

# **ADDITIONAL INFORMATION RESPONSE 26 ELIZABETH STREET, LIVERPOOL**



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SA7331  
FINAL  
PREPARED FOR BINAH DEVELOPMENTS PTY LTD



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# 1. INTRODUCTION

This response report (**RR**) has been prepared to accompany the development application (**DA**), submitted to Liverpool City Council (**Council**) seeking consent for the construction of a 34 storey mixed-use development over four levels of basement car parking at Lot 2, 26 Elizabeth Street, Liverpool under DA-886/2018 to address the additional information requests provided by the Council following the notification and referral process of the DA. This response report has been prepared by Urbis on behalf of Binah Developments Pty Ltd (**Applicant**).

## 1.1. THE PROPOSAL

The original DA was submitted to Council on 21 November 2018 under DA-886/2018 and seeks consent for the following:

- Construction of a new laneway south of the subject site to be dedicated to Council.
- Earthworks to facilitate the construction of the proposed residential development, including excavation work to facilitate four basement levels.
- Provision of four basement levels to accommodate (153) bicycle spaces, (326) car spaces, (24) accessible car spaces, (18) visitor spaces, (57) commercial car spaces, (6) service/car wash bays, (19) motorcycle spaces, residential storages, security room and plant equipment.
- Basement Level 1 to include the hotel office, HR office, lounge/canteen, maintenance workshop, laundry, housekeeping, IT office and storeroom for the hotel use.
- The ground floor level to comprise hotel/lobby lounge, commercial lobby and residential lobby. The hotel lobby is accessed from the north-eastern entry and includes an office and luggage area, security office, kitchen, hotel amenities and hotel bin room. The residential lobby is accessed from the eastern entrance and includes resident letterboxes, building manager's office and parcel room. The commercial lobby is also accessed from the eastern boundary.
- Landscaping and public domain works including the provision of new ground covers and low shrubs, street trees and paving to the frontages.
- A total of (113) hotel apartments consisting of (103) standard rooms, (6) accessible rooms and (4) self-contained rooms over levels 5-8 of the development.
- Level 9 provides ample communal open spaces to support a range of active and passive recreational activities for the residents of the development including private dining area, resident's lounge, pool, pool lounge, gym, media room, amenities and terraces.
- A total of (179) residential apartments on Levels 10 – 33 including the provision of (16) one-bedroom, 143 two-bedroom, 16 three-bedroom and 4 four-bedroom units.
- A new laneway along the southern boundary of the site is proposed to facilitate vehicular access to and from the site. The laneway will eventually be constructed to provide a two-way vehicular movement between Bigge and George Streets.
- Two driveways are proposed within the new laneway to provide access to the basement and level 1 car parks. A one-way access road is also proposed along the eastern boundary of the site which will facilitate vehicular access to the hotel pick-up/drop-off area. The access road is proposed to operate as a one-way northbound link between the new laneway and Elizabeth Street.

Following a review of the DA by Council, the Design Excellence Panel, and external referrals bodies including the Roads and Maritime Services (RMS), Bankstown and Camden Airports Limited, Endeavour Energy, Careflight, Health Emergency – Air Ambulance, NSW Police and Sydney Water, requests for additional information have been provided by Council to the Applicant.

As part of the ongoing design development by the Applicant to address the various issues raised by Council, the Design Excellence Panel (**DEP**), external referral agencies and the public, several amendments to the development proposal as submitted to Council have been made to respond to the requirements of the referral bodies and recommendations made through the design excellence process.

As a result of the amendments made to the original development proposal to reflect the design improvements made through the referral and design excellence review process, the Statement of Environmental Effects (**SEE**) submitted with the DA has also been amended and submitted under a separate leaf. It should be noted that the amendments to the original proposal have been supported through the design excellence process.

Based on the revisions made as part of the ongoing design development to address the comments made during the consultation phase of the DA, the proposed development is amended as follows:

- Construction of a new laneway south of the subject site and to be dedicated to the Council.
- Provision of an internal road from the rear

## 1.2. STRUCTURE OF THIS RESPONSE

This response report is structured as follows:

- **Section 1** - Provides a detailed description of the proposed development, the key issues raised through the referral, design excellence and notification period, and the design response.
- **Section 2** – Provides the detailed description of the amended design of the development based on the modifications to design following a review of the comments made through the internal and external referral process and submissions received from the public during the notification period.
- **Section 3** - Details the design excellence panel and meeting and the response to comments received during this process.
- **Section 4** - Responds to the issue raised through the Council's internal referral of the development within the relevant departments of the Council.
- **Section 5** - Responds to the issue raised by the external referral bodies of the development following concurrence with the relevant agencies.
- **Section 6** - Responds to the public submissions received during the notification period of the Development Application as required under the Council's Development Control Plan.
- **Section 7** – Provides a response to the matters raised by the Sydney Western City Planning Panel.
- **Section 8** - Concludes the responses to the referral, design excellence panel process and modifications to the proposal made through the concurrence and notification period.

## 1.3. KEY ISSUES

As part of the ongoing referral and design excellence process, the following is a summary of the key issues raised by the Council, external referral bodies and the DEP.

## 1.4. DESIGN RESPONSE

This report identifies amendments to the original development proposal to address the various issues raised by the Council, its referral bodies, and as discussed in **Section 1.3**. The proposed amendments to the proposal can be summarised as follows:

- **Building Height:** Reduction in the overall building height from 123m to 113.59m with the removal of Level 35 (restaurant and bar with kitchen and outdoor dining spaces) and one level of residential apartments from the proposed development to allow cranes and other machinery during the construction phase of the development to meet the prescribed Obstacle Limitation Surface (OLS) levels without affecting the flight operations of Liverpool Hospital.
- **Apartment Numbers:** A reduction in residential apartments is proposed from 194 to 179 with a loss of 15 apartments to achieve compliance with the OLS and PAN-Ops requirements of the Airports Act 1996.

- **Ground floor level:** Reconfiguration of the ground level foyer to allow for improved functionality of the lifts, hotel reception and provide an active use on this level.
- **Podium level:** Removal of the car parking spaces on the podium levels of the development, Larger commercial floor plates within the podium levels of the development.
- **Apartment levels:** Minor alterations to the internal layout of the residential floors to improve solar access and functionality of the foyer and internal areas.
- **Public Domain:** Enhancing the public domain with greater setbacks and embellishments such as street furniture, landscaping and provision of a laneway providing site through links.
- **Demolition of existing structures:** The existing structures on the site have been demolished under a separate Complying Development Certificate following the lodgement of the application approved in August 2018. The application therefore no longer seeks consent for the demolition of the existing buildings and structures as part of the DA.

