

SUPPLEMENTARY REPORT

ISSUES RAISED IN SUBMISSIONS

LIVERPOOL CITY COUNCIL

SYDNEY WEST JOINT REGIONAL PLANNING PANEL SUPPLEMENTARY REPORT

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Application Number	«Application_Number»
Proposed Development	Erection of a fourteen storey residential flat building comprising 59 units, two levels of basement car parking containing 62 off street car parking spaces and associated landscaping and fencing
Property Description	Lot 1 DP 703565 Speed Street (corner Bigge Street), Liverpool
Applicant	Hely Horne Medcalf Architects Pty Ltd
Land Owner	Liverpool City Council
Cost of Work	\$18,592,200
Recommendation	Refusal

This supplementary report provides a response to the issues raised in the submissions received objecting to DA-1281/2010. This report is to be considered and appended to the principal report which identified the exhibition process and the nature of the concerns.

ISSUE 1: Loss of Privacy

Comment:

The development has been designed in a manner that provides acceptable levels of visual privacy to both future occupants and adjoining residents. The occupants in the adjoining residential property to the south presently overlook a car park consequently a degree of impact is expected however the proposed building observes a minimum 12metre setback between habitable rooms from the neighbouring residential property with increased setbacks at the upper levels.

ISSUE 2: Solar access,

Comment:

Given the size and scale of the building overshadowing impacts are inevitable but as discussed in the report the design is considered to provide an appropriate response and overshadowing of the adjacent residential flat building to the south is minimised due to the predominant positioning of the proposed development towards the eastern end of the site.

The midwinter 9.00am shadow projects across the residential building to the south however by midday it only affects the easternmost section of the building with no overshadowing in the afternoon hours.

ISSUE 3: Amenity impacts including air, dust and noise;

Comment:

The concern relates mainly to construction activities which is a temporary situation. If the application is approved appropriate conditions of development consent can be imposed to mitigate potential impacts.

ISSUE 4: Impacts upon the health of residents;

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Comment:

It is not considered that the construction of a residential flat building will result in any long term adverse health impacts to surrounding residents. As discussed previously, there may be temporary issues associated with construction activities however these are typically conditioned to control and minimise potential impacts. Once constructed the residential use of the building is not expected to result in any identifiable adverse impacts.

ISSUE 5: Inappropriate built form including excessive height and visual impact;

Comment:

The development exceeds to a minor extent, the allowable height limit however it is considered acceptable as outlined in the report. This area of the City centre comprises a mix of older 3 storey residential flat buildings. The site and area is zoned high density residential and consequently it is to be expected that this area will undergo a transition with future development of a similar bulk and scale to that proposed in this application.

ISSUE 6: Increased traffic hazards and pedestrian safety;

Comment:

The site's present use as a car park results in frequent daily vehicle trips and circulation within the property. The assessment has concluded that the proposed access arrangements are satisfactory with adequate sight distances. Pedestrian safety will not be compromised as the development will reinforce the pedestrian pathway along Bigge Street and provide formal points of entry/egress for future residents on both Bigge Street and Speed Street whereas presently informal access exists throughout the car park.

ISSUE 7: Impacts upon the structural stability of adjoining residential flat building due to excavation and construction works;

Comment:

A geotechnical report has been prepared however the development will be required to provide the necessary structural engineering design details to ensure that the structural stability of the adjoining buildings is not compromised. Further details have been requested from the applicant by RailCorp in respect of its rail infrastructure however they have yet to be received. It is considered that this submission of this information would also address the concerns raised by the adjoining residents. At this stage the matter remains unresolved.

ISSUE 8: Loss of vegetation;

Comment:

The site is presently used as a carpark with scattered trees and vegetation. None of the vegetation is considered to be significant. There are five (5) trees located adjacent to the boundary on the adjoining property to the south. It is considered that these are capable of being retained as there are deep soil areas retained within the site around three (3) of these trees. The remaining two (2) are located adjacent to the proposed common open space area, clear of any excavation.

ISSUE 9: Loss of property values

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Comment:

There is no documented evidence that the development will directly result in the loss of property values for surrounding properties. Generally speaking the loss of property values is not a matter for consideration in a development application.

ISSUE 10: Interference with RailCorp access and maintenance gate.

Comment:

RailCorp has raised this issue in separate correspondence. Council's title searches reveal that there is no formal restriction on title and consequently Council's position is that the loss of this access gate should not be a matter that impacts upon the determination. However as RailCorp has yet to issue its concurrence it remains unresolved.

CONCLUSION

It is noted that Council has recommended the refusal of the subject development application. However in light of the above, it is considered that the majority of the issues raised do not warrant the refusal of the development application.

It is noted however, that issue 10 pertains to concerns raised by Railcorp and that this issue remains unresolved and that Railcorp has not issued concurrence.