

Statement of Environmental Effects

LOT CONSOLIDATION, DEMOLITION OF EXISTING STRUCTURES AND THE CONSTRUCTION OF A FOURTEEN (14) STOREY RESIDENTIAL FLAT BUILDING CONTAINING A TOTAL OF 106 RESIDENTIAL UNITS WITH CAR PARKING FOR 126 VEHICLES OVER TWO BASEMENT LEVELS AT 9-15 NORTHUMBERLAND STREET, LIVERPOOL



Prepared by: **Think Planners Pty Ltd**

Document Date: 21 November 2017

Consent Authority: Sydney South West PP via Liverpool City Council

QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects: Residential Flat Building

ADDRESS: Lots 9, 10 & 11 DP 38602 & Lot A DP 164111: 9-15 Northumberland Street, Liverpool

COUNCIL: Liverpool City Council

CONSENT AUTHORITY: PLANNING PANEL

AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
October 2017	Draft Issue	Draft	SK/JW	AB
23 rd October 2017	Revised DA Lodgement Issue	Final	SK/JW	AB
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Integrated Development (under S91 of the EP&A Act). Does the development require approvals under any of the following legislation?

<i>Fisheries Management Act 1994</i>	<i>No</i>
<i>Heritage Act 1977</i>	<i>No</i>
<i>Mine Subsidence Act 1992</i>	<i>No</i>
<i>Mining Act 1992</i>	<i>No</i>
<i>National Parks and Wildlife Act 1974</i>	<i>No</i>
<i>Petroleum (Onshore) Act 1991</i>	<i>No</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>No</i>
<i>Roads Act 1993</i>	<i>No</i>
<i>Rural Fires Act 1997</i>	<i>No</i>
<i>Water Management Act 2000</i>	<i>No</i>
<i>Concurrence</i>	
<i>SEPP 1- Development Standards</i>	<i>No</i>
<i>SEPP 64- Advertising and Signage</i>	<i>No</i>
<i>SEPP 71 – Coastal Protection</i>	<i>No</i>
<i>SEPP (Infrastructure) 2007</i>	<i>No</i>
<i>SEPP (Major Development) 2005</i>	<i>No</i>
<i>SREP (Sydney Harbour Catchment) 2005</i>	<i>No</i>
<i>SREP 30- St Marys (NPWS)</i>	<i>No</i>

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Executive Summary

This Statement of Environmental Effects has been prepared in support of a Development Application for the demolition of existing structures, lot consolidation and the construction of a fourteen (14) storey 'Residential Flat Building' at 9-15 Northumberland Street, Liverpool. The proposal comprises a total of 106 residential units with two (2) level of basement parking providing a total of 126 vehicle parking spaces. The key aspects of the proposal are as follows:

Key Controls:

The key control are as follows:

- Height: 44.85m (45m).
- FSR: 3.45:1 (3.5:1).
- Communal open space: 1,013.95m² (36.85%).
- Deep soil zone: 192.65m² (7%).
- Landscaped area: 971.8m² (35.3%).
- Solar Access: 76 units or 71.6% of total units achieve the minimum 2 hours of solar access at mid-winter.
- Natural Ventilation: 57 unit or 66.3% of total units up to the 9th storey achieve natural ventilation.

Design Intent

The Residential Flat Building (RFB) has been designed as a U shape building with two distinct wings with a shared common internal hallway, noting lift core services each wing. Furthermore, the building is also designed with a 4 storey podium level, then recessed upper level comprising of 4 storeys then a 6 storey tower element.

Residential Mix

A total of 106 residential units with the following mix:

- 40 x 1 Bed Unit (37.7%)
- 55 x 2 Bed Unit (51.89%)
- 11 x 3 Bed Unit (10.38%)

Block A:

A total of 54 residential units with the following mix:

- 26 x 1 Bed Unit
- 25 x 2 Bed Unit
- 3 x 3 Bed Unit

Block B:

A total of 52 residential units with the following mix:

- 14 x 1 Bed Unit
- 30 x 2 Bed Unit
- 8 x 3 Bed Unit

Residing within an established regional centre, the subject site, once consolidated will result in a large land parcel located within the northern edge of Liverpool City Centre. The development site is situated on the western side of Northumberland Street approximately 150m north of the intersection of Northumberland Street and Campbell Street and approximately 65m south of the intersection of Northumberland Street and Lachlan Street.

The subject land parcel is located near a major regional hospital and associated medical services and is within walking distance to essential services including Liverpool Westfield and situated within a 1.3km radius of major transportation hub including Liverpool Train Station which services the Sydney Trains T2 Inner West & South Line, the T3 Bankstown line and the T5 Cumberland and South West Rail Link services and a bus interchange with extensive services to Casula (865, 866), Campbelltown (870, 871 & 872), Carnes Hill (853), West Hoxton (854). A local bus stop with regular services to Liverpool is located within a 400m walking distance to the subject site.

The site also resides within a large residential block bounded by Northumberland Street to the east, Lachlan Street to the north, Bathurst Street to the west and Campbell Street to the South. With the Liverpool LEP 2008 permitting greater intensification of the built form within the city centre, and with the recent demand for housing within close proximity to essential services, public transportation and recreational opportunities, the subject block is following recent trends within the city centre with the block experiencing a significant transformation of its building stock. Over the last 5-10 years this has evolved from low density housing to large contemporary 9-10 storey residential flat buildings over basement parking. It is expected that the remaining stock of low density housing within the block will also be redeveloped for higher densities over the medium term.

The site currently accommodates four individual allotments bounded by large RFB developments to its northern, southern and western boundaries and when consolidated will result in a large regular shaped land parcel with a frontage of approximately 60.5m to Northumberland Street and a total site area of 2,751.5m², with four single storey dwelling currently located on each lot. The site is zoned R4 – High Density Residential with a maximum FSR of 2:1 (noting FSR bonus afforded under Clause 4.4 [2B]) and a height limit of 45m under the Liverpool Local Environmental Plan 2008. The proposal incorporates a 14 storey RFB that complies with key planning controls including height, FSR, deep soil zone, setbacks, landscaping and communal open space.

The proposal seeks to provide a built form consistent with not only the evolving higher density residential developments within the subject block and also the level of residential development occurring within the city centre. The development is to utilise the land in accordance with its zoning and provide alternative residential accommodation opportunities within close proximity to essential services, recreational opportunities and public transportation. The proposal will also increase employment opportunities within the locality both during the construction phase, with an increase of 106 residential units in the locality will provide additional patronage to the town centre goods and also significantly contribute towards boosting the local economy of Liverpool.

The site represents a unique opportunity to undertake an orderly redevelopment of a large site with the proposed high density residential flat building to align with the principles of urban consolidation which seek to ensure the efficient use of community infrastructure by providing higher density development at strategic locations, noting the site location within an established commercial centre.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council and the Sydney West JRPP for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

1. Site and Locality

Liverpool Local Government Area

The subject site resides within the local government area of Liverpool, as illustrated by an aerial map below and is located within Liverpool City Centre.

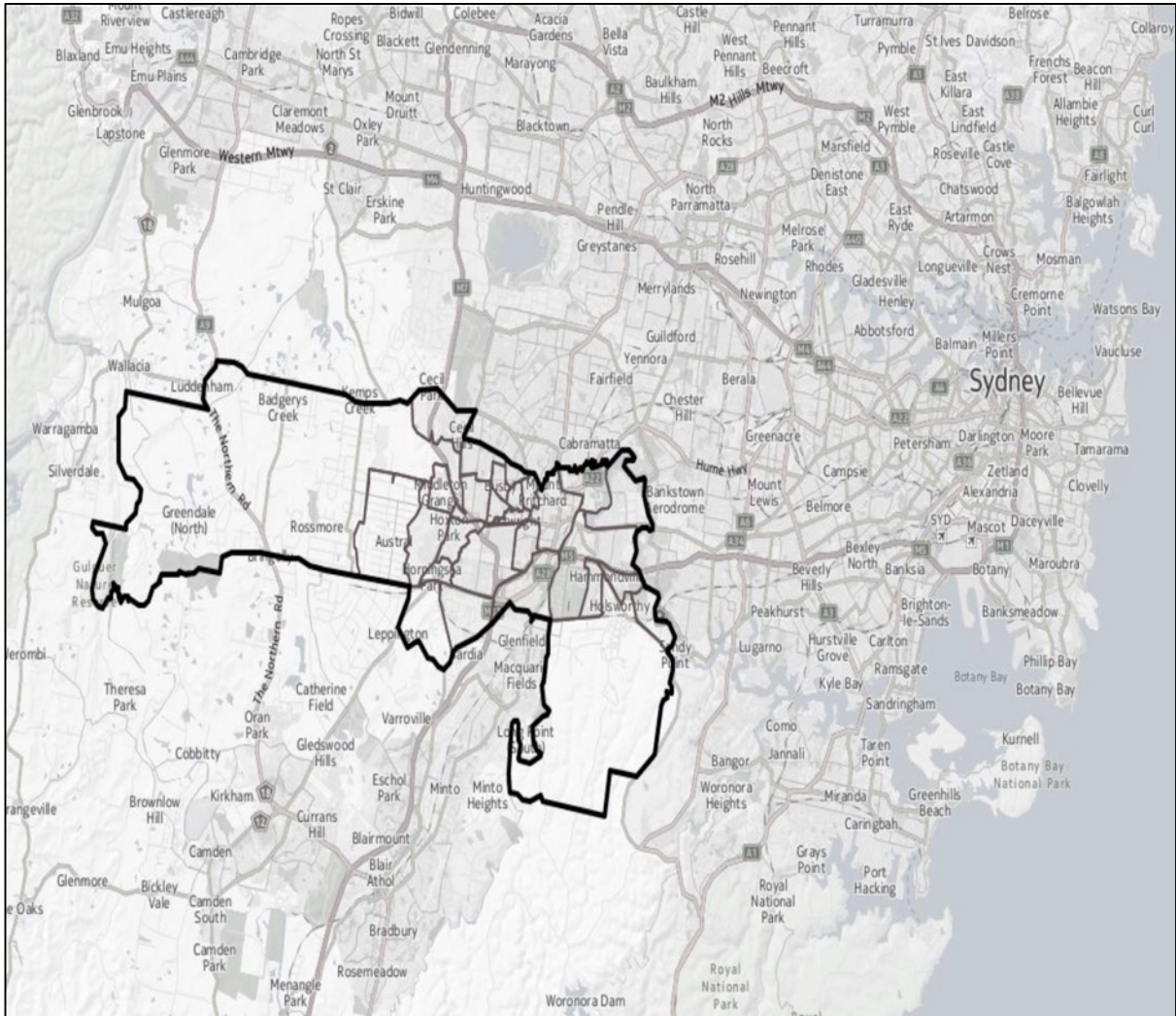


Figure 1: Liverpool Local Government Area Boundary (Source: forecast i.d)

Brief History

Founded on the 7th of November 1810 by Governor Lachlan Macquarie as an agricultural centre, Liverpool is one of the oldest and first free planned settlements in Australia, with the population just over 2,000 in 1841. The opening of the railway station on the 26th September 1856 boosted population growth and by 1947 the area had grown to over 12,000 residents. The population continued growing rapidly during the 1970s and 1980s, to become 98,000 by 1991. In the 1990s, Liverpool was the fastest growing city in NSW, taking more than 13% of Sydney's growth between 1991 and 2001 and by 2011 had a population of 180,000.

The city centre it-self has also experienced rapid growth with the proliferation of higher density housing and the on-going construction of residential flat buildings, especially along the northern and western portion of the city centre.

This trend is expected to continue with the high demand for housing within close proximity to public transport, essential services, medical services, employment hubs including industrial estates, access to recreational opportunities combined with Council's policies permitting high densities will result in the remaining stock of low density to be redeveloped for higher densities over the next 5-10 years.

A Plan for Growing Sydney

The centre, which is nestled between the Georges River and the Hume Highway has been identified by the Stage Metropolitan Strategy as a major regional centre and a potential enterprise corridor as illustrated by Figure 2 below.

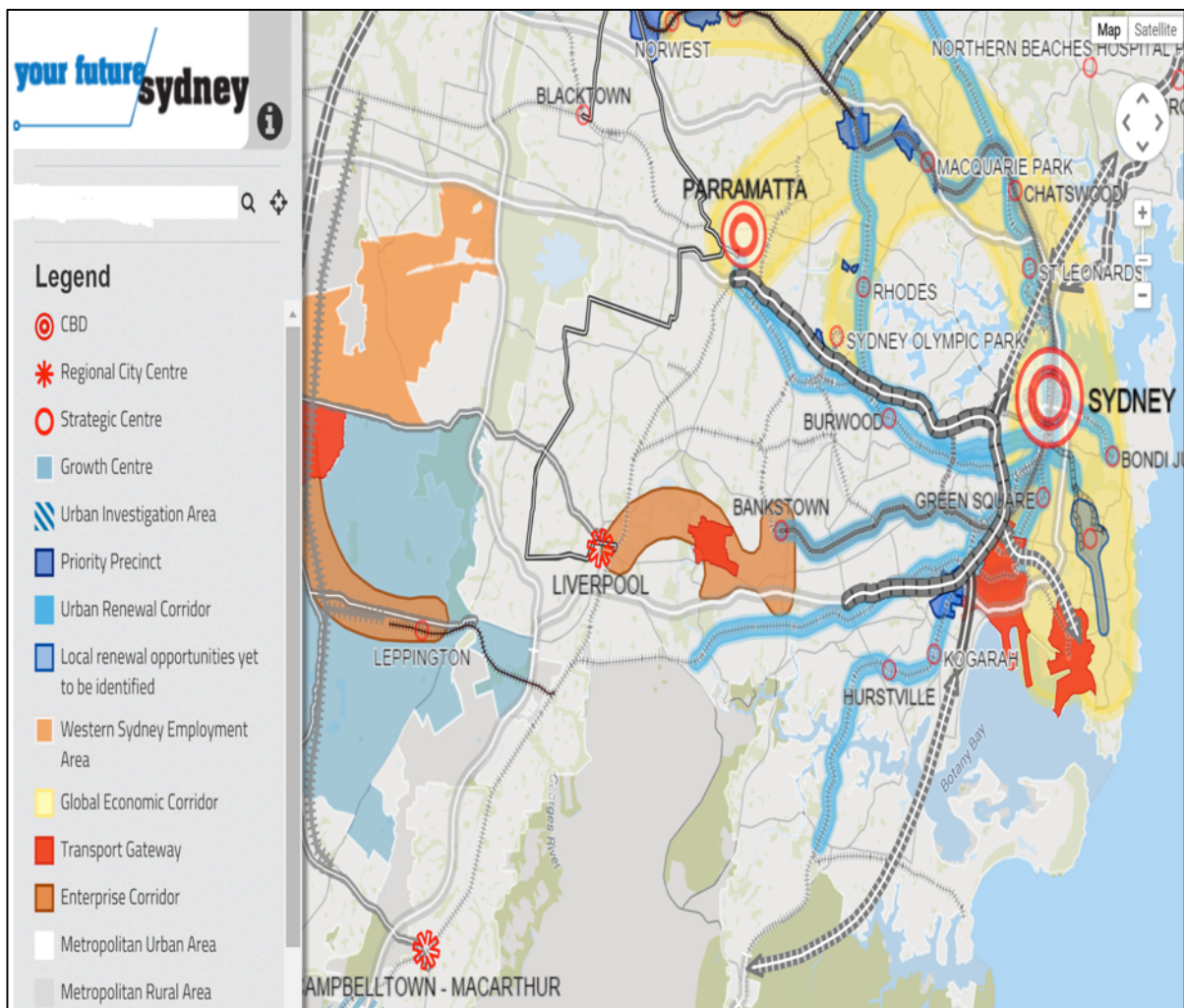


Figure 2: Plan for Growing Sydney Map Extract (Source: Sydney Metropolitan Strategy)

South West Subregion

The 'Plan for Growing Sydney' has split the wider metropolitan region into 6 key subregions, with Liverpool located within the South West Subregion, which is the fastest growing subregion in Sydney. With the Sydney's second airport confirmed to be located at Badgerys Creek, it will be the key catalyst for significant infrastructures and jobs over the next 20-30 years.