The proposed design amendments to the development have been endorsed by the Council's Design Excellence Panel as demonstrating high-level design excellence and achieving satisfactory compliance with solar access, public domain and ESD design principles.

The amended plans and the response to submissions demonstrate that the proposal balances environmental impact with community benefit and should be approved. This response and assessment of the amended plans confirm that there are no significant adverse impacts associated with the proposed development.

The specialist consultant plans and reports accompanying this report are detailed in **Section 1.5** and detail the amended design and recommended mitigation measures to ensure the proposal will have minimal adverse impacts on the adjoining and surrounding properties or the public domain. The content contained in this report and the amended SEE demonstrate that the application should be approved subject to appropriate conditions.

## 1.5. AMENDED DOCUMENTATION

This report has been prepared with the supporting documentation which the issues raised as part of the review process by the Council, external referral bodies and the DEP. Each item raised by the various authorities has been individually responded to under Sections 3, 4 and 5 of this report. **Table 1** provides a list of documentation, including amended plans and reports that accompany the DA and should be considered in accordance with the amendments proposed as part of this DA.

Table 1 – List of documentation for DA-886/2018

Appendix	Documentation	Consultant	Reference
Appendix A	Architectural Plans	Rothelowman Architects	29.01.2020 Revision D
Appendix B	Subdivision Plan (Final)	Johnathon Donald Saxon	D04118-DP 8.02.2019
Appendix C	Letter from GoGet	GoGet	10.01.2020
Appendix D	Heritage Impact Statement	GBA Heritage	Issue C, November 2019
Appendix E	Evidence of physical commencement of works	Binah	10.02.2020
Appendix F	Amended Traffic Impact Statement	PTC Consultants	Issue 5, 13.01.2020

<b>Appendix</b>	<b>Documentation</b>	<b>Consultant</b>	<b>Reference</b>
Appendix G	Archaeological Due Diligence Assessment	Urbis	10.02.2020
Appendix H	Acoustic Statement	Sebastian Giglio	Ref. 2888-D05 14.06.2019
Appendix I	Contamination Statement	EI Australia	07.08.2019
Appendix J	Operational Waste Management Plan and Waste Management Plan Response	Elephant's Foot	10.02.2020 Revision E
Appendix K	Landowner Agreement	Not Applicable	24.10.2018
Appendix L	Hydraulic plans	EWFW Engineering Consultants	11.12.2019 Revision C
Appendix M	DRAINS Modelling	EWFW Engineering Consultants	2018 08 27 R2
Appendix N	Controlled Activity (Airspace) Approvals	Department of Infrastructure, Transport, Cities and Regional Development	F17/968-54 F17/968-55
Appendix O	Social Impact Assessment	Urbis	31.10.2019
Appendix P	Wind Assessment	CPP	23.09.2019
Appendix Q	Sydney Water Response	Sydney Water	02.05.2019
Appendix R	Endeavour Energy Letter	Endeavour Energy	28.01.2020
Appendix S	Complying Development Certificate	Vic Lilli	J180351



## 2. THE AMENDED PROPOSAL

Due to the ongoing design modifications to address the comments from the Council, relevant referral authorities, DEP and the public submissions the proposal as submitted to Council on 21 November 2018 has been amended. The amendments to the proposal are detailed in the amended SEE which accompanies this report and will form part of the DA. The proposal seeks consent for the following:

- Construction of a 34-storey mixed-use development over four levels of basement car parking.
- Three hundred twenty-one car parking spaces within Basement 4 to Level 1.
- Approximately 5,764sqm of commercial floor space within the ground level to Level 4.
- Approximately 15,855sqm of residential floor space within Level 9 to Level 33 (179 apartments).
- Approximately 5,928sqm of hotel floor space from ground level to Level 8 (113 hotel apartments).

It should be noted that the amended architectural design has been supported and encouraged by the Design Excellence Panel and has been approved by the Department of Infrastructure, Transport, Cities and Regional Development.

References to the original proposal seeking consent for the demolition of the existing structures on the site have now been removed, following the receipt of the relevant approvals obtained for this work under Complying Development Certificate No. J180351 by Vic Lilli & Partners 2018 (refer to **Appendix S**) on 14 August 2018 for the demolition of existing factory/workshop buildings at 22-26 Elizabeth Street, Liverpool and recorded on Council's online system under **CD-711/2018**.

## 3. DESIGN EXCELLENCE PANEL

### 3.1. DEP MEETING AND FEEDBACK

As part of the consultation and assessment process of the DA, the application was referred to the Council's Design Excellence Panel. On 14 March 2018, the scheme was first presented to the Council's Design Excellence Panel (DEP). Council provided Urbis with the comments from the Panel to address various design issues as part of an amended design scheme which included the following:

- Public space improvements to Elizabeth Street and the internal road
- Reconfiguration of the ground floor level
- Reconfiguration of Level 1 of the podium
- Provision of planting to the external façade
- Deletion of (2) floor levels of the development to meet the OLS and Pan-OPS required under the Airport Act 1996 for the site.
- Improvements to solar access and minimise overshadowing impacts on Bigge Park and neighbouring properties
- Built form amendments to allow for embellishments and façade articulation with the addition of balconies and solar treatments
- Amendments to the layout of residential floor apartments and the unit design to allow for better solar access and provision of suitable solar treatment measures;

### 3.2. DESIGN RESPONSE

The revised design incorporating the above modifications were presented to the DEP at a second meeting held on May 2019, to seek feedback and to confirm design integrity. The matters raised by the DEP that relate to the detailed architecture of the development are addressed within the amended SEE and are summarised in **Table 2**.

Table 2 – Response to DEP and matters raised from 14 March 2018 meeting.

Information Request	Proponent Response
<p><b>Context</b></p> <p>Multitude number of uses within one building this can be supported with Council's Strategies:</p> <p><i>a. Draft Destination Management Plan</i></p> <p><i>b. Commercial space – CBD Activation; and Economic Development Strategy</i></p> <p><i>c. Height impacts from the development with respect to OLS and OPS breach.</i></p>	<p>a. The Destination Management Plan seeks to promote Liverpool as a destination to attract new inbound and outbound visitors to the LGA, in particular, the City Centre. The proposed offering of the hotel as offered with the development will help to provide accommodation for visitors to Liverpool City within proximity of shops and restaurants and public transport including Liverpool train station and bus stand. The rapid bus service to service the Liverpool City Centre and the new Western Sydney Airport will also help to provide additional forms of transport services to hotel patrons of the new development at 26 Elizabeth Street, Liverpool. The proposed development helps to achieve the vision and intent of the Destination Management Plan.</p> <p>b. The DEP has described the proposal as an excellent example of mixed-use development and recommended as a catalyst for the future high-rise development and activation of commercial and business uses within the City Centre along with residential development. The mix of development</p>

