

24 May 2013

S. Stavis

Dr John Roseth  
Chair, Sydney East Joint Regional Planning Panel  
Department of Planning & Infrastructure  
23 - 33 Bridge Street  
SYDNEY NSW 2000

**Attn: Angela Kenna – Panel Secretariat**

Dear Sir,

**SUPPLEMENTARY REPORT  
DEVELOPMENT APPLICATION: 2013SYE003 (DA 2012/169)  
PROPERTY NOS, 473 & 483 LIVERPOOL ROAD, STRATHFIELD SOUTH**

This supplementary report has been prepared in response to amended Plans received by Council from the Applicant on 6 May 2013 in relation to the Panel's Minutes of the Meeting held on 17 April 2013. At that meeting, the Panel considered an application for the demolition of the existing structures on site and construction of two (2) new buildings (6 and 8 storeys), a total of sixty-two (62) dwellings, plus three (3) commercial suites and café/bar connected by a "bridge" from Level 2 to Level 7, at the above site.

Council Officers have reviewed the amended plans and written correspondence made by City Plan Services and has formed the view that the changes made do not adequately address the resolution of the JRPP, nor the contentions raised in the assessing Council Officers report.

The amendments made are considered minimal and do not adequately address Council's underlying concerns as presented in the original Deferred Commencement Consent Conditions, D1 and D2.

As requested by the Panel, draft conditions of consent are attached.

**Information Reviewed**

- Architectural Plans prepared by BHI Architects (Job No. 7279 Sheets 24 to 28 inclusive, Issue N and Sheet 49 Issue M, dated 1 May 2013); and
- Letter from City Plan Services explaining the proposal.

A copy of the amended package is attached for your reference.

**Background and JRPP Deferral**

On 17 April 2013, the JRPP deferred their decision to determine DA 2012/169 and resolved as follows:-

- "1. The Panel resolves unanimously to defer the determination of the application.*

2. *The Panel requests the applicant to submit, before 3 May 2013, amended drawings that respond to the planning assessment officer's concerns underlying proposed conditions D1 and D2. In addition, the applicant is to review the layout of Units 30, 31 and 32 with a view to increasing the width of the northern aspect for Unit 30. The amended plans are to indicate clearly the matters that the applicant has committed itself to in its submission to the Panel of 12 April 2013.*
3. *The Panel requests the planning assessment officer to submit, before 24 May 2013, a supplementary planning report, which*
  - a. *assesses whether the amended drawings respond to the concerns underlying proposed Conditions D1 and D2;*
  - b. *informs the Panel whether the requirements of proposed conditions D8, D9, D10 and D11 have been satisfied; and*
  - c. *contains a set of conditions of consent."*

#### **Council Officer's Review**

##### **1. Condition D1: Units 29, 59, 60, 61, 62 & Suite 3**

The JRPP requested that the plans be amended to address the concerns raised in the following Council Conditions:

- "D1. The proposal shall be amended (by deleting and/or amalgamating and/or re-configuring units 29, 59, 60, 61, 62 and commercial suite 3), in order to achieve a better unit configuration and better internal space/layout for the development.*
- D2. Units Nos. 1, 2, 6, 7, 11, 12, 15, 16, 19, 42, 43, 50 and 51 shall be redesigned so as to avoid bedrooms being next to or adjoining the living room balconies of other units and vice-versa, thereby minimising potential adverse noise impacts."*

Units 29, 59, 60, 61 and 62 (Condition D1), located on levels 2, 3, 4, 5 and 6 have been moderately amended as follows:

- The living rooms have been extended to the full-width of the northern side elevation;
- The ensuites have been relocated to the south wall, while the bedrooms retain the sliding door feature to the living room;
- The kitchen has been relocated slightly away from the living room;
- The floor area has increased by 2m<sup>2</sup>, thereby increasing the dining area; and
- A self contained laundry with WC has been created just off the entry foyer.

The figures provided in the City Plan Services report show the typical changes from the original layout of these units and the proposed amended layout. The overall floor plan has been slightly rationalised and a minor increase in floor area of 2m<sup>2</sup> per unit (10m<sup>2</sup> in total) created. The changes made are not considered to result in any significant improvement in the level of "spaciousness" or residential amenity.

The Applicant has also made minor changes to the layout of Unit 51 on Level 2 (adjacent to Unit 29), including an increase in the width of the north-facing fenestration to the living room to 3m. However, no further particulars have been submitted to suggest that there has been a discernible improvement in solar access to that Unit.

In addition, the increased size of the living room of Unit 51 has been achieved by reducing the size of Unit 26. The 9m<sup>2</sup> increase in floor area of Unit 51 has not made any notable improvement to the layout of the unit, nor access to sunlight.

## **2. Condition D2: Units 1, 2, 6, 7, 11, 12, 15, 16, 19, 42, 43, 50 and 51**

As noted in Condition D2, Council's concern with these units is the potential impact on acoustic and visual privacy for future residents. Condition D2 suggests that these units should be redesigned so as to avoid bedrooms being next to or adjoining the living room balconies of other units and vice-versa.

The applicant has not altered the layout of these units and only proposes a superficial solution to this potential problem by offering to *"provide full height screens being 3000 – slab thickness = 2800nom, between floor slab and soffit of slab above. Screens shall be installed using double sided cladding of 50x50nom. terracotta battens @ 50 mm clear spacings both sides of an interlayer of clear of white translucent 10mm thick polycarbonate sheet."*

The proposed screens and other construction methods do not address the underlying concerns proposed in Condition D2. There has been no demonstration by the Applicant to show how these screens will significantly improve visual and particularly acoustic privacy for the future residents of the development.

The layout of Units 30, 31 and 32 have been slightly altered by increasing the width of the northern aspect for Unit 30 to be 4.8m wide (increased from 3m). The increase in width has come as a result of minor reconfigurations to the balcony to Unit 31 and modification to the balcony to Unit 30. The minor change does not provide any discernible improvement to the layout of the living room to Unit 30.

Minor adjustments have also been made to the separating balcony planters and position of the privacy screen to maintain separation between the adjoining balconies without any real improvement to the visual and acoustic privacy.

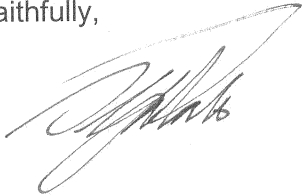
In relation to Unit 35, which has the same footprint as Unit 30, (noting that Unit 35 is located above Unit 30 on Level 4), the Applicant proposes the same modification to be incorporated for Unit 35 as that of Unit 30. However, the Applicant has failed to show any evidence that the amenity of future occupants of this unit will be improved as a result of these changes.

The eastern extension of the balconies to Units 30 and 35 extends across the blank part of the bedroom wall to Units 31 and 36 respectively. The Applicant has failed to identify how there would be no adverse noise impact from the balconies of Units 30 and 35 to the internal areas of Units 31 and 36.

### 3. Conditions D8 to D11: Storm water

Council notes that these matters could be addressed and satisfied prior to the issue of a Construction Certificate should the application be approved.

Yours faithfully,



SPIRO STAVIS  
SENIOR PLANNER, PLANNING AND ENVIRONMENT