Liverpool has been identified to play a key role within the South West Subregion by providing capacity of additional mixed-use development in the city centre including offices, retail, services and housing and support health-related land uses, infrastructure and conference facilities around Liverpool Hospital and Bigge Park. Liverpool's place within the South West Subregion is identified below.

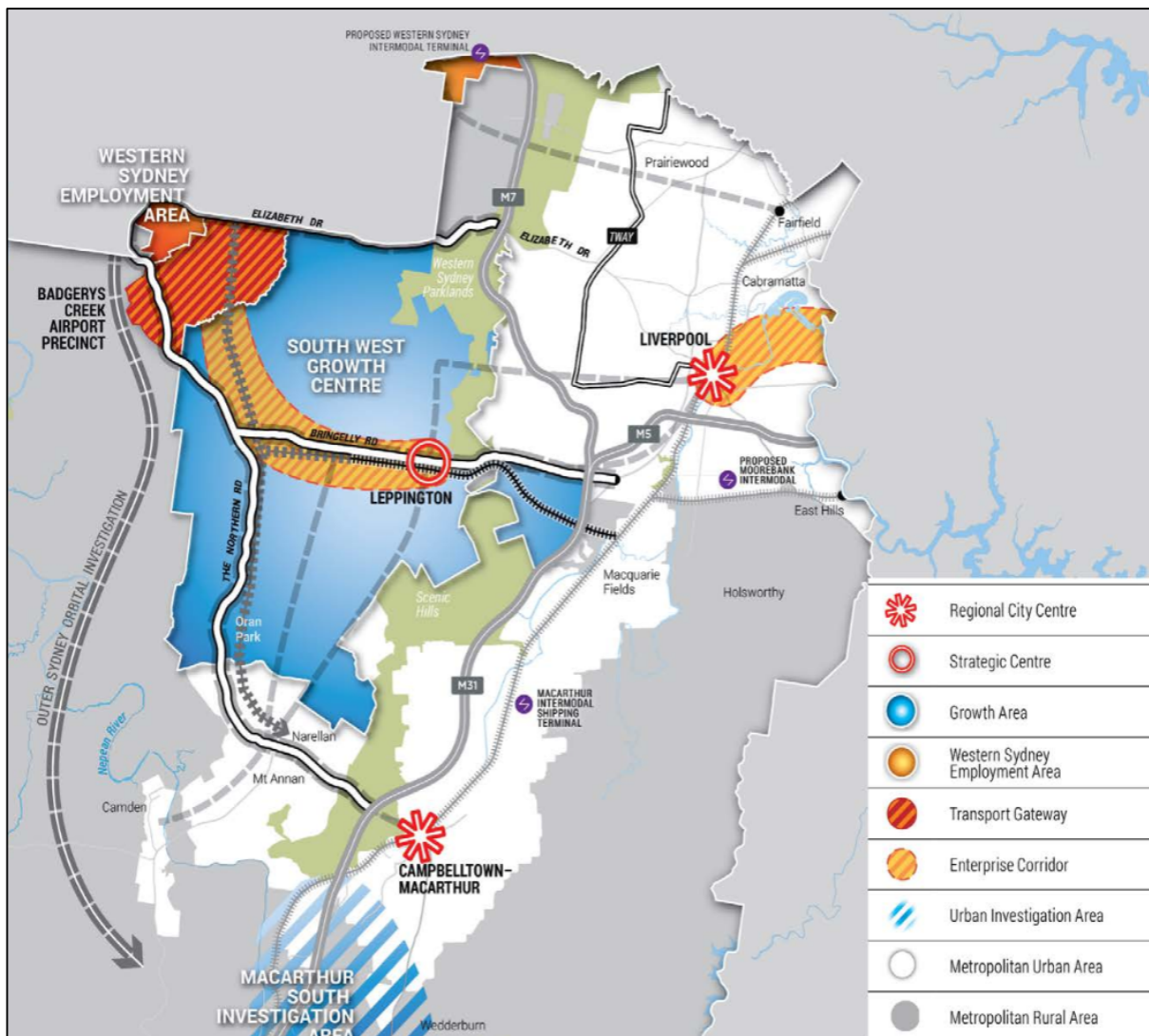


Figure 3: South West Growth Centre Map Extract (Source: A Plan for Growing Sydney)

Liverpool Town Centre

The subject site is located within Liverpool City Centre as illustrated by Figure 4 below. The centre is approximately 32km south west of the Sydney CBD and is the administrative centre and the largest commercial centre within the local government area of the City of Liverpool. The city centre services the south-western region of Sydney and surrounding residential areas and provides valuable employment, educational, recreational and health services to the local community.

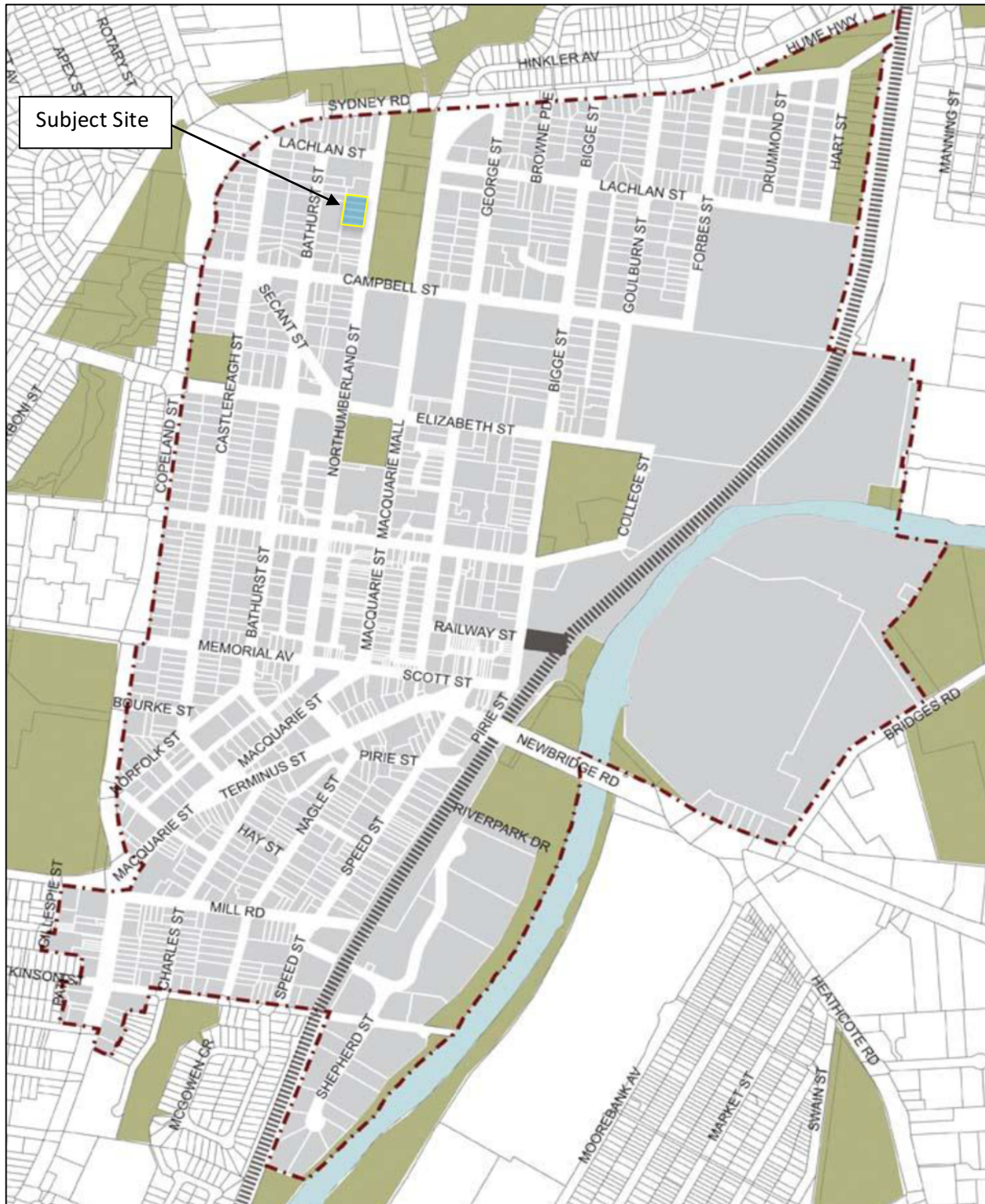


Figure 4: Liverpool Town Centre Map Extract (Source: Liverpool DCP 2008)

The city centre has been divided into six special areas as follows:

- Residential;
- Commercial and retail core;
- Education and medical precinct;
- Riverfront;
- Ring road and laneways and
- Eastbank industrial land.

The city centre has a historical residential presence within the city centre from low density housing to older style walk ups and more recently larger contemporary residential flat buildings, predominantly around the edges of the city centre. At present, the centre has experienced a significant intensification, mostly north of Campbell Street and along its western frontage to the Hume Highway and with the expansion of Liverpool Hospital to increase demand for housing. The significant residential redevelopment currently being undertaken within the northern and western portion of the city centre is illustrated by aerial maps below and in the following page.



Figure 5: Aerial Map Liverpool City Centre – Looking North from Campbell Street (Source: Nearmap)



Figure 6: Aerial Map of Liverpool City Centre – Looking East from the Hume Highway (Source: Nearmap)

Site Analysis

The subject site is a large land parcel located within the northern edge of Liverpool City Centre, situated on the western side of Northumberland Street. The site is also located near a major regional hospital and associated medical services, and is also within walking distance to essential services including Liverpool Westfield and to parks and public transportation.

The site currently comprises of four individual allotments and once consolidated will result in a large regular shaped land parcel with a frontage of approximately 60.5m to Northumberland Street and a total site area of 2751.5m². The site currently accommodates older single storey dwellings and associated structures, as demonstrated by photographs overleaf and in the following pages.

Photograph 1: Shows the existing Anglicare family support office located a 9 Northumberland Street.



Photograph 2: Shows the existing dwelling at 11 Northumberland Avenue.



Photograph 3: Shows the existing dwelling located at 13 Northumberland Avenue.



Photograph 4: Shows the existing dwelling located at 15 Northumberland Street.



With the city centre sufficiently serviced by public transportation, the development site is within a 1.3km walking distance of major transportation hub including Liverpool Train Station which services the Sydney Trains T2 Inner West & South Line, the T3 Bankstown line and the T5 Cumberland and South West Rail Link services and a bus interchange with extensive services to Casula (865, 866), Campbelltown (870, 871 & 872), Carnes Hill (853), West Hoxton (854). A local bus stop with regular services to Liverpool is located within a 400m walking distance to the subject site.

The subject site bounds recently constructed Residential Flat Buildings to its north south and eastern boundaries, with Northumberland Street separating the site also from a park/cemetery to the east.

The site currently accommodates four single storey residential dwellings and associated structures that are to be demolished as part of the proposal. The dwellings are in a reasonable condition; however, they are underutilising the sites full development potential given the R4 Zoning permits higher density residential developments such as residential flat buildings of up to 45m storeys. An aerial map of the locality is provided below for context to the development site.



Figure 7: Aerial Map of Subject Site (Source: Google Map)

The site also contains a few smaller trees and ornamental vegetation typical of established low density residential developments that are to be demolished in-order to accommodate the proposed development. The proposal will also incorporate high quality landscape embellishment works appropriate within a high density residential context along with appropriate replacement plantings to help reduce the physical bulk and scale of the development whilst also enhancing privacy levels and amenity within a garden setting in accordance with the landscape plan.

As outlined above, the development site is zoned R4 High Density Residential under the provisions of the Liverpool Local Environmental Plan 2008 as illustrated by Council's zoning map extract below. 'Residential Flat Buildings' are permissible with consent within the R4 zone and the subject site is permitted a maximum building height of 45m and a FSR of 3.5:1 (in pursuant to Clause 4.4 [2B]).

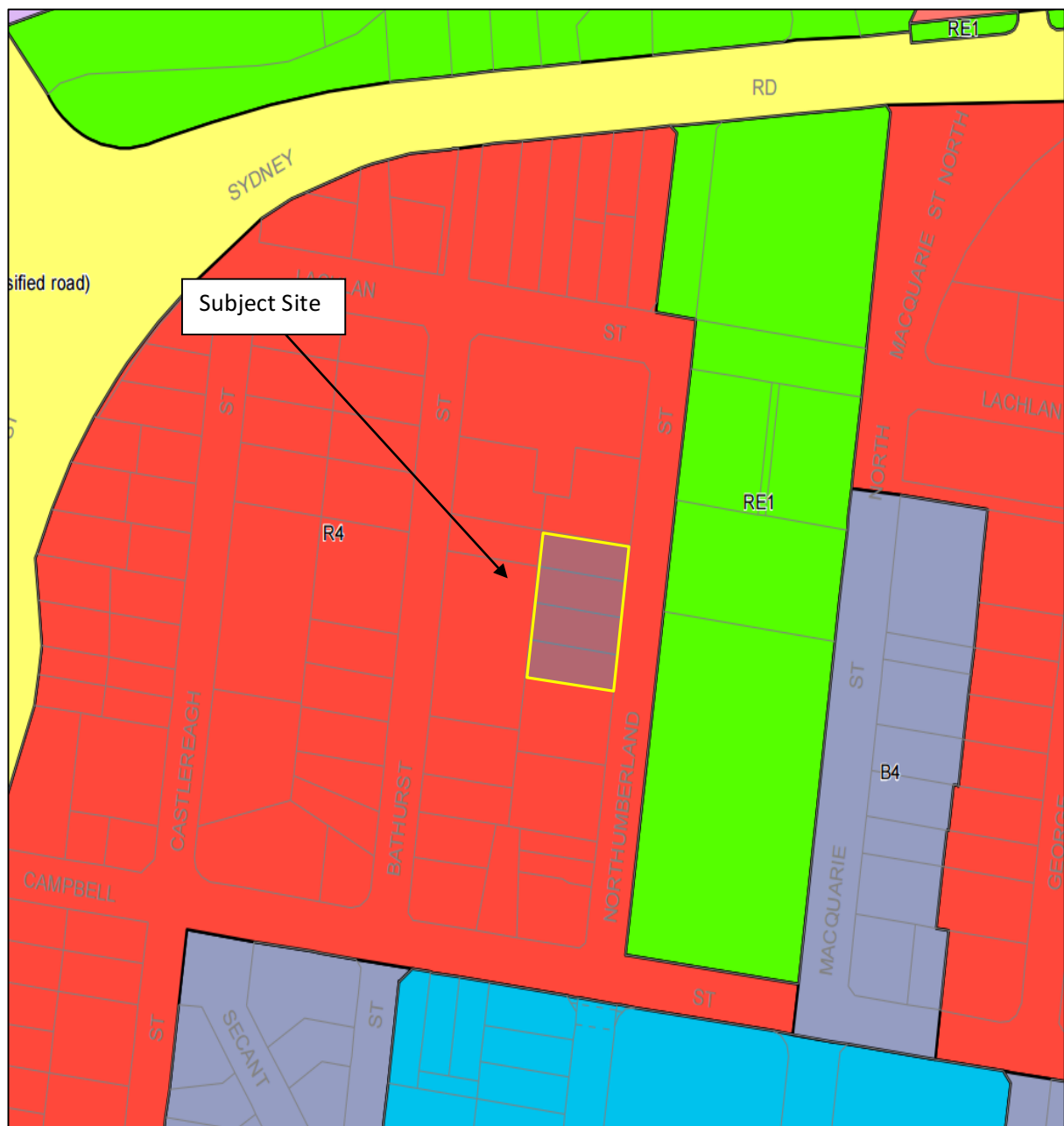


Figure 8: Zoning Map Sheet LZN_011 Map Extract (Source: Liverpool LEP 2008)

Fronting Northumberland Street on the sites eastern boundary, the site resides within a large block that is bound by Lachlan Street to the north, Northumberland Street to the east, Campbell Street to the south and Bathurst Street to the west, as illustrated by an aerial map below. The block is also situated within the bounds of the Liverpool City Centre associated with the Liverpool DCP 2008. An aerial map of the subject block is provided below.