Information Request	Proponent Response
	<p>uses will help to create additional employment opportunities relating to commercial offices, retail, hotel and property management services. Temporary employment opportunities will also be created during the construction phase of this project, allowing for local job opportunities within this sector.</p> <p>c. The proposed tower has been further refined to address the OLS and PAN-Ops requirements with a maximum height limitation imposed on the site to be 126.49 metres AHD as referenced in <b>Appendix N</b>. As such the upper floors have been reduced in order align with the recommendations of the Thompson GCS report.</p> <p>This new report confirms that the application meets the requirements for maximum building height set out in the recommendations. The Crane and Building Approvals are contained in <b>Appendix N</b>.</p>
<p>Striking form but no differentiation in uses with clear function and uses.</p>	<p>The uses have been differentiated by introducing an additional layer of metal fenestration and building elements including horizontal sunshades to the residential floors, vertical trellises to the hotel level and rebated glazing and planter elements to the commercial floors. The fenestration and set out of the window framing has also been developed such that each different use contains its own set reflective of the internal spatial planning.</p>
<p>Other DEP members liked the single form of the tower but:</p> <p>The potential use of balconies to address the residential component – an idea presented by DEP.</p>	<p>To further articulate the northern façade of the residential tower, the end of the lobby space is recessed into the form. This has the effect of creating an additional layer to this façade and expresses to two separate apartments either side. In addition, the window framing composition has been developed to create a suite of window dimensions unique to each use – hotel, residential and commercial that creates a more distinct difference between each.</p>
<p>The oblique blade-shaped columns impact the internal building spaces. The rooms adjacent to these columns are going to be very visually contained, due to the form of the columns. The panel recommends exploring different solutions to improve this issue.</p>	<p>The tower facade composition has been developed to optimise the internal amenity of occupants, without compromising the external tower form. Views from inside the apartment demonstrate the high level of visual amenity from each apartment to the south end of the tower.</p> <p>The columns have been designed in conjunction with the structural engineer to create significant spans between elements. This has dictated their shape and size. The shape of the columns has also been developed since the most recent DEP meeting, along with the detailing and glass composition to integrate the column shapes. The greater span between the columns enables for a better and visually permeable space.</p>

Information Request	Proponent Response
Provision of solar access studies and amenity to the apartments to be submitted to show the impacts of solar access.	<p>The application includes:</p> <ul style="list-style-type: none"> <li>• Point of view solar studies to demonstrate external façade and floor areas meet the minimum solar access from the ADG</li> <li>• These views are at 1hr increments at the Winter Solstice.</li> <li>• All apartments receiving solar access are labelled on the Solar Access drawing page.</li> </ul>
Consideration of floor depth and articulation to break up the residential floor levels. Recommendation by DEP was to merge the larger units sited on the northern end and introduce windows (east-west) on the floor level. See the image provided above.	The design of the residential floor layout has been amended to allow for light wells on the northern and southern ends of the residential floor levels of the development, as shown in the accompanying architectural plans in <b>Appendix A</b> . The revised design encourages and permits light into the corridors while increasing visual interest and views out of the development.
<p><b>Density</b></p> <p>No comments as the proposed development are compliant with density controls.</p>	No response required as it was the Council's DEP opinion that the proposed density was satisfactory.
<p><b>Sustainability</b></p> <p>East and west facades to be reviewed with respect to treatment to improve solar access.</p>	The eastern and western elevations have been reviewed and updated to include solutions to address solar access to the development. These were presented to the DEP in the last meeting and deemed suitable solutions to the proposal. The architectural plans in <b>Appendix A</b> detail the design solutions as accepted by the DEP.
Improve the western elevation with the implementation of treatment to the façade.	The western elevation has been amended to allow for solar protection along the western facade and double glazing to the north-facing windows. Aluminium screens have been provided to units as shown clouded on the western elevation plans to offer an additional measure against the afternoon sun.
Minimum high-level of measurable sustainability performance is recommended	<p>Passive sustainability measures have been integrated into the design through the provision of shading devices. In addition to the requirements of the BASIX certification for the project, the following is proposed:</p> <ul style="list-style-type: none"> <li>• Low water use and indigenous plant species;</li> <li>• Natural light and ventilation provided to all hotel and residential corridors;</li> <li>• Energy-efficient refrigerators provided;</li> <li>• Water-efficient plumbing fixtures;</li> <li>• 10,000L rainwater collection tank;</li> <li>• High thermal mass for energy efficiency.</li> </ul>

Information Request	Proponent Response
	<p>The project proposes the following additional sustainability measures:</p> <ul style="list-style-type: none"> <li>• Deep-set windows and sun hoods to all north-facing windows on residential and commercial levels</li> <li>• Landscaped rooftop spaces to reduce the hardscape area of the proposal;</li> <li>• Opportunities for climbing planters on the external facade to assist in passive shading effects;</li> <li>• External sun shading screens to western and part eastern facades on residential and hotel levels to reduce heat load in summer;</li> <li>• Rooftop solar PV panels to provide additional power needs for the project.</li> </ul>
<p>To be a catalyst and example of Design Excellence in Liverpool City Centre. The DEP members recommend that the development exceed Section J of Star Rating.</p>	<p>The amended design has been presented to the Design Excellence Panel, and the design has been supported with regard to ecologically sustainable development (ESD) and star rating requirements.</p>
<p><b>Landscaping</b></p> <p>Improve landscaping on the site and internal laneway with the following recommendations:</p> <ul style="list-style-type: none"> <li>• Integration of public artwork;</li> <li>• Street furniture and;</li> <li>• Ensure the laneway is pedestrian focussed and vehicles second.</li> </ul>	<p>The accompanying public art strategy by Baber Studio proposed the following elements:</p> <ul style="list-style-type: none"> <li>• Sculptural forms made from the landscape (growth &amp; built works)</li> <li>• Bespoke furniture that is aesthetically pleasing and robust</li> <li>• Aesthetic public art wall that offers a light source</li> <li>• Public artwork wall that is sympathetic to the landscape</li> </ul> <p><b>Street furniture</b></p> <p>Details of the proposed street furniture will be provided with the submission of an amended landscape plan, which is being finalised by the Landscape Consultant.</p> <p><b>Laneway</b></p> <p>The laneway connection to the east of the site has been conceived of as a shared way, where vehicular traffic is secondary and infrequent. The surface treatments for the shared way consist of set pavers, in a similar format to the public walkways. The finish is consistent along its length to further encourage low speed for vehicles travelling through this space. Visual cues such as planter boxes, occasional bollards, and reflective indicators in the ground plane, will assist in defining zones for cars, and zones for people without creating a formal kerb and gutter barrier.</p>
<p><b>Amenity</b></p>	<p>As part of the revision to the commercial and residential floor areas, the smaller floor plate of the commercial has been removed from the scheme,</p>

