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Addendum to Statement of Environmental Effects

**Proposed residential apartment
building incorporating ground floor
shops**

Lots 18-23 and Lot 36, DP 35236

**Key site – Bounded by Bigge St, Browne Pde
& Hume Highway,
LIVERPOOL**

Prepared for: Estmanco Pty. Ltd.

March 2012

KWC
CAPITAL PARTNERS

Table of Contents

1.0	Introduction	2
2.0	Joint Regional Planning Panel	6
2.1	<i>Architectural Design Competition Process</i>	7
2.2	<i>Building Separation</i>	9
2.3	<i>Is a SEPP 1 application necessary?</i>	10
2.4	<i>Departure from Residential Flat Design Code</i>	
	<i>Building Separation guidelines</i>	11
2.5	<i>Compatibility with current and emerging</i>	
	<i>Character of the locality</i>	12
2.6	<i>Preservation of amenity</i>	13
2.7	<i>Meeting car parking demand</i>	15
3.0	Other matters for clarification	17
3.1	<i>Clause 7.4 Building separation in Liverpool Centre</i>	19
3.2	<i>Building Separation Guidelines</i>	19
3.3	<i>Deep Soil Zone</i>	19
3.4	<i>Site Coverage</i>	20
3.5	<i>Floor to Ceiling Heights</i>	20
3.6	<i>Car Parking</i>	21
3.7	<i>Setback from Bigge Street</i>	21
3.8	<i>Southern Boundary Setback</i>	21
3.9	<i>Maximum Floor Plate</i>	22
3.10	<i>Storage</i>	22
3.11	<i>Summary Table</i>	23
4.0	Conclusion	28

1.0 Introduction

This addendum to the Statement of Environmental Effects has been prepared by B. de C Environmental as part of a development application to Liverpool City Council. It has been produced to assist Council to clarify a number of matters raised by the Joint Regional Planning Panel on 8 March 2012.

This development proposal aims to provide high quality residential apartments over a “key site”. The design has considered the importance and need to define the northern gateway to the Liverpool Town Centre. The proposal has been amended a number of times and now seeks the consent of Council to construct:

- 188 residential apartments contained within two tower buildings of sixteen (16) and fifteen (15) storeys;
- seven (7) ground floor non-residential tenancies along the Bigge Street frontage;
- basement car parking to meet resident and business needs; and,
- associated landscaping and site servicing.

This proposal has been assessed by Liverpool City Council and then referred to the Joint Regional Planning Panel (JRPP) for determination. The Council recommendation was for the approval of the proposal. However, the JRPP found that it was unable to make a determination based on the information provided by the Council.

While it is acknowledged that it is in the interest of the applicant to provide the information requested by the determining authority to enable an efficient assessment of a proposal, in this instance it is argued that all such information has been previously provided, as demonstrated by the fact that the Council was prepared to make a recommendation to the JRPP for approval. Nevertheless, the JRPP were not satisfied with the recommendation of the Council and the quality of information presented

to support the recommendation of the Council, triggering the need for this addendum to the statement of environmental effects.

The building design addresses the primary gateway entry to the Liverpool Town Centre at the corner of the Hume Highway and Bigge Street. The taller of the two residential towers will occupy this prominent location and will clearly define the entry to Liverpool.

The Browne Parade frontage has been designed to have a distinctly residential feel. Ground floor shops are replaced by residential terrace themed dwellings.

Residential and service access to the developed site will be provided via Browne Parade.

The development will be provided with suitable basement car parking, loading and waste disposal areas.

The site will be landscaped to ensure an attractive street presentation and also usable common open spaces for residents.

Because the subject site is identified as a *key site*, special provisions apply. That is, the Council is unable to consent to development as proposed unless an architectural design competition has been conducted. This proposal has benefited from high level design advice by way of the architectural design competition which was conducted in accordance with guidelines published by the Department of Planning.