Figure 9: Aerial Map of Subject Block (Source: Google Map)

With the Liverpool LEP 2008 permitting greater intensification of the built form within the city centre, and with the recent demand for housing within close proximity to essential services, public transportation and recreational opportunities, the subject block is following recent trends within the city centre with the block experiencing a significant transformation of its building stock from over the last 5-10 years from low density housing to large contemporary 9-10 storey residential flat buildings over basement parking, as illustrated by a site analysis of the immediate locality overleaf.

It is expected that the remaining stock of low density housing within the block will also be redeveloped for higher densities over the medium term.



Figure 10: Site Analysis Local Context (Source: Attached Plans)

With the site occupying a large portion of the residential block (4 land parcels), the proposal will ensure an orderly development that is consistent with the on-going intensification of the northern precinct of the city centre towards large residential flat buildings.

The development is to utilise the land in accordance with its zoning and provide alternative residential accommodation opportunities within close proximity to essential services, recreational opportunities and public transportation.

The proposal will also increase employment opportunities within the locality both during the construction phase, with an increase of 106 residential units in the locality will provide additional patronage to the town centre goods and also contribute towards boosting the local economy of Liverpool.

The 'Plan for Growing Sydney' supports higher residential development in strategic locations to accommodate future population growth, and Liverpool Council has zoned the subject site R4 – High Density Residential which encourages higher density developments.

Furthermore, the locality is ideal for future urban intensification as it is located within the key regional centre, and is within walking distance to a TAFE, Liverpool Hospital and associated medical precincts, industrial precinct, suburban train station and bus interchange and also within close proximity to essential services, parks, schools and vital community services, as illustrated by the broader aerial map in the following page.

Furthermore, the proposal is serviced by key arterial roads such as Newbridge Road, Elizabeth Drive, Hoxton Park Road and The Hume Highway.

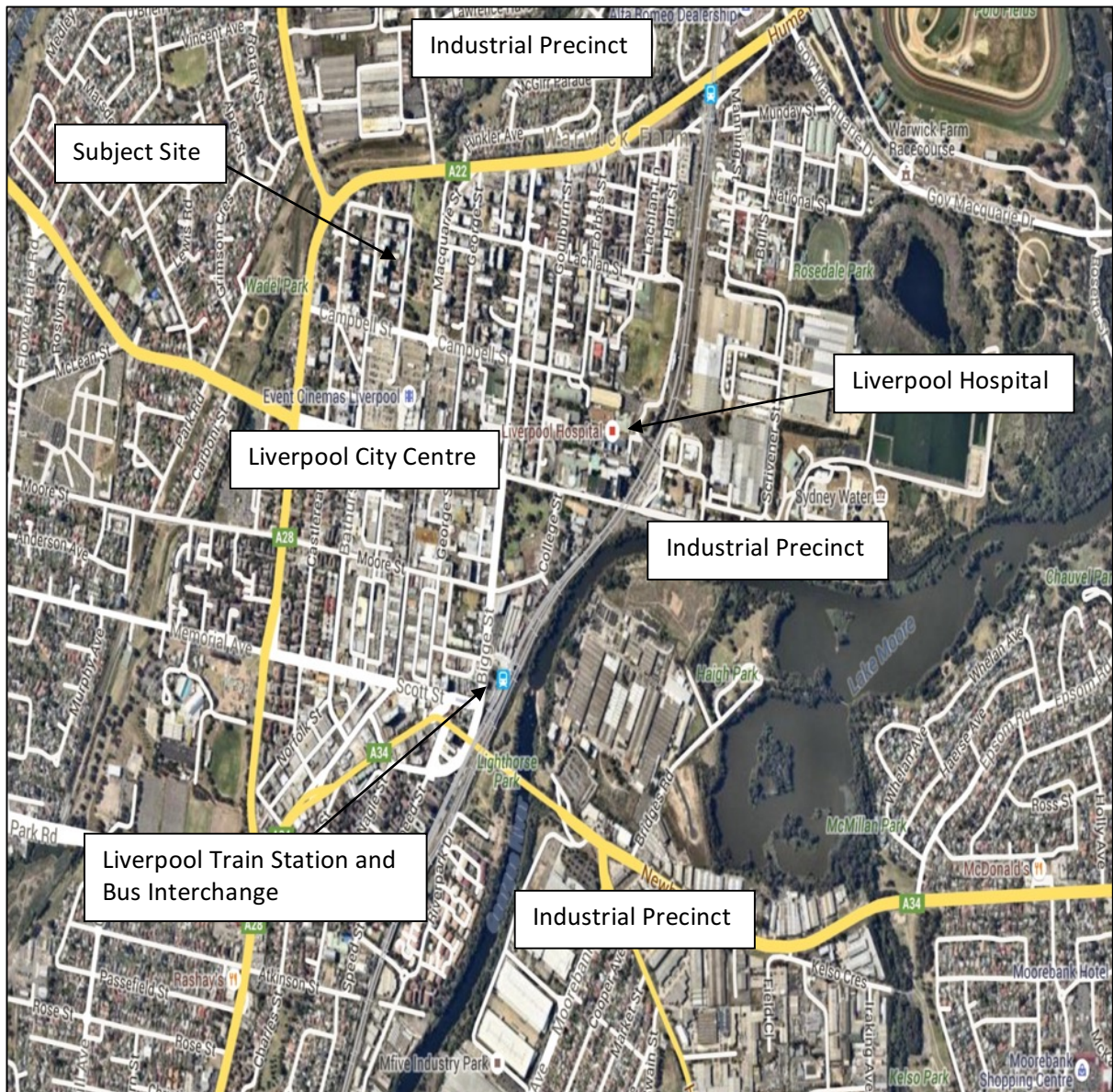


Figure 11: Aerial Map of Subject Block (Source: Nearmap)

Photographs are provided overleaf that give context to the locality and also the relationship of the development site with adjoining developments.

Photograph 5: Shows the current streetscape of Northumberland Street viewing north.



Photograph 6: Shows the current streetscape of Northumberland Street viewing south.



Photograph 7: Shows the adjoining Residential Flat Building on the Northern boundary (7 Northumberland Street).



Photograph 8: Shows the adjoining Residential Flat Building on the southern boundary (17-19 Northumberland Street).



Photograph 9: Shows the park opposite the subject site separated by Northumberland Street.



Heritage

The site is not identified as a heritage item, it is not located within a heritage conservation area however it bounds heritage listed road patterns and is within close proximity to a heritage item (I81) as illustrated by the heritage extract map below. It is also noted that the subject lots have not been identified in the Liverpool Archaeological Zoning and Management Plan (Casey & Lowe, 1996) as having archeological potential and therefore no archaeological assessment is required.

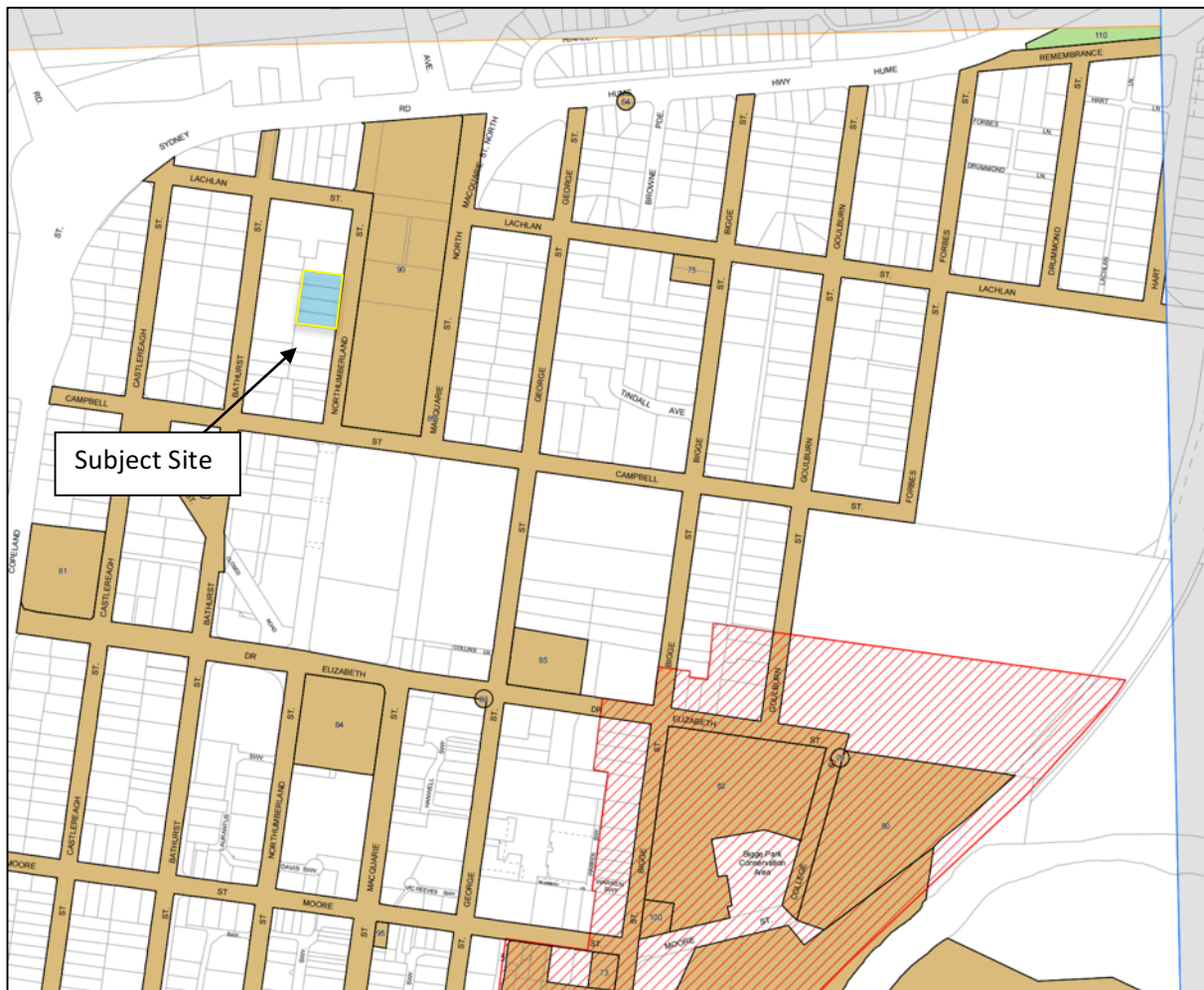


Figure 12: LEP Heritage Map Sheet HER_011 Extract (Source: Liverpool LEP 2008)

The proposed excavation works will be strictly controlled to ensure it will not have a negative impact on the existing historical road network that bounds the site to the east (Northumberland Street) that might have potential archaeological potential, noting where possible vehicular cross-over and access is to be designed to minimise impact on the historical road network.

Furthermore, a full HIS has been prepared that concludes:

The existing development to the subject properties consists of variously modified post WWII cottages, with No 9 seemingly re-built as an Anglicare facility in a cottage-like mode. While they represent the form of development that occurred along Northumberland Street between Campbell and Lachlan Streets in that period, they are of no particular significance, and their demolition is supportable.

The proposed development is consistent with the type of buildings that have been erected in the area in the recent past, and while there will be some impact in terms of views from the Pioneer Memorial Park, the additional impact will be slight.

In my opinion the proposed development is supportable in terms of its consistency with the emerging character of the area, and its heritage impacts will be negligible.

Therefore, the heritage impact is acceptable.

Flooding

The site is identified as being flood prone land and within a flood planning area as illustrated by Flood Planning Area Map below.

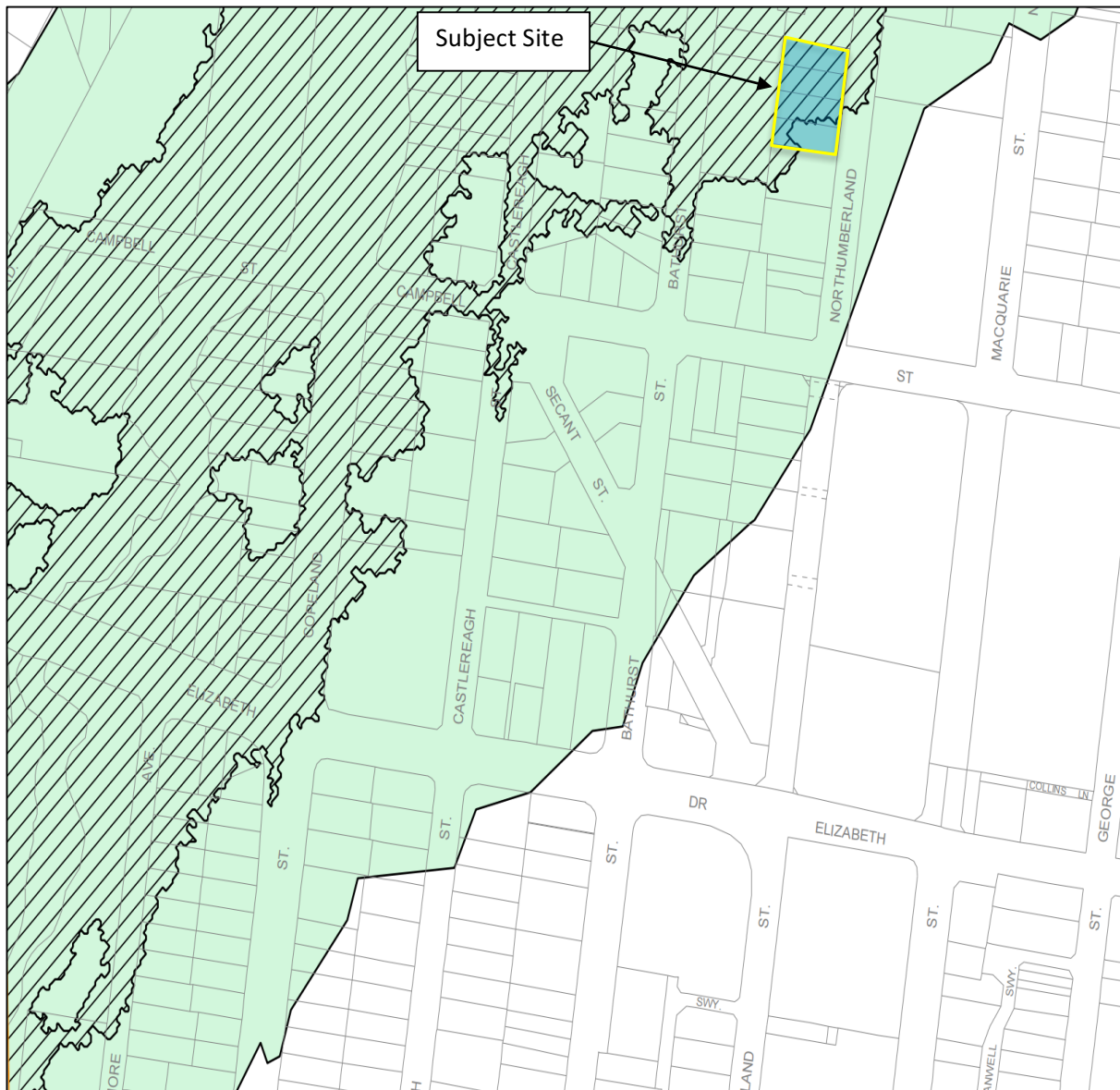


Figure 13: LEP Flood Planning Area Map Sheet Fld_011 Extract (Source: Liverpool LEP 2008)

The proposal has been designed to comply with Councils Flood requirements in terms of achieving the required freeboard level above the 1 in 100-year flood level.