Information Request	Proponent Response
Commercial levels and lift – the DEP members said they would provide comments separately.	<p>thereby allowing for the commercial lifts to be consolidated into the central lift core and access directly from the side laneway. This lift core was originally part of the rooftop restaurant that is now removed.</p> <p>Similarly, the hotel lifts have been adjusted to suit, and the retail extent facing Elizabeth Street extended to occupy the space initially filled with the office lift.</p>
The potential issue with distance to lift and bathroom on level 3	As per comment above, the separate commercial lift has been removed as part of the design amendments, and as such the primary core areas are where both lifts and bathrooms are to be located.
Placement of balconies –recommendation for the interior section of the unit to wrap around balconies to the south to maximise northern light	<p><b>Typical Southern 1 Bedroom Unit</b></p> <p>Plan altered to locate the living room where it can look towards the north over the main balcony space. The main entry corridor is recessed, which assists in creating a sense of privacy to the living room.</p> <p>There are 10 of these apartments within the development, which may benefit more from the amenity in the original layout than from the additional sun.</p> <p><b>Typical Southern 2 Bed Unit</b></p> <p>The plan has been altered to locate the living room where it can look towards the north over the main balcony space. The main entry corridor is recessed, which assists in creating a sense of privacy to the living room.</p> <p>These apartments maintain the large open plan living layout while benefiting from the additional amenity offered by the balcony location.</p>
<p><b>Safety</b></p> <p>DEP members said they would provide comments separately.</p>	<p>The ground plane design seeks to provide a high level of activation for the site's perimeter.</p> <p>Through the open glass wall dividing the commercial, residential and hotel components, the longer hours of activation from the hotel use will provide passive surveillance for a significant proportion of the street elevation.</p> <p>A building managers office is also located towards the southern end of the shared way, with the opportunity for immediate connection to the lane.</p> <p>Finally, the security office is located adjacent to the main carpark entry and loading dock to assist with active and passive surveillance.</p>
<p><b>Diversity</b></p> <p>Diversity is provided within the building mixture.</p>	The DEP has supported the diversified mix of uses proposed as part of this proposal and encourage future developments to try and adopt a similar approach if Liverpool is to become a bustling and

Information Request	Proponent Response
	thriving city centre offering mixed offerings to residents, workers and visitors.
<b>Aesthetics</b> <ul style="list-style-type: none"> <li>• Explanation of building form – design approach adopted to create a uniform structure</li> <li>• Nuances of how different uses are expressed should be explored with the additional treatments such as the anodised shutter, blinds, etc.</li> </ul>	Care has been taken to articulate each of the uses within the building to create individual identity and address for each. These are tied together through a universal language of key elements and materials utilised throughout the building.

### 3.3. PANEL RESOLUTION

The Panel resolved at the meeting on 5 May 2019 that the issues raised from the previous meeting held on 14 March 2018 and by the former Panel members had been addressed in the revised concept design. The design was endorsed by the respective Panel, with the public domain and street activation matters to be addressed with the feedback from the Council in accordance with Council's Public Domain Plan.

## 4. COUNCIL CONCURRENCE

Under clause 4.13(1) of the EP&A Act, the consultation and concurrence of a development application is required in accordance with the relevant environmental planning instruments and regulations, unless the consent authority determines to refuse the grant development consent.

Accordingly, DA-886/2018 has been referred to the following relevant internal Council departments for the granting of concurrence as required under clause 4.13(8) of the EP&A Act, including the following:

- **Section 4.1** – City Economy
- **Section 4.2** - Strategic Planning
- **Section 4.3** – Heritage
- **Section 4.4** - Environmental Health
- **Section 4.5** – Traffic
- **Section 4.6** – Waste Management
- **Section 4.7** – City Design and Public Domain
- **Section 4.8** – Engineering
- **Section 4.9** – Natural Environment and Landscaping
- **Section 4.10** – Community Planning

The following sections each discuss the issues raised by the respective departments of the Council and how each matter has been addressed.

### 4.1. CITY ECONOMY

Information Request	Proponent Response
Generally, supports the proposal, especially in the provision of A-grade office space in the CBD and medi-hotel.	Support has been received for the proposed concept presented in the DA.
Need to respond to the CBD Activation Strategy adopted by Council in 2018 and how activation of two laneways and Elizabeth St frontage fits into the strategy.	The CBD Activation Strategy has been addressed through the Design Excellence Panel (DEP) process. The Panel has endorsed the design with final amendments to be addressed by the Council Planner.
Supports the restaurant/fine dining and communal open space but requires more detail on the proposed activities in the activated lanes/street.	<p>The restaurant has been removed from the proposal. The street front and laneway are activated at ground level by the commercial and hotel lobby.</p> <p>The hotel lobby fronts Elizabeth Street and contains a food and beverage area with seating orientated towards the street.</p> <p>The commercial and residential lobbies are orientated towards the laneway. Seating will be provided in the lobby to encourage people to sit and linger. The floor to ceiling glass windows will also increase permeability to and from the site.</p>
An EOI for a Liverpool CBD Retail Study is underway. The proposal should consider	It is considered highly unreasonable to delay the assessment of this application until a Liverpool CBD Retail Study is undertaken. The proposed



Information Request	Proponent Response
discussions through Council with the successful firm.	mixed-use development provides predominantly commercial, hotel and residential land uses. Accordingly, the proposal is not considered to adversely impact on the current retail offering in the Liverpool CBD.
There should be more allocation of car share spaces or at least have the feasibility of converting standard car parking spaces in the future. Explore possibility of an electricity charging station.	Three car spaces have been dedicated to GoGet car share vehicles (refer to <b>Appendix C</b> ). The developer agrees to provide recharging points for electric vehicles in the future. Conduits to the nominated spaces will be provided to facilitate streamlined inclusion of electric charging points in the future.
Clarification is required as to the viability/lettability of Level 2 tenancy with only 1000m2 leasable area, odd shape and next to the hotel car park.	The level two tenancy has been re-designed to provide a full level of commercial office space. The hotel car park on this level has been removed to increase the leasable area from 1,000sqm to 1,844sqm. Refer to Drawing No. TP01.06 Revision H. The revised commercial floor plates allow better utilisation and allocation of floor space necessary to support commercial office uses.
More greenery on the façade (i.e. vertical gardens).	<p>Various landscaping elements have been introduced to the northern and southern façade of the proposed building. These elements include:</p> <ul style="list-style-type: none"> <li>• The introduction of landscape planter beds within the northern setback fronting Elizabeth Street and eastern side setback fronting the laneway.</li> <li>• Provision of an outdoor landscaped terrace on level two (western boundary).</li> <li>• Modifications to the landscaping on level five along the northern boundary.</li> </ul> <p>The architectural proposal integrates horizontal planter elements on each of the podium levels to create a more landscaped effect and soften the façade. These have been sized to create longevity, rather than a vertical green wall situation which requires large amounts of energy to maintain.</p> <p>Landscape plans will be provided as a later submission once completed.</p>
Urban design details (footpath, seating, public art, greenery and lighting design). Laneway art to be designed in relation to adjoining development/uses.	<p>The accompanying public art strategy by Baber Studio proposes the following elements:</p> <ul style="list-style-type: none"> <li>• Sculptural forms made from the landscape (growth and built works).</li> <li>• Bespoke furniture that is both aesthetically pleasing and robust.</li> <li>• An aesthetic public art wall that offers a light source.</li> <li>• A public artwork wall that is sympathetic to the landscape.</li> </ul>