Following the advice of the architectural design competition jury, the podium was strengthened and has been designed to provide the commencement of a street wall containing ground floor non-residential uses with residential uses above. **It must be noted that the architectural design competition jury was of the firm view that the podium/street wall should extend to the southern boundary so as to facilitate connection to**

future development to the south creating a continuous built form along Bigge Street.

The judging jury comprised representation from Liverpool City Council, Department of Planning and Infrastructure and applicant. The competition process confirmed the desired future character of the locality and the desired built form. The competition jury also considered matters including compliance with the relevant EPIs, DCP and RFDC.

The architectural design jury were satisfied that the proposal, the subject of this application, demonstrated design excellence and was worthy of being afforded a building height and floor space ratio bonus. **The architectural design competition jury supports this proposal.**

As this proposal has been subject to extensive design scrutiny as part of the architectural design competition, Council advised at the time that this proposal would not require further referral to Council's design review panel. However, when this proposal was formally lodged with the Council, this proposal was nevertheless referred to Council's design review panel. Council's design review panel requested further refinement of the proposal and these changes were made. **The Council's design review panel supports this proposal.**

After having been subject to two stages of design review, this proposal was then subjected to assessment by Council's development assessment team. The proposal has been assessed by Council's statutory planning staff, building, engineering, waste management, landscape design, heritage advisor. **Council's development assessment team support this proposal.**

Furthermore, it is argued that the proposed development satisfies all the objectives of the R4 - High Density Residential Zone. That is, the proposal:

- will provide for the housing needs of the community within a high density residential environment;

- will contribute to the provision of a variety of housing types within a high density residential environment;
- includes other land uses that provide facilities or services to meet the day to day needs of residents.
- is located to contribute to the provision of a high concentration of housing with good access to transport, services and facilities;
- amalgamates a number of single lots into a sizable development site without isolating or otherwise limiting development potential of other land to achieve high density residential development.

The proposal will ensure the efficient and sustainable use of land. That is, the subject site is currently vacant and is located such that careful development is required to deliver an acceptable living environment within an urban context. It is argued that this development has considered the environmental challenges presented by the development site and future character of the locality and will result in the creation of a pleasant living environment within an urban context.

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2.0 Joint Regional Planning Panel

The Joint Regional Planning Panel (JRPP) considered a report from Council that recommended approval. However, the JRPP was not satisfied with the information provided by the Council in support of this recommendation and made the following comments.

The Panel notes that this application has received a Design Excellence Award and has been considered by Council's Design Review Panel.

Further the Panel notes:

1. There has been a significant departure from the development standard as prescribed in clause 7.4 of LEP 2008 requiring 9m separation between adjacent buildings that have a height of 12 to 25 metres above natural ground level when applied on the basis of distributing the required setback distances equally between 2 adjoining properties

2. Given the apparent non compliance identified in paragraph 1, it appears to the Panel that a SEPP 1 application is necessary before the application can be determined.

3. There appears to be non compliances with SEPP65 and the associated Residential Flat Design Code in particular:

3.1 the departure from the setback guidelines

3.2 the design principles relating to context

4. The current report considered by the Panel does not provide sufficient explanation or justification for departure from those planning requirements to satisfy the Panel that there will be no loss of amenity and there will be compatibility with the current and emerging character of the locality.

5. That the current shortfall of car parking will not allow the demands of visitors and commercial space customers to be satisfied.

The Panel unanimously agrees to defer the application for the reasons given above and refers the application back to the relevant council staff and DRP for further comment and advice.

These comments have been considered and while the JRPP sought further advice from the Council staff and Design Review Panel, the following is offered for the consideration of Council for referral to the JRPP as appropriate.

2.1 Architectural Design Competition Process

The Cities Taskforce project was announced in February 2006 and has delivered visions and detailed planning and civic improvement strategies for the six regional cities including Liverpool.

The vision for Liverpool says that:

New buildings within the city centre will be of high quality architecture and design. Architectural competitions for key sites and buildings will ensure that well-designed architecture distinguishes the city centre.¹

Key sites have been identified for their potential to be developed for residential purposes **including the northern city centre Landmark Site located adjacent to the main northern entries to the city centre at Bigge and Macquarie Streets**, potential mixed development with upper level residential uses at the corner of Macquarie and Moore Streets, and the Shepherd Street site.²

As noted above, the subject site is a northern city centre Landmark Site and has been defined as a key site within the LLEP 2008. Council cannot consent to the development of a key site unless an architectural design competition has been conducted.