2. Description of Amended Proposal

The Development proposes to consolidate 4 allotments, demolish existing structures in-order to erect a 14 storey '*Residential Flat Building*' at 9-15 Northumberland Street, Liverpool.

The development incorporates a total of 106 residential units with a total of 126 car parking spaces within two basement levels. A summary of the key elements of the proposal are provided below:

Key Controls

The key control are as follows:

- Height: 44.85m (45m).
- FSR: 3.45:1 (3.5:1).
- Communal open space: 1,013.95m² (36.85%).
- Deep soil zone: 192.65m² (7%).
- Landscaped area: 971.8m² (35.3%).
- Solar Access: 76 units or 71.6% of total units achieve the minimum 2 hours of solar access at mid-winter.
- Natural Ventilation: 57 unit or 66.3% of total units up to the 9th storey achieve natural ventilation.

Design Intent

The Residential Flat Building (RFB) has been designed as a U shape building with two distinct wings with a shared common internal hallway, noting lift core services each wing. Furthermore, the building is also designed with a podium and tower form.

Residential Mix

A total of 106 residential units with the following mix:

- 40 x 1 Bed Unit (37.7%)
- 55 x 2 Bed Unit (51.89%)
- 11 x 3 Bed Unit (10.38%)

Block A:

A total of 54 residential units with the following mix:

- 26 x 1 Bed Unit
- 25 x 2 Bed Unit
- 3 x 3 Bed Unit

Block B:

A total of 52 residential units with the following mix:

- 14 x 1 Bed Unit
- 30 x 2 Bed Unit
- 8 x 3 Bed Unit

Parking

Total Parking Calculation:

A total of 126 carparking spaces within 2 basement levels with the following parking mix:

- Residential car parking space: 112 spaces including 3 accessible car parking spaces;
- Visitor car parking space: 11 spaces;
- Service vehicle parking space: 3 spaces;
- Bicycle parking space: 49 spaces; and
- Motorcycle parking space: 6 spaces.

Basement Level 2:

A total of 66 carparking spaces with the following parking mix:

- Residential car parking spaces: 59 spaces including 1 accessible car parking space;
- Visitor car parking spaces: 6 spaces;
- Service vehicle/car wash bay: 1 space;
- Bicycle parking space: 31 spaces; and
- Motorcycle parking space: 6 spaces.

Basement Level 1:

A total of 60 carparking spaces with the following parking mix:

- Residential car parking spaces: 53 spaces including 2 accessible car parking space;
- Visitor car parking spaces: 5 spaces;
- Service vehicle/SRV parking bay: 2 space;
- Bicycle parking space: 18 spaces; and

Parking Breakdown

A brief description of the various aspects of the basement levels are provided below.

Level	Inclusions
Basement Level 2	<p>Access to basement level is provided via a graded access ramp from the upper basement level.</p> <p>The basement will incorporate double width circulation areas to provide appropriate manoeuvrability and turning areas</p> <p>66 car parking spaces with the following car parking breakdown:</p> <ul style="list-style-type: none"> - 59 residential car parking spaces including 1 accessible car parking space;

	<ul style="list-style-type: none"> - 6 visitor car parking spaces; and - 1 Service vehicle/car wash bay. <p>The basement level also provides 6 motorcycle parking spaces and 31 bicycle parking spaces.</p> <p>Storage space.</p> <p>Service rooms/cupboards.</p> <p>Sprinkler valve room.</p> <p>Pump room.</p> <p>2 x lift core and stairwells.</p>
Basement Level 1	<p>Access to the lower basement level via a graded ramp and a second graded ramp providing access to the ground floor.</p> <p>The basement will incorporate double width circulation areas to provide appropriate manoeuvrability and turning areas</p> <p>60 car parking spaces with the following car parking breakdown:</p> <ul style="list-style-type: none"> - 53 residential car parking spaces including 2 accessible car parking spaces; - 5 visitor car parking spaces; and - 2 service vehicle/SRV parking spaces. <p>The basement level also provides for 18 bicycle parking spaces.</p> <p>Storage areas.</p> <p>Service rooms.</p> <p>Mechanical room.</p> <p>2 x bin room including garbage chute system in each room.</p> <p>2 x lift core and stairwells.</p>

Unit Configuration

A summary of the unit configuration is provided below:

Block A

Ground Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A001	2	89m ²	Yes	No
Unit A002	3	116m ²	Yes	Yes
Unit A003	3	106m ²	Yes	No

First Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A101	1	66m ²	No	Yes
Unit A102	1	66m ²	No	Yes
Unit A103	2	87m ²	Yes	Yes
Unit A104	2	81m ²	Yes	Yes
Unit A105	3	106m ²	Yes	No

Second Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A201	1	66m ²	No	Yes
Unit A202	1	66m ²	No	Yes
Unit A203	2	87m ²	Yes	Yes
Unit A204	2	81m ²	Yes	Yes
Unit A205	2	87m ²	Yes	Yes
Unit A206	1	50m ²	No	No
Unit A207	2	84m ²	Yes	No

Third Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A301	1	66m ²	No	Yes
Unit A302	1	66m ²	No	Yes
Unit A303	2	87m ²	Yes	Yes
Unit A304	2	81m ²	Yes	Yes
Unit A305	2	87m ²	Yes	Yes
Unit A306	1	50m ²	No	No
Unit A307	2	84m ²	Yes	No

Fourth - Seventh Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A401, A501, A601 & A701	1	52m ²	No	Yes
Unit A402, A502, A602 & A702	1	52m ²	No	Yes
Unit A403, A503, A603 & A703	1	65m ²	Yes	Yes
Unit A404, A504, A604 & A704	2	104m ²	Yes	Yes
Unit A405, A505, A605 & A705	2	86m ²	Yes	No

Eighth Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A801	1	50m ²	No	Yes
Unit A802	2	80m ²	Yes	Yes

Ninth to Fourteenth

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit A901, A1001, A1101, A1201 & A1301	1	50m ²	N/A	Yes
Unit A902, A1002, A1102, A1202 & A1302	2	80m ²	N/A	Yes

Block B*Ground Floor*

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B001	2	89m ²	Yes	No
Unit B002	2	84m ²	Yes	No
Unit B003	2	85m ²	Yes	No
Unit B004	3	106m ²	Yes	No
Unit B005	3	105m ²	Yes	No

First Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B101	2	89m ²	No	No
Unit B102	2	84m ²	Yes	No
Unit B103	2	85m ²	Yes	No
Unit B104	3	105m ²	Yes	No
Unit B105	3	105m ²	Yes	No

Second Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B201	2	89m ²	No	Yes
Unit B202	2	84m ²	Yes	Yes
Unit B203	2	85m ²	Yes	Yes
Unit B204	3	106m ²	Yes	No
Unit B205 5	3	105m ²	Yes	No

Third Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B301	2	89m ²	No	Yes
Unit B302	2	84m ²	Yes	No
Unit B303	2	85m ²	Yes	No
Unit B304	3	106m ²	Yes	No
Unit B305	3	105m ²	Yes	No

Fourth - Seventh Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B401, B501, B601 & B701	1	52m ²	No	Yes
Unit B402, B502, B602 & B702	1	52m ²	No	Yes
Unit B403, B503, B603 & B703	2	91m ²	Yes	Yes
Unit B404, B504, B604 & BA704	2	85m ²	Yes	Yes
Unit B405, B505, B605 & B705	2	81m ²	Yes	Yes

Eight Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B801	1	50m ²	No	Yes
Unit B802	2	76m ²	Yes	Yes

Ninth - Fourteenth Floor

Unit	Bedrooms	Floor Area	Cross	Solar 2h+
Unit B901, & B1301	1	50m ²	N/A	Yes
Unit B902, & B1302	2	80m ²	N/A	Yes

A brief description of the various aspects of the development is provided below.

Level	Inclusions
Ground Floor	<p>Access Arrangements</p> <p><u>Vehicle</u> Vehicular access to the site is via a double width cross-over via Northumberland Street that is located near the north eastern portion of the site.</p> <p>The access arrangements include a driveway and graded access ramp to the basement levels.</p>

	<p><u>Pedestrian</u></p> <p>The primary entrance is provided via Northumberland Street via a large walkway/communal open space that is separated by a centrally located water feature situated along the central portion of the site that provides direct access to the lobby area of the proposed RFB.</p> <p>Direct pedestrian access to Units A003, B004 & B005 via Northumberland Street through private open space area per unit.</p> <p>A secondary access is provided via a walkway located to the south eastern portion of the site providing direct access to Unit B004 via patio and access to the internal lobby area.</p> <p>The lobby areas contain stairwells and lift cores that provide access to all level and also access to internal pedestrian pathway to rear communal open space area.</p>
	<p>Residential Units</p> <p>Each unit is provided with a kitchen, laundry, living area, dining area and courtyard that is generally accessed from living areas.</p>
	<p>Block A</p> <ul style="list-style-type: none"> - 1 x 2 bedroom unit with courtyard; and - 2 x 3 bedroom unit with courtyard.
	<p>Block B</p> <ul style="list-style-type: none"> - 3 x 2 bedroom unit with courtyard; and - 2 x 3 bedroom unit with courtyard.
	192.65sqm of deep soil zones.
	971.8sqm landscape area.
	A total of 607.12m ² of common open space including common open space at the front of the site and comprises water features, seating area, Pavilion BBQ area and communal open space to the rear portion of the site and include seating area and children play area.
	Temporary bin storage area situated along the site's frontage to Northumberland Street.
	Substation.
	Hyd. Booster storage cupboard.
	Planter boxes.
	Fire control centre room.
	WC.
	Stairwells.
	Lobby area including waste chutes, 4 x lift core and stairwells including fire escape stairs – exit corridor from basement level.

Level 1	<p>Residential Units Each unit is provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living areas. Some of the units are provided with dual balconies.</p> <p>Block A</p> <ul style="list-style-type: none"> - 2 x 1 bedroom unit with balcony; - 2 x 2 bedroom unit with balcony; and - 1 x 3 bedroom unit with balcony. <p>Block B</p> <ul style="list-style-type: none"> - 1 x 1 bedroom unit with balcony; - 3 x 2 bedroom unit with balcony; and - 2 x 3 bedroom unit with balcony. <p>Lobby area including internal corridors and comprises of 2 x waste storage room including a waste chute, 4 x lift core and stairwells.</p>
Levels 2-3	<p>Residential Units Each unit is provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living areas. Some of the units are provided with dual balconies.</p> <p>Block A</p> <ul style="list-style-type: none"> - 3 x 1 bedroom unit with balcony per level (total 1 bed: 6); and - 4 x 2 bedroom unit with balcony per level (total 2 bed: 8). <p>Block B</p> <ul style="list-style-type: none"> - 3 x 2 bedroom unit with balcony per level (total 2 bed: 6); and - 2 x 3 bedroom unit balcony per level (total 3 bed: 4). <p>Lobby area including internal corridors and comprises of 2 x waste storage room including a waste chute, 4 x lift core and stairwells.</p>
Levels 4-7	<p>Residential Units Each unit is provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living areas. Some of the units are provided with dual balconies.</p>

	<p>Block A</p> <ul style="list-style-type: none"> - 3 x 1 bedroom unit with balcony per level (total 1 bed: 12); and - 2 x 2 bedroom unit with balcony per level (total 2 bed: 8). <p>Block B</p> <ul style="list-style-type: none"> - 2 x 1 bedroom unit with balcony per level (total 1 bed: 8) and - 3 x 2 bedroom unit with balcony per level (total 2 bed: 12). <p>Lobby area including internal corridors and comprises of 2 x waste storage room including a waste chute, 4 x lift core and stairwells.</p>
Level 8	<p>Residential Units Each unit is provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living areas.</p> <p>Block A</p> <ul style="list-style-type: none"> - 1 x 1 bedroom unit with balcony; and - 1 x 2 bedroom unit with balcony. <p>Block B</p> <ul style="list-style-type: none"> - 1 x 1 bedroom unit with balcony; and - 1 x 2 bedroom unit with balcony. <p>A total of 425m² of communal open space area with the following breakdown:</p> <ul style="list-style-type: none"> - Block A: 238m² of communal open space; and - Block B: 187m² of communal open space. <p>Lobby area including internal corridors and comprises of 2 x waste storage room including a waste chute, 4 x lift core and stairwells.</p>
Levels 9 – 13	<p>Residential Units Each unit is provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living areas.</p> <p>Block A</p> <ul style="list-style-type: none"> - 1 x 1 bedroom unit with balcony per level (total 1 bed: 5); and - 1 x 2 bedroom unit with balcony per level (total 2 bed: 5).

	<p>Block B</p> <ul style="list-style-type: none"> - 1 x 1 bedroom unit with balcony per level (total 1 bed: 5); and - 1 x 2 bedroom unit with balcony per level (total 2 bed: 5). <p>Lobby area including internal corridors and comprises of 2 x waste storage room including a waste chute, 4 x lift core and stairwells including internal stairwell per unit.</p>
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The proposed high density residential development seeks to utilise the land in accordance with the zoning and take advantage of its proximity to public transport and services.

The development aims to present a strong and attractive interface that addresses the site's frontage whilst providing an interesting and attractive built that punctuates the skyline along a key road network, thus being consistent with the evolving high residential character along the eastern side of Northumberland Street. The proposal will also permit an orderly redevelopment of undercapitalised and under-utilised land whilst contributing towards increasing housing stock within Liverpool.

The relevant architectural plans for the proposal have been prepared by Gus Fares Architects, with supporting reports which have been prepared by relevant sub consultants.

Design consideration has been given to the scale, size and form of the proposal in relation to the desired future character envisioned by Council and embodied within the Liverpool LEP 2008 and associated DCP. Design consideration has also been given to residential amenity including aspects such as privacy and solar access for both future residents of the proposal and those of surrounding properties.