Information Request	Proponent Response
	Further urban design details will be submitted with the amended plans being prepared by the Landscape Consultant and will be supplementary to the DA for the council's consideration.
Any upgrade to Warren Serviceway?	Warren Serviceway is beyond the edge of the subject Site. The completion of the new laneway from Bigge to George street will create a new junction with the Warren Serviceway just beyond the subject site. No vehicular connection is proposed at this point, but pedestrian permeability will be created for pedestrians moving north to south through the precinct.
Requires a major impact (economic) study to include the number of jobs during construction and operation of the various uses. Broadly, its contribution to the local economy.	The DEP confirmed that the proposed land uses will provide a high level of employment pre- and post-construction and will positively contribute to the local economy. The mixed-use development will provide commercial, retail and hotel employment opportunities which will provide for the continued economic and employment function of Liverpool CBD. Accordingly, a separate economic impact study is not considered necessary.


## 4.2. STRATEGIC PLANNING

Information Request	Proponent Response
Complies with the dedication of non-residential uses to >1.5 of FSR.	No response required.
Need to assess the impact of the development to Bigge Park (CI 5.10 and Clause 7.5 of the LLEP 2008).	<p>A revised solar impact study has been undertaken by Rothelowman and submitted at <b>Appendix A</b>. This study assessed the impacts of the development to Bigge Park and demonstrated the proposal has negligible impact on the heritage-listed open space.</p> <p>Bigge Park is identified as a local heritage item adjacent the Bigge Park Heritage Conservation Area. In accordance with Clause 5.10, consideration must be given to the effect of a proposed development on an item of heritage significance. As evident in the shadow diagrams submitted in <b>Appendix A</b>, between 9am and 1pm, the proposed development will have no impact on Bigge Park nor the conservation area.</p> <p>Between 2pm and 3pm, there will be some minor overshadowing to the south-west corner of the park and conservation area; however, the remainder of the open space will continue to receive full sunlight.</p> <p>The shadow diagrams have been presented to the DEP who have confirmed they are satisfied with the degree of impact.</p>
A Heritage Impact Statement (HIS) must be lodged to address Section 7 of Part 4 of the LDCP 2008. It is to address the significance of the development in	A Heritage Impact Assessment has been prepared by GBA Heritage and is submitted in <b>Appendix D</b> . This is discussed further in Section 3.3.

Information Request	Proponent Response
terms of overshadowing on Bigge Park. In addition, determine whether approval from the Heritage Council is required (Heritage Act 1977).	
Provide acceptable evidence that DA-369/2015 was 'physically commenced' prior to 28 September 2018 – the extended deadline given by Council to act on the consent. To date to the proposed subdivision of 10 lots into 3 lots appear to have not been registered.	Refer to <b>Appendix E</b> for evidence of the demolition of the buildings and structure in accordance with the CDC issued by Vic Lili and Partners.
The proposed ancillary use of the walkway on the east as a 'set down/pickup' location is supported but requires more control mechanisms to discourage unnecessary vehicular movements (i.e. signage).	<p>The following control mechanisms are proposed to manage the Porte de cohere:</p> <ul style="list-style-type: none"> <li>• Install wayfinding signage that directs vehicles.</li> <li>• Install a boom gate that prevents unauthorised vehicles from using the walkway as a bypass.</li> </ul> <p>The Porte de cohere relates to the hotel use only and will allow vehicles to conveniently pick up and drop off guests. This laneway will be monitored by the hotel reception with the provision of boom gates that will allow user access only (to prevent vehicles using the laneway as a bypass to Elizabeth Street. All vehicles will enter the site and porte-cochere via the rear laneway and exit via Elizabeth Street.</p> <p>The Porte de cohere is an essential element of the hotel as it will provide covered and convenient access for visitors and guests arriving by motorised transport.</p> <p>Refer to Traffic and Parking Report submitted at <b>Appendix F</b>.</p>
Refrain from referring to the site as 'Key Site.' This reference has been removed pursuant to LLEP2008 (Amendment 52) and is irrelevant to the assessment of the current proposal.	Noted. References to 'Key Site' have been removed.
The current proposal appears to be different from the plans submitted for consideration by the design excellence panel in 2016, where it was advised that a pre-DA was required prior to lodgement. There is no evidence that a pre-DA was conducted for this application.	It is noted on Liverpool Council's website that a Pre-DA meeting is not a mandatory requirement nor a statutory step in the DA process. Accordingly, a Pre-DA meeting was not held with Council officers.

## 4.3. HERITAGE

Information Request	Proponent Response
The site is not listed as a heritage item but is within the immediate vicinity of All Saints Church and the Town Plan of Liverpool. Consideration must be given to these listed items in close proximity to the site.	<p>A Heritage Impact Statement has been prepared by GBA Heritage and is submitted at <b>Appendix D</b>.</p> <p>The proposed redevelopment will have no physical impact on any of the surrounding heritage items, and as such, the potential heritage impact is limited to that of views and setting.</p>

Information Request	Proponent Response
	<p>Although the proposed development will be seen in views from the listed All Saints Church, the development does not obstruct view corridors towards the Church, which are predominantly obtained from the west looking east along Elizabeth Street.</p> <p>Furthermore, the primary façade and entrance to the Church is orientated towards George Street and presents as a blank, expansive brick wall to Elizabeth Street (see Figure 1).</p> <p>Figure 1 – Side elevation of All Saints Church</p>  <p>While the site is within proximity to the Church, there is little visual relationship with its built form. The contemporary design and increased height of the new building will not create visual dominance or detract from the heritage item as the church is not located immediately adjacent the subject site but across the road verge behind a landscaped setback.</p> <p>The site is also within the vicinity of the Town Plan of Liverpool (early town centre street layout – Hoddle 1827) which is listed as being an item of local heritage significance. This listing encompasses the grid layout of streets established by Robert Hoddle in 1827. The significance of this item is limited to the street layout as opposed to the built form. The proposal recognises the significance of the Hoddle grid street pattern and seeks to lay the foundations for future development. The introduction of a through-site link reinforces the underlying principles of the Hoddle Grid, which is to provide for a permeable and legible city environment.</p> <p>Accordingly, the proposed development is consistent with the heritage requirements of Clause 5.10 and will have no adverse impact on the heritage significance of the heritage-listed properties in the vicinity.</p>
<p>The site is identified to have a high archaeological potential and requires the preparation and submission of an archaeological assessment</p>	<p>An Archaeological Assessment has been prepared by Urbis and is submitted at <b>Appendix G</b>. The report investigates whether the proposed development will have the potential to harm</p>

