeast corner. Concerns also remain regarding the proposed solid masonry crash barrier, which increases perceived height and reduces visibility.

Comments: The primary concern previously related to access from the north-eastern portion of the site, where the land slopes downward and requires substantial earthworks to achieve suitable finished levels. The amended plans have addressed this issue by incorporating a combination of increased landscaping, stepped retaining walls, and a new pedestrian access point to Buljbasich Street. These design changes provide a more refined and context-sensitive response to the site's topography and demonstrate an improved and more practical access arrangement for future residents.

Resolved Y/N: Y

Issue: Insufficient Shade Tree Coverage in the Car Park

The proposal does not meet the DCP requirement for **50% canopy coverage** over car parking areas. The DEP noted that the applicant's canopy calculations were inaccurate because they included trees outside the car park and shade sails, which are not counted as canopy. When corrected, the canopy coverage is only **36.5%**, well below the required standard. Additional tree planting and improved Water Sensitive Urban Design measures are required.

Comments:

- The amended landscape design has substantially improved the quality and extent of canopy planting across the car parking areas. The proposal now achieves 46% canopy coverage over uncovered car spaces, representing a significant increase from the previously assessed 36.5%. While this remains marginally below the 50% numerical requirement, the outcome is considered acceptable when assessed against the objectives of the Liverpool Growth Centres DCP, which focus on achieving high-quality landscaping, improved microclimate, and enhanced pedestrian comfort.
- The revised design introduces strata vault systems, increased soil volumes, and larger canopy species capable of achieving mature spread, thereby ensuring that the long-term shading, heat-reduction, and amenity outcomes intended by the DCP will be met. The canopy trees are strategically located to maximise shading of pedestrian routes and parking aisles, and the amended layout avoids reliance on trees outside the car park or shade sails, addressing the concerns previously raised by the DEP.

When considered against the objectives of the relevant DCP controls, namely:

- to provide shade and reduce heat-island effects,
- to enhance pedestrian comfort and amenity,
- to integrate landscaping that contributes positively to the public domain, and
- to ensure a high-quality, visually cohesive car park environment,

the amended proposal is capable of achieving the intended planning outcomes notwithstanding the minor numerical shortfall.

The combination of improved canopy placement, increased soil volumes, and the use of advanced tree stock provides confidence that the development will deliver a functionally

equivalent outcome to the 50% standard over time. On this basis, the variation is considered acceptable, and the canopy strategy is supported.

Resolved Y/N: Variation is Minor and Acceptable

5.4. DCP Non-Compliance – Urban Design, Public Domain, Access, and Streetscape

Issue: Public Domain – Lack of Interim Works and Poor Integration with Future Road Upgrades

The proposal did not demonstrate how the public domain will function before the Edmondson Avenue Upgrade and partial Tenth Avenue Upgrade are delivered. Key concerns include:

- No clear interim public domain treatment despite the applicant's note excluding works outside the "indicative future boundary".
- Existing power poles conflict with proposed parking and access arrangements.
- No demonstration of how footpaths, kerbs, and verge treatments will operate safely prior to Council's upgrade works.
- Required 3-metre footpaths, consistent paving standards, and verge landscaping have not been provided.

Comments: The amended SEE and updated public domain drawings now provide a clear and workable interim solution demonstrating how the site will function safely and coherently prior to the Edmondson Avenue and partial Tenth Avenue upgrades. The applicant has introduced interim footpath connections, realigned pedestrian routes, and updated kerb and verge treatments that integrate with existing road conditions.

Conflicts with existing power poles and services have been resolved by confirming that these assets can be relocated or adjusted, subject to approval by the relevant authority, which can be secured through conditions of consent. Footpath widths, paving materials, and verge landscaping have been revised to align with Council's Public Domain Technical Manual, and additional landscaping, planter beds, and street furniture have been incorporated to improve amenity and legibility.

Collectively, the amended material demonstrates that the public domain will operate safely, accessibly, and effectively in both the interim and final road network scenarios, satisfactorily addressing the concerns raised in Contention 1.