3. Controls

Statutory Controls

The relevant Statutory Planning Controls include: -

- State Environmental Planning Policy BASIX
- State Environmental Planning Policy No. 55 – Contaminated Land;
- State Environmental Planning Policy No. 65 – Apartment Design Guide Controls;
- State Environment Planning Policy Infrastructure 2007;
- Greater Metropolitan Regional Environmental Plan No. 2 Georges River Catchment; and
- Liverpool Local Environmental Plan 2008.

Policy Controls

The applicable policy control documents are: -

- Liverpool Development Control Plan 2008.

4. Consideration

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

State Environmental Planning Policy BASIX

The application has been assessed and is accompanied by a complying BASIX certificate demonstrating a commitment to thermal and water efficiency.

State Environmental Planning Policy No. 55 – Contaminated Land

Given the historical use of the site for urban purposes, land contamination is not likely. Further investigation and reporting under SEPP 55 is not considered necessary given the residential use of the site and no indication of potentially contaminated materials on the site.

Council can be satisfied that the provisions of Clause 7 of the SEPP are satisfied. If any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline document will be undertaken.

State Environmental Planning Policy Infrastructure 2007

The development site is not located on a classified road and as a result it is not necessary to consider the provisions of Clause 102, and 104 of the SEPP.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as ‘traffic generating development’. The current proposal is not identified as traffic generating development as the site does not trigger the threshold requirements. Therefore, concurrence from the RMS is not required.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and Apartment Design Guide

The development application is accompanied by a design verification statement by Gus Fares (Registered Architect) verifying that an architect has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential flat development.

A description of compliance with the applicable development controls such as setbacks, building depth, separation, height, etc. is provided in the local planning controls discussion and tables below.

The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide, noting that a number of these provisions are embodied within the Liverpool Local Environmental Plan 2008 and supporting Liverpool Development Control Plan 2008.

An assessment against the relevant objectives and design guidelines contained in parts 3 and 4 of the Architectural Design Guide can be found below.

Clause 6A of the amended SEPP states that development control plans cannot be inconsistent with the Apartment Design Guide for the following matters set out in parts 3 and 4 of the guide:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage.

The SEPP states that if a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which clause 6A applies, those provisions are of no effect. The key provisions of the ADG are addressed below.

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
Part 3 – Siting the Development			
3A Site Analysis	Appendix 1 of the ADG	Provided	Yes
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street	The proposed residential flat building has been designed to address its frontage, with direct access to the proposed 14 storey building provided from the sites frontage to Northumberland Street.	Yes
	Where an adjoining building does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by > 20%	Not applicable.	N/A
	4 hours of solar access should be retained to solar collectors on neighbouring buildings	Adjoining properties do not contain solar collectors	N/A
3C Public Domain Interface	Terraces, balconies should have direct street entry, where appropriate.	Units A003, B004 & B005 have been designed to have direct access to the Northumberland via its courtyards with appropriate access	Yes

	<p>Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided</p> <p>Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement carpark or out of view</p>	<p>provided to all ground floor units from the street level.</p> <p>Mail boxes are appropriate located. Complies.</p> <p>The service rooms and communal waste storage areas are incorporated into the basement level of the proposed RFB and are not visible from the street level. The substation is indicatively located within the site's frontage to Northumberland Street and due to the length of the site and with the majority of the front setback to be landscaped, the substation will have minimal impact to the streetscape. Furthermore the temporary bin area will have minimum impact on the streetscape as bin will only be put out on a temporary basis during collection day.</p>	<p>Yes</p> <p>Minor variation to the location of the substation and temporary bin area</p>
3D Communal and Public Open Space	<p><u>Design Criteria:</u> Communal open space has a minimum area equal to 25% of the site</p> <p>50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm</p> <p><u>Design Guidelines:</u> Minimum dimension of 3m</p> <p>Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies</p>	<p>687.88m² required and 1013.95m² or 37.8% of the site area is dedicated for communal open space area.</p> <p>Complies</p> <p>Complies</p> <p>Proposal ensures that direct, equitable access in line with relevant Australian Standard is provided to communal open space areas from common circulation areas, entries and lobbies.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>Where communal open space cannot be provided at ground level, it should be provided on a podium or roof</p> <p>Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> • seating for individual or groups • barbecue areas • play equipment or play area • swimming pools, gyms, tennis courts or common rooms <p>Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy</p> <p>Public open space should be well connected with public street along at least one edge</p>	<p>Communal open space areas are provided on the ground floor and also within Level 8.</p> <p>The communal open space on the ground floor is provided with BBQ area, seating areas, water feature and children play area and the common open space on level 8 is provided with seating areas.</p> <p>The proposed RFB has been designed with the orientation of balconies and windows to maximise passive surveillance to the communal open space areas and to the public domain.</p> <p>Appropriate access to the site is provided via Northumberland Street. See attached plans for detail.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3E Deep Soil Zones	<p><u>Design Criteria:</u> A deep soil zone equivalent to 7% of the site area must be provided</p> <p>If the site is between 650m² to 1500m² then the DSZ must have minimum dimensions of 3m</p> <p>If over 1500m² then min dimensions of 6m</p>	<p>192.6m² required and 192.65m² or 7.44% of the site area is dedicated as deep soil zone.</p> <p>Minimum dimensions of 6m</p>	<p>Yes</p> <p>Yes</p>

<p>3F Visual Privacy Building Separation Up to 4 storeys (up to 12m)</p>	<p><u>Design Criteria:</u></p> <p>12m between habitable rooms (6m) 6m between non habitable rooms (3m)</p>	<p>Up to the 4th storey the proposed building complies with the minimum building separation provision of >6m to neighbouring buildings from both the primary building line and balcony to its north, west and southern boundaries.</p> <p>It is noted that the front portion of the building within the 2 and 3 floor to its northern boundary is built to boundary and then recessed 6m, with majority of habitable windows separated a minimum 6m to the site's northern boundary, noting a blank wall is extended to ensure north oriented living room window associated with Units A205 & A305 does not direct view neighbouring property to the north. Furthermore, it is noted that the ADG permits a 0m separation between blank walls, as the front portion of an existing building to the north is also built to its boundary and therefore this is appropriate.</p>	<p>Yes- See discussion at end of table.</p>
<p>Building Separation Between 5-8 storeys (up to 25m)</p>	<p>18m between habitable rooms (9m) 9m between non habitable rooms (4.5m)</p>	<p>Between the 5th and 8th storeys the proposed building has been recessed to ensure compliance with the minimum building separation provision of 9m to neighbouring buildings from both the primary building line and balcony to its north, west and southern boundaries. As stated about, the front portion of the building within between the 5th and 8th storeys to its northern boundary is built to boundary and then recessed 9m, with all habitable windows separated a minimum 9m to the site's northern boundary, noting a blank wall is extended to ensure balcony associated with Units A205 does not direct view neighbouring property to the north.</p>	<p>See discussion at end of table.</p>

Building Separation 9 th storey+	24m between habitable rooms (12m) 12m between non habitable rooms (6m)	<p>Furthermore, it is noted that the ADG permits a 0m separate between blank walls, as the front portion of an existing building to the north is also built to its boundary up to the 7th storey.</p> <p>Between the 9th and 13th storeys the development proposes a recessed tower element that complies with the minimum building separation provision of 12m to neighbouring buildings from both the primary building line and balcony to its north, west and southern boundaries. Furthermore, a blank wall is extended to the common open space area associated with Building A to ensure direct view neighbouring property to the north is mitigated.</p> <p>Furthermore, development has been designed with majority of units to be opaque and incorporation of privacy louvers to some balconies.</p>	See discussion at end of table.
3G Pedestrian Access and Entries	Building entries should be clearly identifiable and communal entries should be clearly distinguished from private areas	A clearly identifiable entrance is provided via Northumberland Street, which is landscaped and includes a water feature making it visually pleasing and clearly distinguished as the main entrance.	Yes
3H Vehicle Access	<p>Car park access should be integrated with the building's overall façade</p> <p>Car park entry and access should be located on secondary streets or lanes where available</p>	<p>Vehicle access point to the basement level is integrated with the proposed building's overall façade, noting that the vehicle entrance is recessed to minimise visual dominance of the roller-shutters.</p> <p>Site only has one frontage and as such car parking entrance is provided by Northumberland Street. Complies.</p>	<p>Yes</p> <p>Yes</p>

	Garbage collection, loading and servicing areas are screened	Communal bin storage area is located within the basement level, noting that the temporary bin area will have minimum impact on the streetscape as bin will only be put out on a temporary basis during collection day.	Yes
3J Carparking	<p><u>Design Criteria:</u> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of:</p> <p>>20 units <u>Metropolitan Sub-Regional Centres:</u> 0.6 spaces per 1 bedroom unit. 0.9 spaces per 2 bedroom unit. 1.40 spaces per 3 bedroom unit. 1 space per 5 units (visitor parking)</p> <p><u>Design Guidelines:</u> Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas</p>	<p>N/A as not within 800m of railway station- therefore proposal designed to comply with then parking rates within the Liverpool DCP 2008.</p> <p>Bicycle parking spaces are provided within the basement levels, are secure and is easily accessible. Complies.</p>	<p>N/A</p> <p>Yes</p>
Part 4 – Designing the Building			
4A Solar Access	<p><u>Design Criteria:</u></p> <p>Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter</p> <p>A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid-Winter</p>	<p>71.6% of units achieve the required 2 hours of solar access at mid-winter</p> <p><15%</p>	<p>Yes</p> <p>Yes</p>

4B Naturally Ventilation	<p><u>Design Criteria:</u> 60% of Units are cross ventilated in a building up to 9 storeys</p> <p>Overall width of a cross over or cross through apartment is < 18m</p> <p><u>Design Guidelines:</u> The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths</p>	<p>66.3% of units are cross ventilated.</p> <p>Complies</p> <p>Development has a mix of dual aspect apartments and corner apartments. See attached architectural plans for detail.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
4C Ceiling Height	<p><u>Design Criteria:</u> 2.7m for habitable and 2.4m for non-habitable.</p>	Complies	Yes
<p>4D Unit Sizes</p> <p>1 bed 2 bed 3 bed</p> <p>+ 5m² for each unit with more than 1 bathroom.</p> <p>Habitable Room Depths</p> <p>Bedroom sizes Master Other</p>	<p><u>Design Criteria:</u></p> <p>50m² 70m² 90m²</p> <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10%</p> <p><u>Design Guidelines:</u></p> <p>Limited to 2.5m x Ceiling Height</p> <p>10m² 9m²</p>	<p>All units comply with many units exceeding. Where additional bathrooms have been provided unit sizes have been increased by at least 5m².</p> <p>Kitchens associated with Unit B004, B005, B104, B105, B204, B205, B304, B304 is 8200mm instead of 8000mm</p> <p>Despite the noncompliance with objective 4D-2, figure 4D.3 indicates that an 8.1m depth (3 x ceiling height) is okay for open plan apartments.</p> <p>Yes Yes</p>	<p>Yes</p> <p>Minor Variation</p> <p>Yes</p> <p>Yes Yes</p>

Living rooms/dining areas have a minimum width of: 3.6m 4m	Studio/1 br 2br/ 3br	Comply Comply	Yes Yes
Open Plan Layouts that include a living, dining room and kitchen.	8m to a window	Complies given unit depths and design layouts.	Yes
4E Private Open Space Balcony Sizes 1 bed 2 bed 3 bed	<u>Design Criteria:</u> 8m ² & 2m depth 10m ² & 2m depth 12m ² & 2.4m depth	Complies Complies Complies- Noting Plans Amended.	Yes Yes Yes
Ground level/ podium apartments	15m ² & 3m depth	Complies	Yes
4F Common Circulation and Spaces	<u>Design Criteria:</u>		Yes
Common Circulation Units per Plate	40 units per lift for building of 10 storeys & over	4 x lift core is to serve a maximum of 11 units per plate, or 3 units per lift core.	N/A
Corridors > 12m	Are articulated	N/A	
4G Storage	1 bed 6m ³ 2 bed 8m ³ 3 bed 10m ³ Min 50% of required storage is within the apartment	The proposal provides: 1 bed: >6m ³ 2 bed: >8m ³ 3 bed: >10m ³ This is provided within the basement/ground floor and within the units themselves, and where appropriate a minimum of 50% of storage to be provided within each individual unit. The proposed development is considered to offer storage space that aligns with the provisions of the ADG.	Yes
4H Acoustic Privacy	Adequate building separation is provided within the development and from neighboring buildings/adjacent uses	Development has provided adequate separation from neighbor buildings/properties in-line with 3F Visual Privacy – design criteria above. Furthermore,	Yes

	<p>Windows and door openings are generally orientated away from noise source</p> <p>Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.</p>	<p>development has been designed with majority of units to be opaque and incorporation of privacy louvers to some balconies.</p> <p>Where appropriate windows and door openings are orientated away from noise sources.</p> <p>The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy and also take advantage of the lot orientation.</p>	<p>Yes</p> <p>Yes</p>
4K Apartment Mix	A variety of apartment types is provided	<p>A diversity of apartments is proposed as follows:</p> <p>40 x 1 bedroom units; 55 x 2 bedroom units; and 11 x 3 bedroom units.</p> <p>The proposed unit mix will offer a variety of housing choice. The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, noting that the bedroom numbers and size of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability.</p>	Yes
4M Facades	Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale	<p>The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies, framed elements.</p> <p>Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern RFB within the locality whilst being consistent with the evolving high</p>	Yes

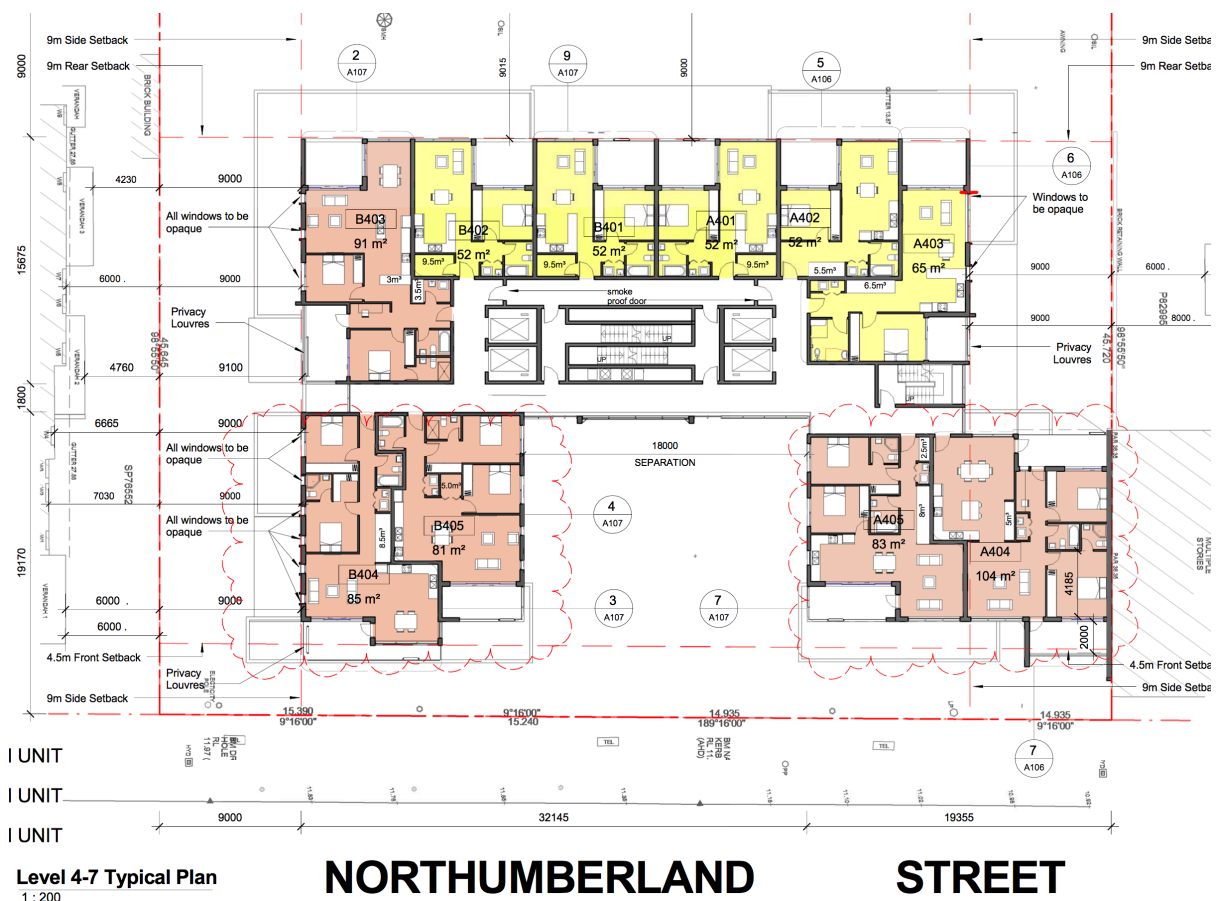
		residential density character of the built stock within the subject block.	
4O Landscape Design Site Area >1500m ²	1 large tree or 2 medium trees per 80m ² of DSZ	Consistent as per landscaping.	Yes
4Q Universal Design 20% of the total apartments	Achieve Liveable House Guidelines silver level universal design features	Meets Liverpool DCP of 10% adaptable units with 11 units (10.7%) dedicated as adaptable units. Further the proposal achieves a total of 31 liveable units, equating to 29.2% of the site unit numbers and complies.	Yes
4U Energy Efficiency		The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
4V Water Management and Conservation	Reduce mains consumption, and reduce the quantity of storm water runoff.	The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
4W Waste Management	Supply WMP Allocate storage area	Provided Appropriate waste storage areas are provided.	Yes Yes
4X Building Maintenance	To ensure long life and ease of maintenance for the development.	The proposed material is considered durable which may be easily cleaned.	Yes

