

Landcom response to DPHI Clarifications – Modification 5 to the Edmondson Park Concept Plan

DPHI Clarification	Landcom Response
<p>1. Can you please confirm the RL height of the proposed maximum 50m TCN buildings and provide a 'Town Centre North GFA Plan' – note this aligns with the approach taken for Frasers Town Centre</p>	<p>A revised plan which confirms the RL height of the Town Centre North Buildings and the Landmark Building is attached to this response and was previously provided to DPHI on 12 April 2024.</p> <p>A Town Centre North GFA Plan has been prepared consistent with the revised Design Guidelines and is attached to this response and was previously provided to DPHI on 12 April 2024.</p>
<p>2. Can you please correct the minor errors in the Design Guidelines (see attached document)</p>	<p>The requested minor updates have been made to the revised Design Guidelines and provided as an attachment to this response and was previously provided to DPHI on 12 April 2024.</p>
<p>3. Can you please confirm if you are reviewing the Statement of Commitments, in particular SoC 7b, 12, 13, 38, 43, 65, 66, 71 and 83</p>	<p>Amendments required to the Statement of Commitments have been revised in-track change. There are no further amendments required from the previously marked up amendments to commitments 65, 66, 71 and 83.</p>
<p>4. Confirm the final position / agreement in relation to TfNSW and Council's recommended road infrastructure upgrades</p>	<p>Please see email correspondence dated 22 June 2024 which confirms the agreed position in relation to road infrastructure upgrades associated with MOD 5. Beyond the new road network to be constructed within the Town Centre North by Landcom in accordance with the road network hierarchy plan, there are no further intersection upgrades required as part of MOD 5.</p>
<p>5. Confirm the final position / agreement and letter of offer in relation to the Voluntary Planning Agreement</p>	<p>Landcom has submitted a revised Letter of Offer to Liverpool City Council on 29 February 2024 consistent with the recommendations of the independent peer review completed by Urbis. This offer is reflected in the Statement of Commitments and the draft conditions of consent. Landcom is committed to provide infrastructure and services to support the delivery of housing at Edmondson Park and will continue to work with Council to progress the negotiation of the Voluntary Planning Agreement.</p>
<p>6. What would be the mechanism for paying contributions after the Concept Plan is approved but before the VPA is executed? Would this be under the existing contributions plan? Have you got legal advice to support this as a legally available condition?</p>	<p>The draft wording of the condition of consent in relation to the VPA (1.8A(J)) presents a timing risk to Landcom and the development of the Town Centre North. The wording of the draft condition would essentially allow Council to control the negotiation process and likely delay determining Development Applications.</p>

Landcom requires a mechanism for DA's to be determined and development to commence while negotiation of the VPA occurs. The logical way for this to occur is to allow Landcom the ability to pay contributions under the Liverpool Contributions Plan 2008 until the VPA is agreed and executed. Any payment of contributions should be capped at \$30,000 per lot and offset from the total value of Landcom's VPA offer. This approach is consistent with the findings of the Independent Peer Review of the Edmondson Park Planning Agreement by Urbis on behalf of DPHI which confirms that the Liverpool Contributions Plan 2008 is the relevant Contributions Plan for Precinct 9 – Town Centre North and the application of contributions at \$30,000 per lot was considered appropriate. This is the same value per lot which underpins the value of Landcom's Revised Letter of Offer dated 29 February 2024.

As the Liverpool Contributions Plan 2008 is the relevant Contributions Plan and this is consistent with Urbis's findings, Landcom has not obtained legal advice. However, if DPHI requires legal advice to finalise the wording of this condition as proposed by Landcom, we can provide this.