As required, such a competition was conducted in accordance with the Director General's Design Excellence Guidelines. In this regard, the competition was:

- conducted prior to the lodgement of a development application;

¹ NSW Department of Planning: Cities Taskforce 2006. Liverpool City Centre Plan. P. 21

² Ibid. p. 62

- a competition brief was prepared after consultation with the Department of Planning; and,
- brief endorsed by the Council.

The competition brief included design assessment criteria.

The design competition jury comprised equal representation for the proponent, Liverpool Council and Director General of the Department of Planning. The jury was supported by the proponent and Liverpool Council's Manager Statutory Planning and Compliance.

The competition process was conducted in accordance with the Department of Planning Guidelines and delivered a justifiable and robust decision of design excellence.

Notwithstanding the above, the JRPP's attention is drawn to a key objective of the Design Competition which says:

[t]o encourage flexibility within the urban design controls to allow for newer or unexpected solutions³.

It is argued that this is exactly the result in this instance and is exactly what should be encouraged when following a design excellence process. That is, design controls such as those contained in the LDCP 2008 and RFDC should guide the design process and compliance with these controls encourage, except where a better design solution for the site would be limited by strict compliance with these controls. This is particularly the case with respect to the creation of a continuous street wall along Bigge Street, alignment of the development with others along Bigge Street and the extension of the building to the southern boundary.

³ NSW Department of Planning 14 July 2007. Director General's Design Excellence Guidelines. P. 1.

Finally as noted by the JRPP, this proposal was considered by the architectural design jury to be one that exhibits design excellence and should be awarded a height and FSR bonus.

Furthermore, this proposal has also been considered by Council's own design review panel and has been found worthy of support. There should be no doubt that the design review processes applied to this proposal was rigorous.

2.2 Building Separation

The JRPP is of the view that "there has been a significant departure from the development standard as prescribed in clause 7.4 of LEP 2008 requiring 9m separation between adjacent buildings that have a height of 12 to 25 metres above natural ground level when applied on the basis of distributing the required setback distances equally between 2 adjoining properties.

While the comments of the JRPP are noted, it must be confirmed that this proposal complies with clause 7.4 as there is in excess of 9 metres separation between parts of buildings between 12 and 25 metres in height. However, as the site to the south of the subject site is undeveloped, the consent authority should consider the impact of this proposal on the development potential of the adjoining site.

Simply distributing the building separation equally across boundaries may be a means of demonstrating that one development proposal does not unreasonably restrict development potential of another site. However, in this case the southern site comprises four separate parcels of land. If these were to be amalgamated to form a development parcel, the size of the amalgam of lots would suggest that development mirroring our proposal would provide the most desirable built form while maximising development potential. That is, the southern site should comprise a podium extending to the side boundary continuing the street wall with residential towers above.

The objective of clause 7.4 is

to ensure minimum sufficient separation of buildings for reasons of visual appearance, privacy and solar access.

It is argued that development as described above will satisfy this objective.

An indication of how the two sites could be developed, while meeting the objectives of the building separation clause with has been prepared for the consideration of the Council and JRPP as appropriate.

It must be noted that the architectural design competition jury was of the firm view that the podium/street wall should extend to the southern boundary so as to facilitate connection to future development to the south creating a continuous built form along Bigge Street.

2.3 Is a SEPP 1 application necessary?

It should be noted that SEPP 1 cannot be applied to this proposal. The LLEP 2008 removes the ability to make use of a SEPP 1 objection. However, an equivalent clause is provided in the LEP. Clause 4.6 provides for an application for an exception to a development standard.

