

23 August 2018

The General Manager
Liverpool City Council
Locked Bag 7064
Liverpool BC, NSW 1871

Attention: Maya Elnazer, Town Planning

Dear Maya,

**RE: ADDENDUM TO SUBMITTED STATEMENT OF ENVIRONMENTAL EFFECTS FOR
DA -109/2018 87-91 NUWARRA ROAD, MOOREBANK**

An addendum to the submitted Statement of Environmental Effects prepared by GAT & Associates dated January 2018, has been prepared as it pertains to the Development Application at the subject site 87-91 Nuwarra Road, Moorebank (DA-109/2018). The development application seeks for demolition of all existing structures and the development of a six (6) storey residential flat building comprising of 9 x 1-bedroom units and 33 x 2-bedroom units to be used wholly for the purposes of affordable rental housing.

The addendum, as prepared, had been requested by the Design Excellence Panel, in their minutes relating to the meeting held on 12 July 2018.

Since submission of the development application, the application has twice been referred to the Design Excellence Panel on 24 April 2018 and subsequently on 12 July 2018. Notably, prior to lodgement of the application with Council, the development was presented to the Design Excellence Panel on 16 November 2017.

The purpose of this addendum to the submitted Statement of Environmental Effects is to address the Panels comments from the meetings held on 24 April and 12 July 2018, so as to ensure any changes are clearly documented and explained.

Reference should also be made to the architectural plans prepared by Smith and Tzannes Pty Ltd which are submitted with this addendum.

The application continues to seek for the demolition of structures and construction of a 6-storey residential flat building with at grade car park comprising of 9 x 1-bedroom units and 32 x 2-bedroom units, with the application being made pursuant to SEPP (Affordable Rental Housing) 2009.

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Design Excellence Panel Meeting – 24 April 2018

Since the Design Excellence Panel (DEP) meeting held on the 24 April 2018, the scheme had undergone refinement in the context of the Panel's commentary and satisfied all outstanding concerns which were raised in the respective meeting minutes.

For the ease of cross referencing, the commentary below has followed that contained within the Panel's minutes.

In respect to communal open space, the proposed development continues to achieve the minimum 25% requirement as prescribed under the Apartment Design Guide (ADG), with 83m² being a covered area.

Concern was raised to the potential amenity impacts created for the approved residential flat building development at No. 93 Nuwarra Road, Moorebank in the context of minor variations sought to separation distances stipulated in the ADG. This specifically related to the south-western elevation.

To ensure that no visual privacy concerns were created by such breaches, these units had been reconfigured to move balconies further north, which now address the primary street frontage, being Nuwarra Road. Where a minor variation is proposed, this is contained to a blank wall noting that a 0m separation distance may be provided for blank walls in accordance with ADG. Furthermore, it is important to note that majority of the built form has been contained within the minimum required ADG separation distances with variations simply contained to corners of the built form.

At this meeting, questions were raised as to whether a breach in separation distances would cause any negative overshadowing impacts for the approved residential flat building development on the adjoining site at No. 93 Nuwarra Road, Moorebank which contains 10 units. It was concluded that the development casts an additional shadow to parts of balconies which are off bedrooms and not primary living rooms. It was determined that the impacts to primary living areas and associated balconies are due to the development currently under construction at Nos. 80-82 Lucas Avenue. In its current state, No. 93 Nuwarra Road achieves the minimum 2hr solar access requirement to 100% of these units, with this being reduced to 80% when compounding the effects of the development at Nos. 80-82 Lucas Avenue and the proposal. Notably, No. 93 will continue to achieve compliance with the specified ADG requirements as they relate to solar access.

As has been demonstrated in the accompanying set of plans, the shadow cast by the proposed development is not too dissimilar with a development that complied with height and separation distances. Therefore, the development is considered appropriate given the amenity of No. 93 Nuwarra Road is not significantly compromised.

Therefore, the variation to separation distances would not result in any detrimental visual privacy or solar access impacts to No. 93 Nuwarra Road. It is important to reiterate that majority of the south western facade is contained within the minimum setback requirement with the breach pertaining to the corner of units of which blank walls are proposed to the encroaching elements.

As requested by the Panel, a landscape bed which separates the pedestrian path and driveway toward the front of the site has been accommodated. This offers a both a visual and physical separation between such areas, ensuring a heightened degree of safety whilst minimising conflict between competing users. Additional trees have also been provided along the north-western boundary between the car park and rear boundary fence, offering an improved landscaped buffer.

As a potential privacy concern was raised between corner facing apartments, these had been reconfigured to negate any foreseeable impacts in this regard as the interface between these is now between balconies and blank walls, rather than habitable room windows to balconies, as was previously proposed. Any privacy concerns are now considered to be mitigated as no opportunities for overlooking exist.