Discussion on Building Separation

This amended proposal incorporates the minimum setback distances as required by the SEPP65 and the Apartment Design Guide through the adoption of built to boundary elements, blank walls, and actual building separation to the common boundaries. The proposed development provides 'its share' of the required ADG separation and it must be acknowledged that the existing adjoining development at 17 Northumberland Street does not comply with the minimum Separation requirements, and was designed prior to the introduction of SEPP65, and does not meet the separation controls specified within the LEP and associated Liverpool Development Control Plan 2008.

In addition development proposes all windows on the southern elevation facing 17 Northumberland Street to be opaque to further improve the privacy of residents. This will assist in enhancing residential privacy between the properties and balconies located on the southern elevation facing the adjoining development. Balconies on this face will be equipped with privacy louvres to mitigate visual and acoustic impacts and address council's concerns.

This is reflected on the plan extract below:



Therefore it is unreasonable to penalise this development due to the non-compliance caused by the neighbouring Residential Flat Buildings and having regard to the care taken by the revised design of the development that:

- Complies with 'its share' of the required building separation;
- Incorporates design measures to ameliorate impacts to adjoining properties.

Greater Metropolitan Regional Environmental Plan No. 2- Georges River Catchment (GMREP 2)

The subject site is subject to the broad planning principles contained within the GMREP. The Aims and Objectives and broad Planning Principles must be considered and achieved, where possible, in the carrying out of development within the catchment. The relevant aims and objectives include:

- (a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
- (b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
- (c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,*
- (d) to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,*
- (e) (Repealed)*
- (f) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.*

The proposed development does not detract from the above listed aims and objectives given the nature of the development and the environmental safeguards proposed, including the drainage concept proposed and the erosion and sediment controls that will be in place throughout the construction phase of the development.

Therefore, the proposal satisfies the key provisions of the GMREP.

Liverpool Local Environmental Plan 2008

As shown on the zoning map extract below the development site is zoned R4 High Density Residential under the provisions of the Liverpool LEP 2008.

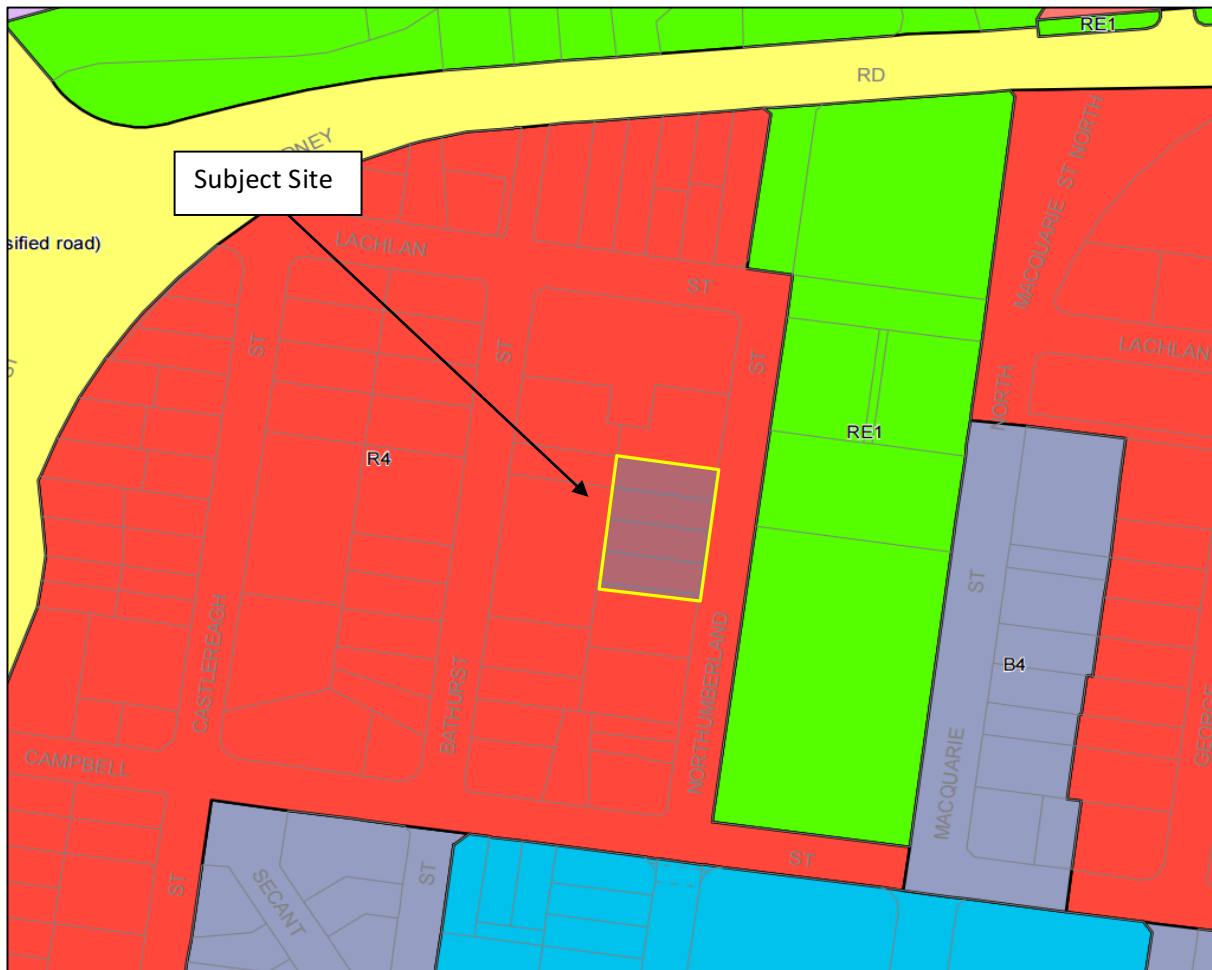


Figure 14: Zoning Map Sheet LZN_011 Map Extract (Source: Liverpool LEP 2008)

Residential Flat Buildings are permissible with consent and the proposal is consistent with the definition contained within the LEP.

residential flat building means a building containing 3 or more dwelling, but does not include an attached building or multi dwelling housing.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To minimise the fragmentation of land that would prevent the achievement of high density residential development.

The proposed development provides a residential flat building will not only address its frontage to Northumberland Street but also make available a variety of housing types within the northern edges of Liverpool City Centre.

The site is well located and is located within proximity essential services, public transportation and recreation opportunities.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant provisions.

Liverpool Local Environmental Plan 2008 – Compliance Table			
Clause	Controls	Comment	Complies
Zoning	R4 – High Density Residential	A residential flat building is permissible with Council consent in the R4 – High Density Residential Zone.	Yes
Part 2 Permitted or Prohibited Development			
2.3	Zone objectives and land use table	<p>The proposal is consistent with the zone objectives of the R4 – High Density zone and will provide additional housing in the catchment of public transport and services whilst contributing to range of housing types to suit the needs of residents within a high density context.</p> <p>The proposed consolidation of the 4 sites will ensure an orderly redevelopment within the subject block that will appropriately fulfil the subject site's zoning potential whilst increasing housing opportunity within Liverpool City Centre.</p>	Yes
Part 4 Principal Development Standards			
4.3	Height of buildings	<p>A maximum building height of 45m is identified for the site under Liverpool Local Environmental Plan 2008 Height of Buildings Map Sheet HOB_011.</p> <p>No part of the proposal exceeds 45m and as such the proposal is compliant with maximum building height control.</p>	Yes
4.4	Floor space ratio	A maximum floor space ratio of 2:1 is identified for the site under the Liverpool Local Environmental Plan 2008 Floor Space Ratio Map Sheet FSR_011.	Yes

		<p>It is noted that the development is entitled to a FSR bonus of 3.5:1 in pursuant to Clause 4.4 [2B] as the site is located within Liverpool City Centre, zoned R4 and has a height limit of 45m.</p> <p>This development provides a FSR of 3.45:1 and as such is compliant with the maximum permitted FSR. FSR calculations have been undertaken in accordance with Clause 4.5, noting the breezeway areas that are open to the outside face of the building are excluded that aligns with the decision in Landmark Group v Sutherland Shire Council 2016 NSW LEC 1577. A separate letter has been prepared in this regard.</p>	
Part 5 Miscellaneous Provisions			
5.9	Preservation of trees or vegetation	The subject site is within a well-established residential area, having historically been used for residential purposes. This application seeks Council consent for the removal of identified trees, noting where appropriate existing trees are to be retained, including street trees. See attached Arborist Report for detail. The proposal is to incorporate high quality landscape embellishment works appropriate within a high density residential context that will vastly improve the site then what currently exists and also contribute towards reducing the physical bulk and scale of the development and enhancing privacy levels and amenity within a garden setting in accordance with the landscape plan. See attached Landscape Plan for detail.	Yes
5.10	Heritage conservation	The site is not identified as a heritage item, it is not located within a heritage conservation area however it bounds heritage listed road patterns and a heritage item (90 – Liverpool Pioneers' Memorial Park) to the east of the site. It is also noted that the subject lots have not been identified in the Liverpool Archaeological Zoning and Management Plan (Casey & Lowe, 1996) as having archeological potential and therefore no archaeological assessment is required.	Yes

		<p>The proposed excavation works will be strictly controlled to ensure it will not have an impact on the existing historical road network that bounds the site to the east (Northumberland Street) that might have potential archaeological potential, noting where possible vehicular cross-over and access is to be designed to minimise impact on the historical road network.</p> <p>Furthermore, existing buildings, including a large RFB provide sufficient separation between the subject site and the heritage item (90) Liverpool Pioneers' Memorial Park and also noted that overshadowing associated with the proposal will not impact upon the heritage listed park, thus ensuring that the heritage significance of the heritage item is maintained, noting that the development is consistent with Council's future vision for the locality to accommodate higher density housing.</p> <p>A detailed HIS has been prepared providing detailed discussion and commentary on this aspect of the proposal and dealing with impacts on then nearby heritage items.</p>	
Part 7 Additional Local Provision: Division 1 Liverpool City Centre Provisions			
7.1	Objectives for development in Liverpool City Centre	<p>The proposed development is consistent with the objectives for development in Liverpool City Centre, with complying setbacks to ensure existing and evolving high density street character and building alignment is reinforced. conflicts on the Hume Highway.</p> <p>The development also adequately addresses its frontage to Northumberland Street whilst contributing to the evolving skyline of Liverpool with an attractive and contemporary 14 storey RFB.</p>	Yes
7.2	Sun Access in Liverpool City Centre	The amended built form proposed now ensures compliance with the LEP provisions through the revised setbacks to the various levels of the building.	Yes

7.3	Car parking in Liverpool City Centre	Clause 7.3 does not apply to the subject site as it is not Zoned B3 Commercial Core or B4 Mixed Use.	N/A
7.4	Building separation in Liverpool City Centre	See discussion at the end of this table.	Clause 4.6 Variation
7.5	Design excellence in Liverpool City Centre	<p>The proposal exhibits design excellence and embodies the matters prescribed in Clause 7.5(3)(a)-(xi). See attached Design Verification Statement for further detail that describes the design intent. .</p> <p>It is noted that the development site will not overshadow neighboring '<i>Liverpool Pioneers Memorial Park</i>' (refer to attached shadow diagrams) and is also not identified as a key site and therefore an architectural design competition is not necessary given the site is not located on a 'Key Site' as contained at the mapping.</p>	Yes
Part 7 Additional Local Provision: Division 2 Other Provisions			
7.6	Environmental Significant Land	The subject site is not located within the environmentally significant land map. Not applicable.	N/A
7.7	Acid Sulfate Soils	The subject site is not identified as being affected Acid Sulfate Soils.	N/A
7.8	Flood Planning	The subject site is identified as being flood prone and the proposal has been designed to align with the required freeboard level.	Yes
7.9	Foreshore Building Line	The subject site is not located within the Foreshore Building Line. Not applicable.	N/A
7.11	Minimum Dwelling Density.	Subject site is not located within the dwelling density map. Not applicable.	N/A
7.12	Maximum Number of Lots.	Subject site is not located within the dwelling density map. Not applicable.	N/A
7.13	Minimum Lot Width in Zones R1, R2, R3 and R4	No subdivision is proposed as part of this development. Not applicable.	N/A

7.14	Minimum Building Street Frontage: 24m	<p>Liverpool LEP 2008 requires a minimum building street frontage of 24m for the construction of a residential flat building.</p> <p>The development proposes to consolidate four lots which results in the site having a frontage of approximately 60.5m to Northumberland Street.</p>	Yes
7.17	Development in Flight Paths	Development is not within a flight path.	N/A
7.18	Development in Areas Subject to Potential Airport Noise	The subject site is not affected by aircraft noise.	N/A
7.31	Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area will have minimal adverse environmental or amenity impact.</p> <p>It is also noted that earthworks will be strictly controlled to ensure it will have minimal impact on the existing historical road network that bounds the site to the east (Northumberland Street) that might have potential archaeological potential, with a new vehicle cross-over proposed along Northumberland Street.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	Yes

Building Separation: Clause 4.6 Variation

Clause 7.4 of the LEP provides:

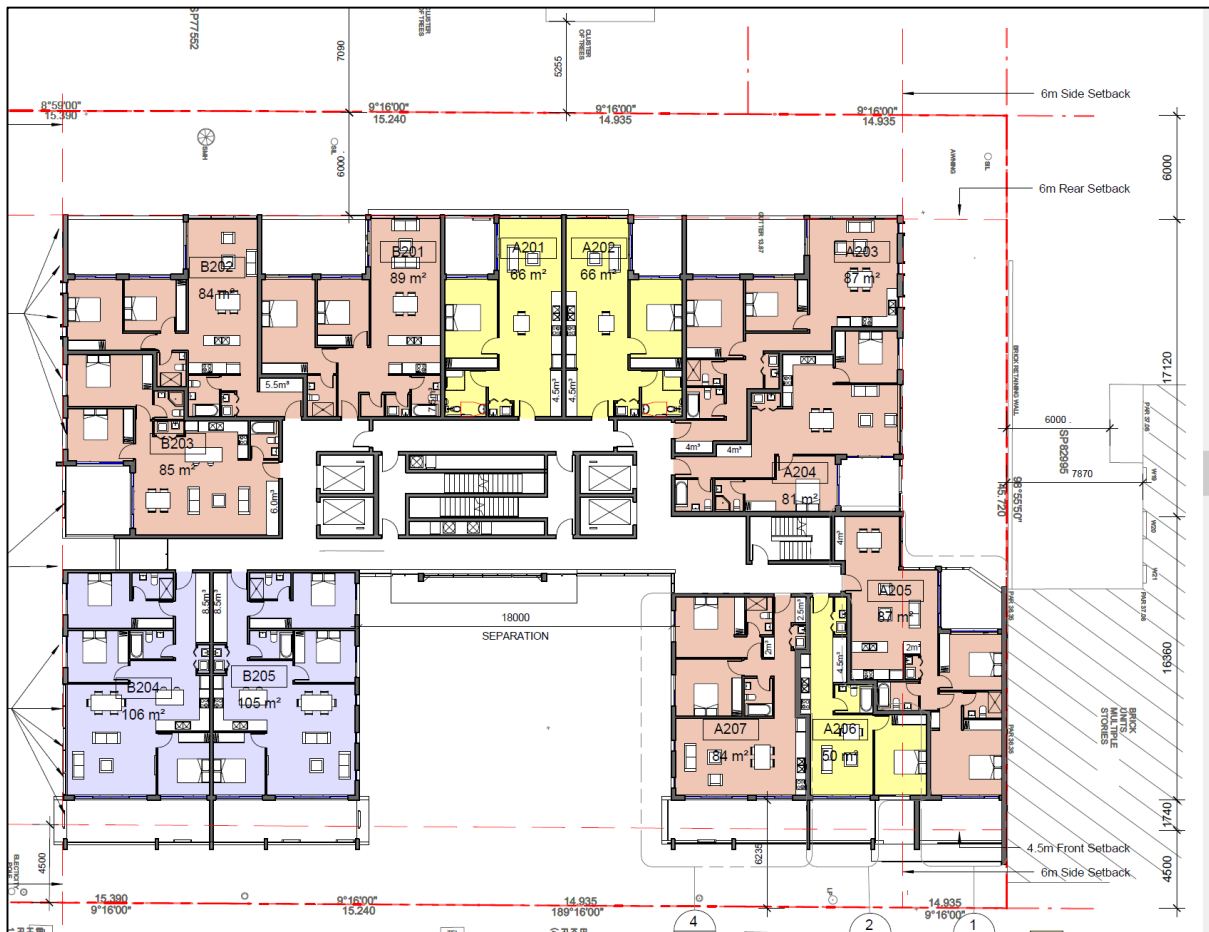
7.4 Building separation in Liverpool city centre

- (1) The objective of this clause is to ensure minimum sufficient separation of buildings for reasons of visual appearance, privacy and solar access.*
- (2) Development consent must not be granted to development for the purposes of a building on land in Liverpool city centre unless the separation distance from neighbouring buildings and between separate towers, or other separate raised parts, of the same building is at least:*
- (a) 9 metres for parts of buildings between 12 metres and 25 metres above ground level (finished) on land in Zone R4 High Density Residential, and*
 - (b) 12 metres for parts of buildings between 25 metres and 35 metres above ground level (finished) on land in Zone R4 High Density Residential, and*
 - (c) 18 metres for parts of buildings above 35 metres on land in Zone R4 High Density Residential and*
 - (d) 12 metres for parts of buildings between 25 metres and 45 metres above ground level (finished) on land in Zone B3 Commercial Core or B4 Mixed Use, and*
 - (e) 28 metres for parts of buildings 45 metres or more above ground level (finished) on land in Zone B3 Commercial Core or B4 Mixed Use.*

The proposal provides:

- Up to 25m (L1-L7): 0m to north-eastern corner to align with the existing built to boundary development, with 6m-9m to the side boundaries elsewhere. This meets the 9m under (a) with the exception of the built to boundary element
- Over 25m (L8 and above): 12m to side boundaries with the exception of the common area. This exceeds the requirement under (b).

Therefore, the proposal complies with the exception of the built to boundary element at the north-eastern corner where a 0m setback is provided between buildings, as shown in the following page.



This complies with the ADG that only requires 0m between blank walls but presents a technical departure to Clause 7.4 and as such a Clause 4.6 Variation request is prepared.

Background and Clause 4.6 Request

A Clause 4.6 variation request has been prepared, noting that the request addresses a number of recent Land and Environment Court cases including *Four 2 Five v Ashfield* and *Micaul Holdings Pty Ltd v Randwick City Council* and *Moskovich v Waverley Council*.

The key tests or requirements arising from the above judgements is that:

- The consent authority be personally satisfied the proposed development will be in the public interest because it is “consistent with” the objectives of the development standard and zone is not a requirement to “achieve” those objectives. It is a requirement that the development be ‘compatible’ with them or ‘capable of existing together in harmony’. It means “something less onerous than ‘achievement’”.
- Establishing that ‘compliance with the standard is unreasonable or unnecessary in the circumstances of the case’ does not always require the applicant to show that the relevant objectives of the standard are achieved by the proposal (Wehbe “test” 1). Other methods are available, for example that the relevant objectives of the standard would not be achieved or would be thwarted by a complying development (Wehbe “test” 3).

- When pursuing a clause 4.6 variation request it is appropriate to demonstrate how the proposal achieves a better outcome than a complying scheme; and
- The proposal is required to be in 'the public interest'.

In relation to the current proposal the keys are:

- Demonstrating that the development remains consistent with the objectives of the building separation standard;
- Demonstrating consistency with the R4 zoning; and
- Satisfying the relevant provisions of Clause 4.6.

These matters are addressed below, noting that the proposal is a preferable outcome to a compliant scheme as it results in a better Urban Design outcome by responding to the blank wall on the adjoining site and improving streetscape presentation to the public domain as compared to pulling back to the required setback under the LEP.

The proposal is also fully compliant with the Apartment Design Guide provisions relating to building separation in terms of providing 'its share' of required separation- noting the ADG permits a 0m setback between blank walls.

Building Separation Context Consideration: Better Development Outcome

The proposed non-compliance occurs as a means of achieving a better development outcome because it enables the development to achieve the following.

- Adopt an appropriate Urban Form, and Quality Common Open Space: The proposal provides for a suitable 0m setback along the length of the 0m setback provided by the building to the north-east that mitigates the adverse impact of a blank wall of that adjoining development and presents a cohesive streetscape appearance. This also facilitates the common open space at the upper levels.

Strict compliance to the height through increased separation would expose the blank wall of the adjoining development which would present poorly to the street.

- Compliance with Apartment Design Guide: The ADG permits a 0m separation between blank walls- noting that the ADG is a contemporary planning document that has recently been adopted (June 2015) and reflects the understanding that development can adopt a 0m setback where blank walls are provided. The LLEP 2008 is outdated in this regard and the ADG should take precedence particularly in circumstances where this improved Urban Design outcome is achieved.
- The departure does not discernibly increase overshadowing from the additional height, given the building is well below the maximum building height this reduces the anticipated overshadowing from the DCP/LEP controls to the parkland- i.e. requiring strict compliance would necessitate an additional level and would increase overshadowing.

Consideration of Clause 4.6

Clause 4.6 of the Liverpool Local Environmental Plan 2008 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed, in particular subclause 3-5 which provide:

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) the consent authority is satisfied that:*
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) the concurrence of the Director-General has been obtained.*
- (5) In deciding whether to grant concurrence, the Director-General must consider:*
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) the public benefit of maintaining the development standard, and*
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.*

Each of these provisions are addressed in turn.

Clause 4.6(3)

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved. The objectives of the separation development standard are stated as:

- (1) The objective of this clause is to ensure minimum sufficient separation of buildings for reasons of visual appearance, privacy and solar access.*

The proposal has been designed specifically to address and overcome constraints associated with the site- noting the adjoining development to the north adopts a 0m side setback with a blank wall. Therefore, the most appropriate contextual response is to match this and comply with separation elsewhere on the site- which is a preferred Urban Design outcome.

Further the proposal is compliant with the ADG separation that enables 0m between blank walls and the ADG is a contemporary planning document that has recently been adopted (June 2015) and reflects the understanding that development can adopt a 0m setback where blank walls are provided. The LLEP 2008 is outdated in this regard and the ADG should take precedence particularly in circumstances where this improved Urban Design outcome is achieved.

Therefore, the underlying objectives of the separation controls are reasonably satisfied as the proposal is responding to context on the adjoining site and there are no privacy or visual appearance issues that are generated by this urban design response. In addition, given they are on the north eastern corner there are no impacts in terms of solar access (i.e. overshadowing issues).

The unique circumstances of the case that warrant support of the departure are that the variation enables the development to:

- Adopt an appropriate Urban Form, and Quality Common Open Space: The proposal provides for a suitable 0m setback along the length of the 0m setback provided by the building to the north-east that mitigates the adverse impact of a blank wall of that adjoining development and presents a cohesive streetscape appearance. This also facilitates the common open space at the upper levels.
Strict compliance to the height through increased separation would expose the blank wall of the adjoining development which would present poorly to the street.
- Compliance with Apartment Design Guide: The ADG permits a 0m separation between blank walls- noting that the ADG is a contemporary planning document that has recently been adopted (June 2015) and reflects the understanding that development can adopt a 0m setback where blank walls are provided. The LLEP 2008 is outdated in this regard and the ADG should take precedence particularly in circumstances where this improved Urban Design outcome is achieved.
- The departure does not discernibly increase overshadowing from the additional height, given the building is well below the maximum building height this reduces the anticipated overshadowing from the DCP/LEP controls to the parkland- i.e. requiring strict compliance would necessitate an additional level and would increase overshadowing.

Therefore the proposal is a better outcome than a compliant building separation at this part of the building.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the separation control and in addition the proposal is consistent with the objectives of the R4 zone.

The proposal continues to provide for a high quality built form on the site that provides for the housing needs of the community in a high density residential environmental and also contributes to a diversity of housing types within the locality.

It is understood that the concurrence of the Director-General can be assumed in the current circumstances.

Clause 4.6(5)

As addressed it is understood the concurrence of the Director-General may be assumed in this circumstance, however the following points are made in relation to this clause:

- a) The contravention of the separation control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal and unique site attributes in that it is responding to the context of adjoining development.
- b) There is no public benefit in maintaining the development standard as it relates to the current proposal as the proposal is consistent with the underlying objectives of the control and that requiring strict compliance would lead to a sub-optimal urban design response when considering the relationship to the adjoining site to the north-east.

Strict compliance with the prescriptive requirement is unreasonable and unnecessary in the context of the proposal and its particular circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The proposal will not have any adverse effect on the surrounding locality, which will be characterised by residential development of comparable height and character. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.

Liverpool Development Control Plan 2008– Part 1 General Controls

Those controls relevant to the amended proposal are addressed below:

Liverpool Development Control Plan 2008 – Part A1 General Controls Compliance Table			
Clause	Controls	Comment	Complies
2. Tree Preservation			
		<p>The subject site is within a well-established residential area, having historically been used for residential purposes. This application seeks Council consent for the removal of identified trees, noting where appropriate existing trees are to be retained, including street trees. See attached Arborist Report for detail.</p> <p>The proposal is to incorporate high quality landscape embellishment works appropriate within a high density residential context that will vastly improve the site then what currently exists and also contribute towards reducing the physical bulk and scale of the development and enhancing privacy levels and amenity within a garden setting in accordance with the landscape plan. See attached Landscape Plan for detail.</p>	Yes
5. Bush Fire Risk			
		The subject site is not identified as being located within a bushfire prone land. Not applicable.	N/A
6. Water Cycle Management			
		<p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p> <p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.</p> <p>The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p>	Yes

		The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.	
8. Erosion and Sediment Control			
		<p>Appropriate measures will be undertaken during the construction and construction phase of the development application to ensure that all soil materials will be contain on the site. It is also noted that earthworks will be strictly controlled to ensure it will have minimal impact on the existing historical road network that bounds the site to the east (Northumberland Street) that might have potential archaeological potential, with a new vehicle cross-over proposed along Northumberland Street.</p> <p>Appropriate erosion and sediment control measures such as the use of sediment fencing will be undertaken to minimise erosion during the demolition and construction phase of the proposal.</p> <p>An Erosion and Sediment Control Plan is attached as part of this application.</p>	N/A
9. Flood Risk			
		The subject site is flood prone however the proposal has been designed to align with the required freeboard levels.	Yes
10. Contaminated Land Risk			
		<p>The site was previously used for urban purposes. The land is not known to have been used for any purposes that may give rise to the likelihood of contamination.</p> <p>Nothing on site indicates a previous contaminating use.</p> <p>If any contaminated material or suspected material is unearthed during the construction process then actions consistent with the legislative requirements and guideline documents will be undertaken.</p>	N/A

11. Salinity Risk			
		Due to the nature and location of the site it is not likely to be affected by Saline Soils.	N/A
12. Acid Sulfate Soils Risk			
		The subject site is not identified as being affected Acid Sulfate Soils.	N/A
18. Notification of Applications			
		Noted.	
17. Heritage and Archaeological Sites			
		<p>The site is not identified as a heritage item, it is not located within a heritage conservation area however it bounds heritage listed road patterns and a heritage item (90 – Liverpool Pioneers’ Memorial Park). It is also noted that the subject lots have not been identified in the Liverpool Archaeological Zoning and Management Plan (Casey & Lowe, 1996) as having archeological potential and therefore no archaeological assessment is required.</p> <p>The proposed excavation works will be strictly controlled to ensure it will not have an impact on the existing historical road network that bounds the site to the east (Northumberland Street) that might have potential archaeological potential, noting where possible vehicular cross-over and access is to be designed to minimise impact on the historical road network. Furthermore, existing buildings, including a large RFB provide sufficient separation between the subject site and the heritage item (90 – Liverpool Pioneers’ Memorial Park) and also noted that overshadowing associated with the proposal will not impact upon the heritage listed park, thus ensuring that the heritage significance of the heritage item is maintained, noting that the development is consistent with Council’s future vision for the locality to accommodate higher density housing.</p> <p>See HIS for full discussion on this issue.</p>	Yes