Notwithstanding the above, as detailed in section 2.2 of this report, this proposal complies with Clause 7.4 of the LLEP 2008 and does not require an application pursuant to clause 4.6 prior to the determination of this application. Furthermore, the more appropriate consideration is to determine if this proposal unreasonably restricts development of the site to the south. It is argued that this matter has been considered and a possible development scenario prepared for the consideration of the Council and reference to the JRPP as appropriate.

2.4 Departure from Residential Flat Design Code Building Separation guidelines

The building separation guidance provided within the Residential Flat Design Code is inconsistent with the separation requirements pursuant the clause 7.4 of the LLEP 2008.

Clause 7.4 of the LLEP 2008 only considers building separation where a building has a height of 12 to 25 metres, while the RFDC considers separation below 12 metres.

The maximum building separation for buildings above 35 metres pursuant to Clause 7.4 of the LLEP 2008 is 18 metres, while the RFDC introduces a maximum separation of 24 metres dependant on use of rooms within the buildings.

However, the RFDC does allow for zero building separation in appropriate contexts, such as in urban areas between street wall building types as is the case in this proposal. Furthermore, the RFDC advises that building separation controls may be varied in response to site and context constraints provided that developments can demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved.

Notwithstanding the inconsistencies between the LLEP 2008 and RFDC, it is argued that this proposal has been designed to meet the objectives of the building separation controls contained in the RFDC and a variation can be supported. That is, this proposal has been specifically designed to provide a street wall at lower levels of the development. The most desirable aspect for apartments at this level is east and west, hence windows to habitable rooms have been minimised along the southern boundary of this proposal. Future development to the south of the subject site could reasonably adopt a similar approach to design, continuing the street wall and minimising building separation at the lower levels.

Building separation at the upper levels can readily comply with the requirements of the LLEP.

Reference should be made to the development scheme for the southern lots that demonstrate that daylight access, urban form and visual privacy objectives are achieved.

2.5 Compatibility with current and emerging character of the locality

It is argued that the design principles relating to context have been carefully considered as part of the design process. The RFDC provides guidance how design can respond to context. That is, good design responding to context involves identifying the desirable elements of a location's current character or, ***in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies.***

The design of this proposal has been informed by the desired future character as set out in the Liverpool Development Control Plan 2008 and NSW Department of Planning: Cities Taskforce Liverpool City Centre Plan. These documents set the desired future character and context that should inform the design process. Both of these plans clearly set the locality on a path of change. The LLEP 2008 identifies the key development opportunities and provides the controls to drive change. Key sites are mapped and assigned development standards that will encourage development that achieves the desired future character.

Currently the local context is dominated by the Hume Highway to the north and activity along Bigge Street to the east. To the south of the site, significant, relatively new high density residential development may be found.

Liverpool Hospital, medical and TAFE precincts are located some 800 metres to the south east, while the central business district and Liverpool

railway station is an easy walking distance of 900-1200 metres from the subject site. All professional, medical, community, schooling, entertainment and shopping services are located within an 800 metre radius of the development site.

The vacant adjoining sites to the south are subject to the same controls and bonuses. The design process has been cognisant of the development potential of this site, so it can also be sensibly developed and provide a high level of amenity to its own residents.

The sites to the east are currently single storey dwellings which in the longer term will be redeveloped in a similar manner.

It is strongly argued that strategic and statutory plans clearly identify the locality as one that is to significantly change, particularly development across the subject site. In fact, the development standards applying to the subject site has assigned the highest development potential to encourage change. It is not considered appropriate to seek to limit development which may be inconsistent with current context, but entirely consistent with formally adopted plans that establish desired future character.

Furthermore, it is argued that this proposal satisfies the social and economic context. This proposal recognises the need to provide an affordable housing product that is nevertheless well designed. This is a product sadly lacking in Liverpool.

2.6 Preservation of amenity

The design of this proposal has carefully considered amenity. For instance, attention has been given to podium design so that it not only provides excellent landscaped common open space, but also acts as an environmentally sound covering to car parking areas. That is, the podium permits natural ventilation of the upper level of the basement car park while shielding residents from the busy highway, providing them with a pleasant natural setting in an urban context.