Information Request	Proponent Response
<p>undertaken by a qualified and experienced professionals.</p>	<p>Aboriginal or historic archaeological resources that may exist within the subject area and identifies any archaeological constraints.</p> <p>The assessment concludes that:</p> <ul style="list-style-type: none"> <li>• There are no Aboriginal objects or sites within the subject area.</li> <li>• There are no landscape features associated with the potential for Aboriginal archaeological sites within the subject area.</li> <li>• There are heritage items within the vicinity subject area.</li> <li>• The subject area has been zoned as containing high potential for 'high significance' (convict) items in accordance with the Liverpool Archaeological Zoning Plan (Casey &amp; Lowe, 1996).</li> <li>• The subject area has experienced a moderate to high level of disturbance in association with previous phases of development. The level of subsurface impact, especially on any surviving historical archaeological resources, could not be established.</li> </ul> <p>Based on the above conclusions, no further investigation for Aboriginal archaeological constraints is necessary. Notwithstanding this, the proponent should keep a copy of this DDA report as a proof to have exercised due diligence for the subject area.</p> <p>There is moderate to high potential for historical, archaeological resources to be present in association with the early occupation of the subject area from the 1840s to the mid-twentieth century.</p> <p>A detailed Historical Archaeological Assessment and Research Design should be undertaken to support an application for a Section 140 excavation permit under the NSW Heritage Act 1977. This can be recommended as a condition of Development Consent and performed prior to any excavation taking place.</p>

## 4.4. ENVIRONMENTAL HEALTH

Information Request	Proponent Response
<p>Generally supports the application subject to the following:</p> <ul style="list-style-type: none"> <li>• <b>Noise Assessment.</b></li> </ul> <p>Provide further details on how traffic noise values were obtained and calculated and whether they</p>	<p>Traffic noise values were obtained by installing a noise logger at the site as per the EPA/RMS Road Noise Policy (RNP).</p>

Information Request	Proponent Response
<p>have been provided in accordance with the <i>NSW Road Noise Policy</i> published by DECCW dated March 2011, <i>Development Near Rail Corridors and Busy Roads – Interim Guidelines</i> published by the Department of Planning, 2008 or another relevant guideline or policy.</p>	
<p>• <b>Building façade.</b></p> <p>Noise goals provided for the commercial area and hotel apartments are 40 dBA and 35 dBA, respectively. However, confirmation is required on how these goals were derived and achieved in a manner that can be interpreted and assessed.</p> <p>Demonstrate clearly and precisely:</p> <ul style="list-style-type: none"> <li>- What the external noise values are for the day, evening and night-time periods are</li> <li>- What attenuation is required for the various areas (and possibly sides) within the building (i.e. Commercial, habitable rooms, non-habitable rooms etc.) and;</li> <li>- What the individual projected dBA levels will be internally once these measures are implemented.</li> </ul> <p>If noise goals are not achieved what other noise attenuation measures may be suitable to ensure the internal noise levels are met.</p>	<p>The <b>noise goals</b> for the commercial area and hotel apartments are stated in Section 3 of the DA Acoustic Report and were derived from:</p> <ul style="list-style-type: none"> <li>• AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors</li> <li>• NSW Department of Planning, Development Near Rail Corridors and Busy Roads – Interim Guideline.</li> </ul> <p><b>The external noise values for the day, evening and night periods are:</b></p> <ul style="list-style-type: none"> <li>• Daytime, 7am to 6pm</li> <li>• Evening, 6pm to 10pm</li> <li>• Night-time, 10pm to 7am</li> </ul> <p><b>The following attenuation is required for the various areas within the building:</b></p> <ul style="list-style-type: none"> <li>• Commercial tenancies <ul style="list-style-type: none"> <li>- Glazing must have sound insulation at least <math>R_w+C_{tr}</math> 32. Therefore, the recommended minimum construction is: 10.38mm laminated glass and if double-glazed IGUs are used, then glass configuration is likely to need to be similar: 10mm glass – 12mm gap – 6mm glass.</li> <li>- In the acoustic calculations, it has been assumed that commercial tenancies have commercial-grade carpet and acoustic ceiling tiles.</li> </ul> </li> <li>• Hotel apartments <ul style="list-style-type: none"> <li>- For corner apartments, glazing sound insulation must be at least <math>R_w+C_{tr}</math> 36. Therefore, the recommended minimum construction is: 12.5mm Viridian VLam Hush proprietary acoustic laminated glass and if double-glazed IGUs are used, then glass configuration is likely to need to be: 8mm glass – 16mm gap – 10.5mm Viridian VLam Hush.</li> <li>- For non-corner apartments, glazing sound insulation must be at least <math>R_w+C_{tr}</math> 30. Therefore, the recommended minimum construction is: 6.38mm laminated glass and if double-glazed IGUs are used, then glass configuration is likely to need to be: 8mm glass – 12mm gap – 6mm glass.</li> </ul> </li> </ul>