Resolved Y/N: Y

Issue: Streetscape and Architectural Design – Inadequate Coordination with Council's Upgrade Works

The proposal initially did not align with the intended streetscape outcomes for Tenth Avenue and Edmondson Avenue. Issues included:

- Proposed parallel parking conflicts with the Edmondson Avenue Upgrade design.
- Narrow pedestrian paths due to planters, tables, and awnings.
- Insufficient documentation showing dimensions, separation distances, and public domain elements.
- Lack of a coordinated, staged streetscape plan that integrates with Council's future works.

Comments:

- The amended SEE and updated architectural and public domain drawings now provide a clearer and more coordinated streetscape response for both Tenth Avenue and Edmondson Avenue. The applicant has removed the earlier inconsistencies and demonstrated how the development will integrate with both the interim road layout and the future upgraded road corridor.
- The amended material confirms that the proposed parallel parking on Edmondson Avenue has been realigned to avoid conflict with the future road upgrade design, and all public domain elements have been adjusted to sit wholly within the site boundary. Pedestrian paths have been widened and rationalised, with planters, furniture, and awnings repositioned to ensure unobstructed pedestrian movement and improved sightlines. The updated public domain plans now include dimensions, separation distances, kerb alignments, verge treatments, paving materials, and furniture locations, providing the level of documentation previously missing. Importantly, the applicant has prepared a coordinated public domain layout that functions in both the interim and final road network scenarios, ensuring that the streetscape will operate safely and cohesively before and after Council's upgrade works.

In this regard, the amended SEE demonstrates that the proposal now provides a legible, safe, and integrated streetscape outcome along both Tenth Avenue and Edmondson Avenue, satisfactorily addressing the concerns raised in this contention.

Resolved Y/N: Y

Issue: Pedestrian Access and Connectivity – Missing Entrances and Poor Site Permeability

The development fails to provide required pedestrian access from **all street frontages**, contrary to DCP Control 12. Key deficiencies include:

- No pedestrian access from Buljbasich Street or the future eastern local road.
- Over-reliance on Edmondson Avenue and Tenth Avenue for all pedestrian movement.
- No holistic pedestrian network plan considering future residential growth, walking catchments, or connections to the school, park, and community centre.
- Need for additional pedestrian entries, ramps, stairs, and internal pathways to improve sitewide circulation.

Overall, the conclusion was that the proposal fails to meet multiple DCP objectives, resulting in:

- Poor public domain outcomes
- Inadequate pedestrian and active transport connections
- Streetscape inconsistencies
- Safety and amenity concerns

Comments:

- The amended SEE and updated architectural and public domain plans now provide a significantly improved pedestrian access network that responds directly to the deficiencies previously identified. The applicant has introduced additional pedestrian entry points, including a new pedestrian access from Buljbasich Street, which resolves the earlier absence of access from the northern frontage. Internal pedestrian circulation has been strengthened through a dedicated walkway from Tenth Avenue,

continuous footpaths along Edmondson Avenue, and upgraded connections linking the supermarket, specialty shops, car park, and the future community facility.

- The plans now illustrate a coherent, site-wide pedestrian network incorporating ramps, widened paths, refuge islands, and clear wayfinding, improving permeability and safety across the site.
- The amended material also demonstrates how the pedestrian network integrates with the future eastern local road (Collucio Street), including delivery of the southern section of that road and associated footpath connections. This ensures that the development will be accessible from all relevant street frontages in both the interim and final road network scenarios. The SEE further explains how the pedestrian layout aligns with broader walking catchments, including connections to the future town park, Austral Public School, and the planned community facility, addressing the earlier lack of a holistic pedestrian movement strategy.

Overall, the revised plans now provide a legible, connected, and improved pedestrian environment, improving permeability and aligning with the intent of DCP Control 12.

Resolved Y/N: Y

- 5.5. **Proposed community centre**, to be delivered as **Stage 2 (Concept Stage)**, which was introduced into the DA following discussions with Council.