Buildings surround the landscaped podium creating a street wall along Bigge Street and Browne Parade. These buildings have been designed to respect the human scale. The street wall created by buildings along these two frontages ensures that the pedestrian relationship with the development is via 4-7 storeys of building.

The two street frontages at Bigge Street and Browne Parade have a very different feel. That is, the Bigge Street frontage is more urban in nature with the inclusion of a number of shops at ground level. The Browne Parade frontage is distinctly residential and lower scale.

The residential towers are set back from the street alignment, above the podium further reinforcing the human scale.

The residential towers are heavily articulated and detailed to present a slender, contemporary look, while being recognisable as a residential building. Private open space is functional and has been provided with utility areas shielded from public view.

Building height and tower separation conform to the standards set by the Liverpool Local Environmental Plan. Furthermore, the building has been designed to ensure adequate access to day light, natural ventilation, visual and acoustic privacy.

The potential noise impact caused by additional traffic generated by this proposal has also been assessed. Acoustic assessment has demonstrated that adverse noise impacts are not expected. Reference should be made to the acoustic assessment submitted with this proposal.

Notwithstanding the above, the design competition jury paid special attention to areas of communal open space and landscape treatment to ensure that occupants are provided with superior access to areas of open space within this development.

2.7 Meeting car parking demand

It is argued that this proposal has been designed to ensure that traffic and parking are in compliance with best practice and relevant Australian Standards. Furthermore, the design process has had the benefit of expert traffic engineering advice and has also been reviewed by the Sydney Regional Development Advisory Committee of the Roads and Traffic Authority. In the opinion of the McLaren Traffic Engineering, car parking design and access arrangements are considered to be satisfactory. This assessment was also supported by Council's traffic engineer.

It should be noted that the assessment of traffic generation, car parking requirements and impact of traffic on the local street network was originally made on the assumption that this proposal would contain 195 apartments. However, this current proposal has a significantly reduced apartment number as the result of the removal of an entire storey from the tallest residential tower. Hence traffic impact and demand for car parking will be less than previously assessed. Furthermore, while original traffic management was considered satisfactory the reduction in residential apartment numbers further reduces traffic impact and car parking demand.

Notwithstanding the above, while the number of car parking spaces is slightly less than required by the Council's Development Control Plan, car parking for the residential and non-residential components of this proposal have been provided to meet real demand while also reflecting occupancy rates of the building. Adequate visitor parking and car wash facilities have also been provided to meet projected demand. Reference should be made to the traffic reports submitted with this proposal and the recently prepared car parking allocation plan.

Furthermore, access to and from the site has been designed to minimise impact to the local road network. Access to the site is restricted to Browne Pde which can easily accommodate the additional traffic movements without giving rise to unacceptable impact on local traffic or

amenity. The RTA agrees that the proposed access arrangements are appropriate for the site and that traffic impact is acceptable.

3.0 Other matters for clarification

Council has requested further comment on a number of non-compliances. The following is provided as clarification to the matters identified by the Council. A summary table is also provided.

This proposal has been designed with reference to the Liverpool DCP, particularly to part 4 – Development in Liverpool City Centre. However, it must be acknowledged that during the design competition process some controls were not strictly complied with, yet the noncompliance was considered to be acceptable as the final design was able to satisfy the objective of the control and/or a better development would be achieved if a variation to the development control was supported. In this regard, **building depth, height, floor plate and setback controls** were discussed and it is argued that these minor noncompliances were supported by the architectural design jury and Council.

With respect to street alignment and setbacks, reference should be made to previously submitted drawings and landscape plans. These drawings demonstrate general compliance with setback requirements. That is, the primary setback from the future Hume Highway realignment is generally 8 metres. That is, the proposal is currently set back from the boundary by eleven (11) metres. However, allowance has been made for road widening to ensure that when road widening does occur, there will continue to be at least an eight (8) metre landscaped buffer between the Hume Highway site boundary and buildings.