Information Request	Proponent Response
	<ul style="list-style-type: none"> <li>- In the acoustic calculations, it has been assumed that the Hotel apartments have carpeted floors (except in wet areas).</li> <li>• Residential apartments <ul style="list-style-type: none"> <li>- Glazing sound insulation must be at least <math>R_w + C_{tr} 30</math>. Therefore, the recommended minimum construction is: 6.38mm laminated glass and if double-glazed IGUs are used, then glass configuration is likely to need to be: 8mm glass – 12mm gap – 6mm glass.</li> <li>- It has been assumed that most of the residential apartments have carpeted floors in habitable rooms, except for the penthouse apartments (Level 32-34), which will likely have hard floor finishes. The acoustic calculations showed the same glazing requirements as for the other apartments.</li> </ul> </li> </ul> <p>With the recommended external sound insulation, the internal noise goals will be achieved as stated.</p>
<ul style="list-style-type: none"> <li>• <b>Noise emission.</b></li> </ul> <p>In Section 4, it is assumed that noise emission includes mechanical plant noise. Although the noise trigger values have been identified as 55dBA for the day period (7am – 6pm), 45 dBA for the evening period (6pm- 10pm) and 40 dBA for the night period (10pm – 7am) (as well as 35 dBA for residential A/C Condensers and H/W heat pumps), a discussion about how these noise levels may be achieved has not been provided.</p> <p>Modelling can be undertaken to determine what the maximum Sound Power Level may be for the mechanical plants to ensure compliance. This will then ensure that during the design phase, appropriate equipment is selected. The same approach can be used for the vibration-isolation of the indoor swimming pool mechanics.</p> <p>In addition, consideration for the restaurant operations, outdoor dining areas, as well as the gymnasiums, is required.</p> <p>The impact of these operations above and below residential/ habitable rooms is required to be discussed and the noise impact to be considered.</p> <p>Furthermore, the report does not consider Construction Noise and Vibration impacts. An appropriate assessment in compliance with DECCW's Interim Construction Noise Guidelines June 2009 and DEC's Assessing Vibration: A technical Guideline dated February 2006.</p>	<p>Refer to Acoustic Statement prepared by Sebastian Giglio submitted at <b>Appendix H</b> and responses below.</p> <p>Large mechanical equipment will be located within plant rooms or on the roof. This has not yet been designed in detail. This work will take place at the detailed design and CC stage of the project.</p> <p>Conventional noise control measures are considered adequate and will be implemented. This includes duct silencers, acoustically lined ductwork and acoustic louvres.</p> <p>It is considered beyond the Scope of Work for a DA Acoustic Report to carry out detailed modelling on mechanical plant noise. On a small project, indicative modelling using estimated Sound Power Levels can be easily carried out. However, given the large scale of the project, the number, scope and size of equipment are less well known. This work will be undertaken during the detailed design and CC stage.</p> <p>The restaurant component has been removed from the proposal. The gym will be used by hotel guests only. Low-impact equipment and no amplified music is proposed. In regard to the swimming pool, methods to isolate the pool structure and pool machinery will be implemented. This will be addressed at the detailed design stage of the project.</p> <p>A Construction Noise Report will be prepared once a contractor has been appointed. The report will consider the construction program that the contractor prepares and provides to the Acoustic Consultant. This will include the methodology of</p>

Information Request	Proponent Response
	construction, type and size of construction equipment.
<p>• <b>Contamination assessment.</b></p> <p>It is noted that the demolition of structures has commenced. It appears that no consent was issued for such works. Furthermore, the DSI required Hazardous Materials Survey to be completed by a suitably qualified and experienced consultant before the commencement of demolition works, to identify any hazardous materials present within the building structure. All identified hazardous materials must be appropriately managed and to maintain worker health and safety during site construction. This survey will be required to be submitted and details on compliance provided.</p>	<p>Refer to email correspondence at <b>Appendix I.</b></p> <p>As a Hazardous Materials Survey has not been undertaken prior to the commencement of demolition of the structures, it is recommended that a clearance inspection is undertaken following removal of all structures and hard standing at the site to confirm the absence of hazardous materials. This should be undertaken immediately following demolition and prior to any ground disturbance.</p>
<p>Confirmation is required if the Department of Natural Resources has been informed about the water quality data obtained during the investigation in accordance with Guidelines for the Assessment and Management of Groundwater Contamination published by Department of Environment and Conservation NSW dated March 2007. Furthermore, the consultant is to confirm whether the previous activities on the site have, or have not contributed to the contaminants within the groundwater and advise whether under section 60 of the Contaminated Land Management Act 1997 they are legally required to notify the site to the Environment Protection Authority.</p>	<p>As stated within the DSI, the elevated metals are considered to be background concentrations and not a cause for environmental concern within the groundwater environment. Metals at these levels are routinely identified within groundwater in urban environments due to the long-term industrial legacy of urban environments. Furthermore, given the low concentrations of metals identified within site soils and the presence of cohesive (i.e. low permeability) soils below the site, it is not considered probable that the site will have contributed to these elevated concentrations within groundwater.</p> <p>As such, it is not necessary to contact the Department of Natural Resources or the EPA regarding groundwater at the site.</p>
<p>Remedial Action Plan (RAP).</p> <p>a. In Appendix F of the DSI, borehole logs illustrate that water was observed at the following depths: BH1M at 4.8m, BH2M at 8.3m and BH8M at 6.1m. This is not represented in the RAP in Section 3.1 Proposed Use stipulates that groundwater was observed at approximately 9.7m AHD and is expected to intersect the basement. Confirmation is required to ascertain at what depth groundwater was encountered given the discrepancies between the information provided.</p> <p>b. Council's Environmental Health section raise concern given the groundwater results have confirmed exceedances of Chromium, copper, nickel and zinc, which is discharged into the municipal stormwater system will be deemed as water pollution.</p> <p>c. The consultant is to consider the ramifications of the proposal and provide sufficient supporting documents to confirm that the state of the groundwater is not deemed as contaminated and indicative representative of urban background groundwater conditions.</p>	<p>a. Borehole logs within the DSI record the depth from the site surface that groundwater was encountered during drilling. Following drilling, wells were installed and groundwater was left to equalise for a week and re-measured. The results from the re-measurement of groundwater can be seen in Table 8-3 within the DSI.</p> <p>Furthermore, the RAP states the groundwater in metres relative to Australian height datum (mAHD) rather than metres below ground level. The mAHD of monitored groundwater is also included in Table 8-3 of the DSI.</p> <p>b. Prior to any discharge of water from site, a Dewatering Licence application is required to be made to WaterNSW. The main part of this application will be a Dewatering Management Plan (DMP), within which will be a strategy for water analysis and treatment during discharge of dewatering effluent to stormwater.</p> <p>The WaterNSW application also requires consent from the council to discharge to the stormwater system. As such, an application will be made to council for this consent at which</p>