Due to the amendments mentioned directly above, this had resulted in a window contained to a dining area which minimally encroached into the required 9m ADG separation distance at Level 4. Given this breach is of a minor extent, no considerable impacts are deemed to result.

The comprehensive site analysis, as requested by the panel, has been prepared and accompanies this application. This comprehensive site analysis includes the existing and future development context of the area which demonstrates and reinforces the proposals positive integration within the existing and desired future character of the area.

Shading has been provided to balconies by the levels above, ensuring these are not exposed.

As previously detailed within this addendum to submitted Statement of Environmental Effects, primary living rooms and their associated balconies for development at No. 93 Nuwarra Road have been orientated to face north, with the proposal having no impact upon these areas. Where an additional impact is caused, this is contained to balconies off bedrooms and is not dissimilar to the impacts caused by a development which complied with the prescribed 18m height limit. It is important to note, and as demonstrated on the shadow diagrams, majority of impacts to primary living areas and associated balconies is due to development at No. 80-82 Lucas Avenue which is currently under construction.

When compounding the impacts from the proposal and that on Lucas Avenue, the approved development at No. 93 Nuwarra Road will retain adequate solar access to 80% of its apartments, ensuring compliance with the ADG in this regard is maintained.

Design Excellence Panel Meeting – 12 July 2018

Following the Design Excellence Panel meeting held on 24 April 2018, the development application was subsequently referred back to the Panel on 12 July 2018.

As part of the minutes received pertaining to the meeting held on 12 July 2018, the Panel notes that the overall design had been improved in the following ways:

- *“The site analysis has been provided which includes the impact of the adjoining building in this site*

- *Shadow diagrams show the effects of additional height in existing and proposed development compared to a fully compliant scheme.*
- *Changes have been made to layouts in units that did not achieve the required 2 hours of solar access.*
- *Plans showing the building separation between the proposed development and for possible future development have been provided to show that the development potential of the adjoining site is not unreasonably impacted.*
- *Improvements have been made to the Landscape Plan.*
- *The entry lobby has been amended to provide a landscaping bed separating the pedestrian path and driveway."*

It is noted that the Panel was satisfied that the overall design of the development has been improved, however, there is provision for further improvements. A response to the Panel's comments and description as to the changes is detailed below.

Fourth floor balconies to the northern side of the development have been reduced in size, ensuring a greater separation distance between development to the north of the site situated at No. 85 Nuwarra Road. This ensures adequate visual privacy is retained between sites with the primary usable area of the balcony being orientated to the street, away from neighbours.

The entry lobby design has been further reviewed. Lifts have been located toward the northern side of the lobby area which has allowed for heightened visibility of this area from both the street and car park. Notably, FSR compliance has not been altered. On the levels above, lifts have been reorientated to offer an enhanced view line through the built form.

Ways in which a greater variety of brickwork can be incorporated have been explored. Stacked bricking has been introduced between windows which has positively and cohesively tied these elements together, which emphasises horizontal nature of facades.

Additional comments – outside the scope of the DEP meetings

As it relates to Units G.01 and G.02 a minor variation is sought to the minimum depth requirement of 3m for ground floor private open spaces as stipulated by ADG. Each ground floor unit has met the minimum size requirement of 15m², with both areas well exceeding this requirement. Notably, the area of 16m² which is required to meet the minimum standard has been provided with the appropriate minimum depth of 3m. For other portions a variation of 665mm is sought. With regards to Unit G.02, a minor variation of 610mm is sought.

The minor variations as stated above are considered appropriate for the following reasons. Areas of private open space exceed well beyond the minimum 15m² area requirement with these measuring 30m² (G.01) and 37m² (G.02). Although the minimum width does not strictly comply, lengths of 9.6m (G.01) and 10.5m (G.02) have been provided which offers a high degree of functionality within these areas. Such widths have allowed for communal areas to be maximised and for desirable landscaped street setbacks to be reinforced. This has continued to allow for heightened degrees of useability within the ground floor private open spaces.

Nothing would preclude the fence line to be slightly extended to ensure complete numerical compliance, however, we do not consider there to be any direct benefit, as more than ample overall areas have been provided, with the length of such spaces heightening the degree of functionality.

This addendum to the submitted Statement of Environmental Effects prepared by GAT & Associates dated January 2018, has addressed the changes made to the architectural plans prepared by Smith and Tzannes Pty Ltd. These changes have been explained and detailed above within this Addendum.

Should you have any questions, please do not hesitate to contact the undersigned.

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Valdis Aleidzans
Town Planner
GAT & Associates
P3047

A handwritten signature in black ink, appearing to read 'Gerard Turrisi', with a stylized, sweeping underline.

Gerard Turrisi
Director