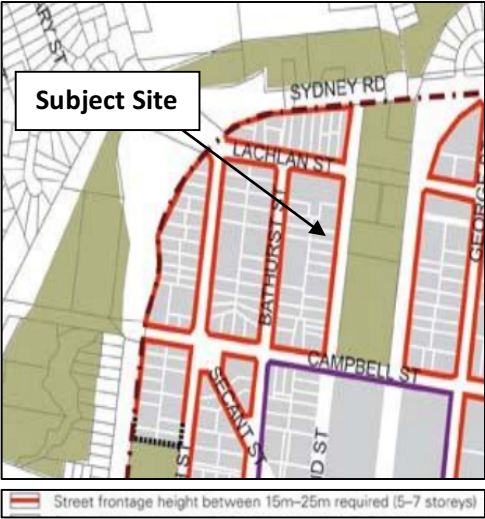
20. Car Parking and Access			
20.1	Overall design considerations	<p>The proposed basement car parking arrangement is to be appropriately integrated into the proposal and is consistent with existing, surrounding development.</p> <p>It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic.</p> <p>See attached plans and Traffic Report for detail.</p>	Yes
20.2	Car parking provision	Car parking rates under Part 4 Development in Liverpool City Centre apply to the proposal. Refer to Clause 4 in part 4 for detail.	Refer to Part 4 of the DCP
20.4	Internal Driveways	Access ways and car parking spaces are to be appropriately dimensioned in accordance with relevant Australian Standards and Council controls and will permit the safe movement and parking of vehicles on site. See attached plans and Traffic Report for detail.	Yes
21. Subdivision of Land and Building			
		No subdivision is proposed as part of this proposal. Not applicable.	N/A
24. Landfill			
		<p>This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area will have minimal adverse environmental or amenity impact.</p> <p>It is also noted that earthworks will be strictly controlled to ensure it will have minimal impact on the existing historical road network that bounds the site to the east (Northumberland Street) that might have potential archaeological potential, with a new vehicle cross-over proposed along Northumberland Street.</p>	Yes

		<p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	
25. Waste Disposal and Re-Use Facilities			
		<p>A Waste Management Plan is attached as part of this application. Notwithstanding, it is noted that waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>Further, appropriate waste facilities will be provided for future residents of the proposal within the basement level that will be accessible to all residents and include a waste chute system and the temporary waste bin on the ground floor communal bin storage areas will be accessible to all residents.</p> <p>See attached Waste Management Plan and architectural plans for further detail.</p> <p>The location of the communal bin storage area will be within the front setback of the ground floor with direct access to Northumberland Street which will ensure sufficient collection of waste without detrimentally impact upon pedestrian or motorist safety. The communal bin area is effectively shielded from view of any passing pedestrians.</p>	Yes

Liverpool Development Control Plan 2008– Part 4 Development in Liverpool City Centre

Those controls relevant to the amended proposal are addressed below.

Liverpool Development Control Plan 2008 – Part 4 Development in Liverpool City Centre Compliance Table			
Clause	Controls	Comment	Complies
2. Controls for Building Form			
2.1	Building Form	<p><u>Building to Street Alignment and Street Setbacks</u></p> <p>1. Figure 3 indicates that the subject site is to provide a 4-4.5m landscaped setback to Northumberland Street.</p> <p>The development provides a minimum setback of 4.5m from the primary building line to Northumberland Street.</p> <p>It is noted that some of the balconies encroach upon the 4.5m front setback, however they contribute towards providing articulation and visual interest to the front façade and as such is considered acceptable. Furthermore, paved pathways, vehicle crossover and driveways encroach upon the front setbacks, however they are required to provide adequate pedestrian access from the site to Northumberland Street, noting, where appropriate front setback are to be landscaped.</p> <p>2. External facades have been designed to address the site's frontage to Northumberland Street.</p> <p>3. Not applicable, site is subject to a 4-4.5m front setback control.</p> <p>4. DCP permits balconies to encroach up to 1.2m into the front building setback within High Density Residential Zone, noting that the cumulative width of all balconies at that particular level totals no more than 50% of the horizontal width of the building façade, measured at that level. Balconies have been designed to ensure that they do not encroach more than 1.2m into the front building setback, noting that the cumulative width of all balconies at each</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>

		<p>level do not total more than 50% of the horizontal width of the building facade. Comply.</p> <p><u>Street Frontage Heights</u></p> <p>1. Figure 5 below indicates that the site is subject to a street frontage height control of between 15m-25m (5-7 storeys). The development proposes a street frontage height of 12.2m and then is recessed and as such is consistent with the 25m numerical control.</p>  <p><u>Building Depth and Bulk</u></p> <p>The development proposes a modern residential flat building comprised of a four storey podium level, then 4 additional storeys recessed to comply with street frontage height control and finally a tower element that breaks up the building. Furthermore, the frontages are to be highly articulated with a mixture of vertical and horizontal features including windows, awnings, projecting and receding walls, in-stepped and projecting balconies, contemporary flat roof design and framed elements. The balconies represent an extension of the internal living areas and as such the development will provide an interface with the public domain at a visually prominent location.</p> <p>The GFA per level is much less than 500sqm above the street frontage control.</p>	<p>Complies</p> <p>Yes</p>
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		<p>The proposed materials and finishes are consistent with those used in the locality and are in keeping with existing residential flat buildings within the city centre while also being contemporary in style.</p> <p>The range and mix of materials and colours will also significantly contribute to the articulation of the building and the reduction of its overall bulk and mass. See the submitted plans for details.</p> <p><u>Boundary Setbacks and Building Depth and Bulk</u> Development meets specific building separation controls under the ADG. See discussion against ADG and LEP.</p>	Refer to LEP and ADG
2.3	Site Cover and Deep Soil Zones	<p>Development is consistent with the deep soil requirements under the ADG.</p> <p>The deep soil area provides sufficient space to permit the planting of trees/shrub. See attached Landscape Plan for detail.</p>	Yes - ADG
2.4	Landscape Design	<p>The subject site is within a well-established residential area, having historically been used for residential purposes.</p> <p>The site contains minor trees and vegetation that is to be demolished in order to accommodate the proposed development. The proposal will also incorporate high quality landscape embellishment works appropriate within a high density residential context along with appropriate replacement plantings to help reduce the physical bulk and scale of the development whilst also enhancing privacy levels and amenity within a garden setting in accordance with the landscape plan.</p> <p>See attached Landscape Plan for detail.</p>	Yes

3. Amenity			
3.1	Pedestrian Permeability	The site is not identified to provide site links, as per Figure 11. Not applicable.	N/A
3.2	Active Street Frontages and Address	<p>1. The site is not identified by Figure 11 to activate the street frontage. Not applicable. Not applicable. However, the proposed building does address its frontage to Northumberland Street.</p> <p><u>Street Address:</u></p> <p>2. Development has been designed to address its frontage to Northumberland Street.</p> <p>3. The development provides a clear street address with pedestrian access from all both frontages that will permit residents to overlook all surrounding streets.</p> <p>4. Development provides an appropriate and clear entry to the site from Northumberland Street.</p> <p>5. The proposed Residential Flat Building includes direct street access via the private courtyards of some of the front units on the ground floor.</p> <p>6. More than 65% of the lot width is provided as street address when considered across all frontages.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3.3	Front Fences	Front fences have been designed in accordance with Figure 14 and 15, noting it is not greater than 1.3m above the footpath/public domain level. Furthermore, it is noted that the proposed fencing is consistent with that existing within Liverpool Local Government Area of similar residential flat buildings. The proposed fencing is compliant with Council controls.	Yes
3.4	Safety and Security	The proposed development incorporates an active façade that will permit casual surveillance of the site's frontage as well as the communal open area and open space on-site.	Yes

		<p>The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>The proposal incorporates design elements including clearly defined and controlled access points as well as clearly defined public and private spaces in order to minimise opportunity for criminal activity, noting that it maximises 'front door' directly from the street level for the majority of ground floor units.</p> <p>The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are proposed, that are easily read by resident, visitor and passer by alike. It is considered that the proposal does not impact on amenity or the streetscape of the area but is in context with development and street presentation of surrounding development. All materials and finishes are appropriate.</p> <p>The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p>	
3.5	Awnings	Development provides appropriate weather protection structures to the main entrance area as per Figure 17.	Yes
3.6	Vehicular Footpath Crossing	<p><u>Location of Vehicle Access</u></p> <p>1. Site is not identified by Figure 18 as being unable to introduce additional vehicle entry point.</p> <p>2. The proposal only provides one vehicle access point via Northumberland Street.</p>	<p>N/A</p> <p>Yes</p>

		<p>3. The vehicle entry points is integrated into the building design.</p> <p><u>Design of Vehicle Access</u></p> <p>It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site.</p> <p>The proposed parking area and ancillary driveway will not contribute to the creation of traffic hazards.</p> <p>The proposed basement car parking arrangement is to be appropriately integrated into the proposal. It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic. See attached plans and Traffic Report for detail.</p>	<p>Yes</p> <p>Yes</p>
3.8	Building Exteriors	<p>The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies and framed elements.</p> <p>Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern RFB within the north western portion of the city centre.</p>	Yes
4. Traffic and Access			
4.1	Pedestrian Access and Mobility	<p>1. Main building entry points are visible from Northumberland Street, with appropriate building façade and architectural features proposed that improve the clarity of building address whilst increasing the presentation of the 14 storey building.</p> <p>2. Design of facilities including car parking spaces for disable persons comply with the relevant Australian Standards and also comply with the <i>Disability Discrimination Act 1992</i>.</p>	<p>Yes</p> <p>Yes</p>

		<p>3. As stated above, the front facing ground floor units are provided with direct private access to the street frontage.</p> <p>4. Development provides primary entrance via Northumberland Street with convenient barrier free access to ground floor units and to communal open space area within the ground floor.</p> <p>5. Accessible internal access that links to the public street and building entry points is provided. See attached plans for detail.</p> <p>6. Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>-</p>
4.2	Vehicular Driveways and Manoeuvring Areas	<p>The car parking area will be serviced via a driveway/ramp that will be accessible from Northumberland Street.</p> <p>It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site.</p> <p>The proposed parking area and ancillary driveway will not contribute to the creation of traffic hazards.</p> <p>All vehicles are able to enter and leave the site in a forward direction.</p> <p>The proposed basement car parking arrangement is to be appropriately integrated into the proposal and is consistent with existing, surrounding development.</p> <p>It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic.</p>	Yes

		<p>Access ways and car parking spaces are to be appropriately dimensioned in accordance with relevant Australian Standards and Council controls and will permit the safe movement and parking of vehicles on site.</p> <p>See attached plans and Traffic Report for detail.</p>	
4.3	<p>On Site Parking</p> <p>Car parking provision</p> <p><u>Residential</u></p> <p>1 space per one and two bed = $95 \times 1 = 95$ spaces</p> <p>1.5 spaces for 3 or more bed = $11 \times 1.5 = 16.5$</p> <p>1 visitor car space for every 10 dwelling: $106 / 10 = 10.6$</p> <p>1 space per 40 for service vehicle (3)</p> <p><u>Motorcycle</u></p> <p>1 motorcycle space per 200 car parking spaces: $(122/20= 6.1)$</p>	<p>1. The development proposes the construction of a fourteen (14) storey residential flat building with the following mix:</p> <ul style="list-style-type: none"> ➤ 40 x 1 bedroom ➤ 55 x 2 bedroom ➤ 11 x 3 bedroom <p>As per the DCP, this would equate to a total of 122.7 spaces for residents.</p> <p>The development proposes the provision of 126 car parking spaces, within the 2 basement levels. Complies.</p> <p>The development is to provide 3 spaces dedicated to service vehicles as per the DCP. The development has provides a total of 3 service parking spaces (1 spaces within the lower basement level and 2 spaces within the upper basement level) including a shared service vehicle/car wash bay (located within the lower basement level) and as such is consistent with Council car parking controls.</p> <p>DCP requires the development to provide a motorcycle parking rate of 1 motorcycle space per 20 car parking spaces or a total of 6.1 (6.1) spaces. The development provides a total of 6 motorcycle parking spaces within the lower basement level. The 1 additional space could be conditioned.</p> <p>2% of total parking generated by the proposal (122) is to be dedicated as disable parking spaces (2.44 spaces).</p>	<p>Yes</p> <p>Yes</p> <p>Minor Variation</p>

	<p><u>Disable Parking Rate</u> 2% of total demand generated by the development: 2.44 (3 spaces)</p> <p><u>Bicycle</u> 1 bicycle space per 200m² of gross floor area: (9,474m²/200 = 47.37)</p>	<p>The development provides a total of 3 accessible car parking spaces. Complies.</p> <p>DCP requires the development to provide 1 bicycle parking space per 200m² of gross floor area: (47.37). The development provides a total of 49 bicycle parking spaces within the basement levels.</p> <p>All vehicle, bicycle and motorcycle parking is located within a basement levels.</p>	<p>Yes</p> <p>Yes</p>
5. Environmental Management			
5.1	Energy Efficiency and Conservation	The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
5.2	Water Conservation	The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
5.3	Reflectivity	The proposal has been designed to align with the DCP in terms of reflectivity.	Yes
5.4	Wind Mitigation	The proposal is of a modest scale and will not have any discernible impact in terms of wind and the proposal is less than 35m and a wind effects report is not required.	Yes
5.5	Noise	Not identified in the Map Figure 25. Not applicable.	N/A
5.6	Waste	<p>A Waste Management Plan is attached as part of this application. Notwithstanding it is noted that waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>Further, appropriate waste facilities will be provided for future residents of the proposal. See attached Waste Management Plan for detail.</p>	Yes

5.7	Floodplain and Water Cycle Management	The subject site is identified as being flood prone however the proposal has been designed to align with the required freeboard levels.	Yea
6. Controls for Residential Development			
6.1	Housing Choice and Mix	<p>1. The DCP provides the following suggestions in regard to mix of apartments –</p> <ul style="list-style-type: none"> - Studios and one bedroom units must not be less than 10% of the total mix of units and - Three or more bedroom units must not be less than 10% of the total mix of units within each development. <p>However, the proposal provides a slight variation of the following mix of housing choices –</p> <p>3 bedroom: 11 (10.4%) 2 bedroom: 55 (51.9%) 1 bedroom: 40 (37.7%)</p> <p>The proposed housing provides a complying unit mix.</p> <p>4. DCP requires 10% (10.6 units) or of all dwelling to be designed to be capable of adaptation for disable or elderly residents. The development provides a total of 11 adaptable units and complies.</p> <p>5. The development provides a total of 11 adaptable units, noting that lift cores provides equitable access to all 14 levels and both basement levels.</p> <p>7. Car parking spaces allocated to adaptable dwellings comply with the requirements of the relevant Australian Standard for disabled parking spaces.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
7. Controls for Special Areas			

7.1	Heritage Items and Conservation Areas	Has been discussed previously in this report.	N/A
7.4	Design Excellence	<p>The proposal exhibits design excellence and embodies the matters prescribed in Clause 7.5(3)(a)-(xi) of the Liverpool LEP 2008. See the Design Verification Statement prepared by Gus Fares for further detail.</p> <p>It is noted that the development site is not identified as a key site and therefore an architectural design competition is not necessary.</p>	YES

Discussion on Isolation of 10 Bathurst Street

Council staff have identified that 10 Bathurst Street would be 'isolated' by the proposal. The location is reflected below.



Figure 15: Aerial Map Extract (Source: Google Maps)

The map extract in the previous page clearly shows that 10 Bathurst Street is isolated by the existing development at 6 and 18 Bathurst Street, with the current development proposal not further impacting development potential given the current proposal faces Northumberland Street and there is no benefit in amalgamating with the current proposal at 10 Bathurst Street.

A detailed discussion is provided on this matter in the letter prepared by Think Planners dated 9 August 2017 and that letter should be read in conjunction with this revised SEE.

5. Conclusion

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.