The proposed development has been aligned with the setback along Bigge Street established by existing buildings. The design competition jury requested that this proposal be aligned as such to ensure that a continuous and consistent setback was created along Bigge Street. Furthermore, as this proposal includes non-residential ground floor uses, the competition jury requested that the ground floor be extended to properly define and reinforce the prominence of the corner of the Hume Highway and Bigge Street.

The Bigge Street frontage is currently setback by 4.640 – 4.975 metres. However, when Bigge Street is widened, the non-residential ground floor will be setback by 1.07 – 1.475 metres. Essentially the non-residential component will be aligned like any other shop, where customers will enter directly off the footpath. This is entirely appropriate and also supported by the design competition jury.

The design competition jury also supported the strengthening of the street edge podium to Bigge Street by extending the podium to the southern boundary. This proposal is now setback by 1.2 metres from the southern boundary. A reduced setback from this boundary is desirable as continuing a seven (7) storey building to the boundary will encourage the creation of a continuous street wall and facilitate integration with future key site development to the south of the site.

It should be noted that this minor nonconformity with development controls was highlighted in the Statement of Environmental Effects submitted to Council. The Statement comments on built form controls and says that the building:

- generally complies with the objectives. Variation of side boundary setback and floor plate size is sought.
- has been designed with reference to SEPP 65 and residential flat design code. Minor reduction in ceiling height required to ensure building remains within maximum building height controls.
- has been the subject of a design competition and has been endorsed by the architectural design competition Jury as exhibiting design excellence.
- has the support of the architectural design competition jury including variations to floor to ceiling heights, floor plate and FSR controls.

These matters are not surprises to Council as they have been highlighted throughout the design and assessment process.

3.1 Clause 7.4 Building Separation in Liverpool City Centre

This matter has been extensively covered under section 2.2 of this report. It is argued that this proposal complies with clause 7.4 of the LLEP 2008. Furthermore, this proposal does not require an application for an exception to a development standard pursuant to clause 4.6 of the LLEP 2008.

3.2 Building Separation Guidelines

This matter has been extensively covered under section 2.4 of this report. It is argued that this proposal meets the objectives of building separation guidelines. Furthermore, departure from separation guidelines is permitted and it is argued that there is justification for this departure as noted in sections 2.2 and 2.4 of this report.

3.3 Deep Soil Zone

To meet RFDC guideline 1044.9sqm (25%) deep soil zone is required. However, 810sqm (19.3%) of the site has been reserved for deep soil planting. This area will support landscaping with deep rooted species and provide opportunity for ground water recharge. In addition to this there is extensive landscaping proposed, including a landscaped podium.

A shortfall of 235sqm is not considered significant, particularly when taking to account the extensive landscaping areas. Reference should be made to the landscaping plans submitted with this proposal.

It should also be noted that the LDCP 2008 only requires 15% of the site be reserved for deep soil zone which this proposal readily meets.

It should also be noted that the extensive underground car parking requirements severely limits the ability to provide additional deep soil zones. To provide a greater deep soil zone would necessitate a reduction

in basement car park foot print and an increase in basement car park depth. This is not feasible for this project.

3.4 Site Coverage

Site coverage is closely related to controls that reserve site area for deep soil zones and provision of private open space and building separation. The objectives of Council's controls relate to the provision of soft landscaping, limiting building bulk and improving amenity. However, the controls do not consider residential tower development over a landscaped podium outside of the commercial core. In these cases there is no limitation on site coverage.

In this case, while the site coverage exceeds the Council's control, the building design incorporating an elevated landscaped podium and multiple residential towers satisfies the objectives for the control. Reference to the landscape plan will reveal that there are sufficient deep soil areas to meet Council's controls. Furthermore, extensive landscaping and landscaped podium provides for good quality private open space. The development will provide for a high level of amenity which is the intent of the control.

It should be noted that the landscape treatment was highly commended by the architectural design competition jury.

3.5 Floor to Ceiling Heights

A floor ceiling height of 3.1m is proposed for the ground floor residential and non-residential tenancies. This 0.2m departure from the RFDC guideline for ceiling height was supported by the Architectural Design Competition Jury as this minor reduction enables the required number of storeys to be achieved while complying with height controls contained in the LLEP 2008.