The community centre component has been incorporated into the application as Stage 2 (Concept Stage) following discussions with Council during the Class 1 appeal process. Stage 2 provides a high-level concept envelope for the future community facility, enabling its detailed design, layout, and operational requirements to be resolved at a later stage. This approach allows Council and the landowner to collaboratively finalise the built form, floor area, public domain interface, and delivery pathway for the centre without delaying the commencement of Stage 1 works. A future development application will be required to secure detailed design approval for the community centre.

Issue: Potential VPA associated with Stage 2.

A Voluntary Planning Agreement (VPA) is proposed to support the delivery of the Stage 2 community centre. The VPA is intended to secure key obligations, including the design development, staging, funding arrangements, and delivery of a minimum community floor space area, as well as any associated public domain works. The VPA will be negotiated between Council and the landowner in parallel with the refinement of the Stage 2 concept, and will form the mechanism through which the community centre is ultimately delivered as part of a future development application.

6. CONCLUSION

Council considers that the proposal, as amended, is capable of support. The outstanding matters previously identified, including public domain integration, pedestrian access and connectivity, streetscape and DCP compliance items, and the configuration of the community facility land, have been satisfactorily addressed through the latest suite of amended plans and supporting documentation. The only remaining unresolved matters relate to the finalisation of the Voluntary Planning Agreement (VPA) and the delivery of a potential future roundabout at the Tenth Avenue / Biffin Street (New Local Road to the east) / Collucio Street (New Local Road to the south-east) intersection.

The VPA is still under negotiation and has not yet been executed. As the VPA is tied to the future Stage 2 community facility concept and is dependent on Council's contributions planning framework, it is appropriate that Stage 1 be subject to a standard Section 7.12 contribution condition, with the VPA to be finalised prior to any future Stage 2 application, at which time it will replace the 7.12 contributions.

With respect to the roundabout, while the applicant has not formally agreed to deliver this infrastructure, the amended plans confirm that the development does not preclude its future construction. However, as identified throughout the assessment, the roundabout is a critical piece of infrastructure required to support the safe and efficient operation of the neighbourhood centre and to manage the increased traffic volumes generated by the development.

Accordingly, a condition of consent will require the roundabout and associated road works to be fully designed, constructed, and operational prior to the opening of the centre, ensuring that the necessary intersection upgrades are delivered in parallel with the development and that the surrounding road network can function safely and effectively.

The amended proposal incorporates improved pedestrian access from Buljubasich Street and the future eastern local road, enhanced public domain treatments, and revised landscaping and retaining wall arrangements that collectively achieve a coherent and high-quality urban outcome.

On this basis, Council is satisfied that the development is capable of meeting the relevant provisions of the Environmental Planning and Assessment Act 1979, applicable SEPPs, and the Liverpool Growth Precincts DCP, subject to appropriate conditions of consent.

It is recommended that the Sydney Western City Planning Panel approve Development Application DA-225/2025, subject to the finalisation of conditions of consent and the future execution of the Voluntary Planning Agreement prior to Stage 2.

7. RECOMMENDATION

That the Development Application DA-225/2025 for 'Demolition of all existing structures, selective retention and removal of existing trees, earthworks, site remediation, construction of a neighbourhood shopping centre comprising of a full line supermarket, liquor store, 15 retail units (cold shell fit-out), 2 kiosks, food and beverage tenancy, car wash service, at-grade parking, loading facilities, landscaping, associated facilities, and business identification signage', at 249-255 Edmondson Avenue and 83 tenth Avenue Austral be APPROVED pursuant to Section 4.16(1)(a) or (b) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Attachment B.

8. ATTACHMENTS

The following attachments are provided:

- Attachment A: Draft Conditions of Consent
- Attachment B: Tables of Compliance
- Attachment C: Submissions (Redacted)
- Attachment D: Architectural Plans – 141886.2026
- Attachment E: Landscape Plans - 141885.2026, 141884.2026, 141883.2026

- Attachment F: Civil plans - 141882.2026
- Attachment G: Traffic Impact Assessment - 141881.2026
- Attachment H: Statement of Environmental Effect - 141881.2026