A 3.1 metre floor to ceiling height continues to provide flexibility of ground floor use and is worthy of support.

3.6 Car Parking

This matter has been extensively covered under section 2.8 of this report. It is argued that this proposal provides adequate car parking to meet demand. Reference should be made to previously submitted traffic assessment and recently submitted car parking allocation plan.

3.7 Setback from Bigge Street

As noted above, the proposed development has been aligned with the setback along Bigge Street established by existing buildings. The design competition jury requested that this proposal be aligned as such to ensure that a continuous and consistent setback was created along Bigge Street. Furthermore, as this proposal includes non-residential ground floor uses, the competition design jury requested that the ground floor be extended to properly define and reinforce the prominence of the corner of the Hume Highway and Bigge Street.

The Bigge Street frontage is currently setback by 4.570 – 4.975 metres. However, when Bigge Street is widened, the non-residential ground floor will be setback by 1.07 – 1.475 metres. Essentially the non-residential component will be aligned like any other shop, where customers will enter directly off the footpath. This is entirely appropriate and also supported by the design competition jury.

3.8 Southern Boundary Setback

This matter has been extensively covered under sections 2.2 and 2.4 of this report. Furthermore it must be noted that the design competition jury supported the strengthening of the street edge podium to Bigge Street by extending the podium to the southern boundary. This proposal is now setback by 1.2 metres from the southern boundary. A reduced setback from this boundary is desirable as continuing a seven (7) storey building to the boundary will encourage the creation of a continuous street wall and facilitate integration with future key site development to the south of the site.

3.9 Maximum Floor Plate

It is argued that the maximum GFA per floor controls cannot be strictly applied to this proposal as this proposal involves the amalgamation of several lots with three street frontages. This site is therefore deep and wide and is suited to multiple tower over podium development, with each tower having a separate street address. The GFA for each level within each individual tower is not considered to be excessive and results in a built form that is encouraged by the controls. That is, even though there is a minor increase in floor plate size, slender residential towers, adequately separated above a podium is the resulting built form.

3.10 Storage

The RFDC requires that each apartment be provided with storage space. The amount of space is dependent on the size of apartment. A number of options for the provision of storage are suggested. Allowance has been made to meet reasonable storage requirements within apartments.

3.11 Summary Table

LLEP 2008/RFDC/DCP	Standard	Comment
<p>Liverpool LEP 2008</p> <p>Clause 7.4</p> <p>Building Separation in Liverpool City Centre</p>	Between 12-25m height Required 9m	<ul style="list-style-type: none"> • Provided to exceed 9m, 1.2m from boundary
	Between 25-35m height Required - 12m	<ul style="list-style-type: none"> • Provided to exceed 12m, 9m from boundary
	Above 35m height Required – 18m	<ul style="list-style-type: none"> • Provided to exceed 18m, 9m from boundary <p><i>Complies with standard</i></p> <p>Clause 7.4 refers to separation between buildings. This is <u>not</u> a boundary setback requirement. This proposal meets the required building separation.</p> <p>No variation or application for an exception to a development standard pursuant to clause 4.6 of the LLEP is required.</p> <p>However, consideration should be given to future development of the adjoining southern site. That is, this proposal should not unreasonably limit development potential of the neighbouring site.</p>

EIP/RFDC/DCP Clause	Standard	Comment
RFDC - Deep Soil Zone Guideline	Guideline – 25% of site to be reserved for deep soil.	<p>To meet guideline 1044.9sqm required. 810sqm (19.3%) of the site has been reserved for deep soil planting. This area will support landscaping with deep rooted species and provide opportunity for ground water recharge. In addition to this there is extensive landscaping proposed including a landscaped podium.</p> <p>A shortfall of 235sqm is not considered significant, particularly when taking to account the extensive underground car parking requirements.</p> <p>It should be noted that Council's DCP only requires 15% of the site be reserved for deep soil zone. This proposal complies with this requirement.</p>
RFDC Ceiling Height	Suggested floor to ceiling height for ground floor tenancies 3.3 metres	<p>A ground to floor ceiling height of 3.1m is proposed for the ground floor residential and non-residential tenancies.</p> <p>A 0.2m reduction in ceiling height was supported by the Architectural Design Panel Jury.</p> <p>A 3.1 floor to ceiling height continues to provide flexibility of ground floor use.</p>

EIP/RFDC/DCP Clause	Standard	Comment
Car Parking – Part 1.2 of Liverpool DCP	Residential – 201; Visitor Parking– 19; Non-residential tenancies-5 TOTAL = 225	<p>This proposal provides car parking to meet demand. This has been demonstrated by traffic study which supports the provision of parking as follows.</p> <p>Residential –201; Visitor Parking– 10; Non-residential-5</p> <p>TOTAL = 216</p> <p>Traffic assessment has demonstrated that the shortfall of 9 parking spaces can be managed through the sharing of commercial car parking spaces with visitor spaces.</p>
Street Building Alignment and Street setback – Part 4 of Liverpool DCP	4-4.5m setback along Bigge Street	<p>Development has been aligned with the setback along Bigge Street established by existing buildings to ensure that a continuous and consistent setback along Bigge Street.</p> <p>The Bigge Street frontage is currently setback by 4.570 – 4.975 metres. When Bigge Street is widened, the non-residential ground floor will be setback by 1.07 – 1.475 metres.</p> <p>It is desirable to have a consistent setback.</p>

EIP/RFDC/DCP Clause	Standard	Comment
Maximum Floor Plate Size – Part 4 of Liverpool DCP 2008	500m ²	<p>The floor plate of 566m² or each level within each individual tower is not considered to be excessive and results in a built form that is encouraged by the controls. That is, even though there is a minor increase in floor plate size, slender residential towers, adequately separated above a podium is the resulting desirable built form.</p> <p>A variation of 66m² is supportable.</p>
Side Building Setback – Part 4 of Liverpool DCP	<p>Residential uses up to 12 metres – 6m</p> <p>Residential uses between 12-25 metres -9m</p> <p>Residential uses between 25-35 metres -12m</p> <p>Residential uses between 35-45 metres -14</p>	<p>This proposal has been designed to create a street wall.</p> <p>Development extends to – 1.2m from the side boundary for development up 20.5m or 7 stories.</p> <p>Note: no windows facing southern boundary at these levels</p> <p>The building steps back above 20.5 metres to provide a boundary setback of 9 metres.</p> <p>The design competition jury supported the strengthening of the street edge podium to Bigge Street by extending the podium to the southern boundary.</p>

EIP/RFDC/DCP Clause	Standard	Comment
Site Coverage – Part 4 of Liverpool DCP 2008	Up to 2089.8sqm permitted.	<p>A variation of 631.1m² is sought. Note the controls do not consider residential tower development over a landscaped podium outside of the commercial core.</p> <p>Site coverage exceeds the Council's control, the building design incorporating an elevated landscaped podium and multiple residential towers satisfies the objectives for the control. There are sufficient deep soil areas to meet Council's controls.</p> <p>Furthermore, extensive landscaping and landscaped podium provides for good quality private open space.</p> <p>The development will provide for a high level of amenity which is the intent of the control.</p>

4.0 Conclusion

The proposed development is considered to be appropriate in this location as it:

- meets the objectives of the zone and is considered to be in general compliance with the development controls that apply to the site;
- will not adversely impact on the natural, built and social environments;
- will not give rise to unacceptable increases in traffic;
- is located and designed so as not to adversely impact on local amenity;
- introduces much needed high quality apartment style living to Liverpool; and,
- demonstrates design excellence.

The proposal is considered to have merit, will have no adverse impact on adjoining premises. This proposal will contribute positively to the streetscape and local area.

Land uses proposed, including non-residential land uses are permitted within the R4 zone and it is recommended that Council continue to support the approval of this application and refer this matter to the Joint Regionally Planning Panel for determination.