Information Request	Proponent Response
<p>d. Section 4.1 Findings of Previous Investigations provides an inaccurate statement in that the only exceedances identified was resultant from a single fragment of asbestos identified in surface soil at the site, in vicinity of BH2. This statement is not in alliance with the statement in the DSI that concentrations of asbestos were detected within fill sample BH2M 0.2-0.3. Furthermore, it does not account for the exceedances within the groundwater that were identified. Clarification on where asbestos was identified is required. In addition, suspected fragments of asbestos were identified in the storage rooms surrounding the carpark, staining of concrete in the service centre and possible lead paint as illustrated in Appendix C of the DSI.</p> <p>e. Section 5.2 Site Preparation states that it is expected that an asbestos and hazardous material survey as required by consent condition</p> <p>And the NSW Work Health and Safety Act, 2011 will be undertaken. This statement will need to be removed from the RAP as it is not applicable to this application.</p> <p>f. All waste and soil removed offsite will require waste classification by an environmental consultant. All material designated for offsite disposal must be certified as being suitable for acceptance by the receiving facility as prescribed in Section 5.4 Waste Classification Methodology. The sampling procedures in section 5.5 waste classification reporting in section 5.6 and the tracking of materials as stipulated in section 5.7 Materials Tracking will all be conditioned to be complied with.</p>	<p>time the council will be able to review the DMP and the testing/treatment regime included within.</p> <p>c. See response to comment 22 in <b>Appendix I</b>.</p> <p>d. Sample BH2M was taken 200-300mm from the site surface. This is classified as surficial soil due to its proximity to the surface once concrete slabs/asphalt is removed from the site.</p> <p>e. Asbestos within existing structures, staining on concrete, and lead paint on structures is not a contamination issue – it is a hazardous material issue and was expected to be dealt with within the Hazardous Materials Survey. The clearance of the site (see response to comment 21) will confirm the absence of the materials following removal of all building products from the site.</p> <p>It is not considered necessary to update the RAP to remove this. The minor deviation from the RAP (undertaking a clearance post-demolition rather than completing the HMS prior to demo) will be outlined in the validation report for the site. This deviation is not considered to have any effect on the sites suitability for use post-remediation.</p> <p>f. Noted. Waste Classification and disposal of soil materials will be summarised in the Site Validation Report.</p>

## 4.5. TRAFFIC

Information Request	Proponent Response
<p>Note that this section should be read in conjunction with RMS comments provided below. Traffic section generally supports the application subject to the following:</p> <p>The TIA needs to consider the impact of the traffic generation from the adjoining lands (as additional scenario) to get better understanding of the operation of the surrounding road network following the proposed development and the adjoining parcels of land. At the minimum, the TIA needs to consider the likely access requirements of the adjoining properties and the impact on the of the surrounding road network and intersection operation. The development potentials considered during the planning proposal for the precinct could serve as a starting point for this exercise.</p>	<p>Noted.</p> <p>The SIDRA model has been updated to include the potential traffic generated by the expansion of Westfield Liverpool Shopping Centre and the redevelopment of Liverpool Hospital (refer to section 5.6 of traffic report submitted at <b>Appendix F</b>).</p>

Information Request	Proponent Response
<p>The SIDRA model needs to be updated to factor in the potential traffic to be generated by the adjoining properties including their potential access requirements. The model also needs to apply the RMS set signal cycle time for the intersections, instead of the 60 seconds used by the TIA.</p>	<p>The SIDRA model has been updated to include a set cycle time of 120 seconds for intersections on Bigge Street and 100 seconds for intersections within Liverpool CBD.</p>
<p>Submit a concept plan identifying the on-street parking spaces to be lost on Elizabeth Street, prior to the DA is determined.</p>	<p>A concept plan indicating 'No Stopping' zones are proposed (3m on the eastern side of the driveway and 6m on the western side) from the proposed vehicular crossover on Elizabeth Street. This is to allow for sufficient sight distance and manoeuvrability for exiting vehicles.</p> <p>It is anticipated that this will require a net loss of 1 metered parking space on Elizabeth Street (subject to on-site validation). This net loss includes the displacement of three parking spaces for the new vehicular crossover, and a gain of two parking spaces when the kerb and gutter is reinstated (further to the west). (Refer to Drawing No. CP-001 in Attachment 4 of <b>Appendix F</b>).</p>
<p>Provide a written letter from a car share parking company indicating their agreement to provide the vehicles that would utilize the proposed car share parking spaces.</p>	<p>A letter from GoGet indicating their agreement to provide vehicles that will utilise the proposed car share parking spaces has been submitted at <b>Appendix C</b>.</p>
<p>The applicant should provide further information as to how the provision of the proposed laneway that will provide vehicular access to the development to be co-ordinated with the development of the adjoining properties to ensure the delivery of the complete laneway.</p>	<p>A new east-west laneway will be constructed along the southern boundary of the site to facilitate entry and egress via Bigge Street (and ultimately George Street). The construction of the laneway will be staged such that the Developer will construct the portion of the laneway between Bigge Street and the western boundary of the site. Upon development of the neighbouring site to the west, the laneway will be extended to George Street which will ultimately provide a two-way connection between George and Bigge Streets.</p> <p>This laneway will be approximately 8.0m in width, inclusive of a 1.2m wide pedestrian footpath on the northern side of the laneway. This results in an approximate roadway width of 6.5m between kerbs (assuming the provision of a 300mm wide kerb on the southern side of the laneway).</p>
<p>Amended plans taking into account the issues raised in this letter including a 'No Stopping' area on the laneway, and a central median on Bigge Street to prevent right turn movements into and out of the proposed laneway.</p>	<p>'No Stopping' restrictions are proposed on both sides of the proposed laneway. In order to enforce a left-in/left-out access arrangement from the laneway onto Bigge Street, it is recommended a separation kerb on Bigge Street is installed to prevent right turn movements in and out of the proposed laneway.</p> <p>Given the existing constraints of the carriageway width, the installation of a separation kerb provides a suitable method of dividing the southbound and northbound traffic lanes. This can be incorporated into the existing roadway without the need for realignment or widening of the carriageway.</p>

Information Request	Proponent Response
	Refer to Drawing No. CP-001 in Attachment 4 of <b>Appendix F</b> .

## 4.6. WASTE MANAGEMENT

Information Request	Proponent Response
<p>Generally, supports the application subject to the following:</p> <p>The proposal contains a significant proportion of residential units, 194 in total, which Council and Council's Waste Contractor will be responsible for providing waste services.</p> <p>Council will not be providing waste services to the commercial, restaurant or hotel portions of the building, those will be supplied by a commercial waste contractor or contractors who are yet to be determined.</p>	<p>Refer to the Waste Management Plan (<b>WMP</b>) at <b>Appendix J</b>.</p> <p>There has been a significant reduction in residential GFA. The amended proposal reduces the total number of residential units from 194 to 179 and removes the restaurant component.</p> <p>Accordingly, waste services to the commercial and hotel portions of the building will be supplied by a private waste contractor (yet to be appointed).</p>
<p>Information is required for the demolition of the existing structures, including what materials will be realised from the demolition process, how those materials will be managed (including any asbestos construction materials or other hazardous materials) and whether those materials will be re-used, recycled or tipped at landfill. Similarly, no guidance has been given regarding the waste materials that will be generated by the construction process, these too will need to be quantified and directions given as to what will be done with them.</p>	<p>There are no structures currently on site. The structures were demolished as part of a previous application (CD 711/2018) refer to <b>Appendix E</b>. The site currently comprises a concrete hardstand area and vegetation. Accordingly, a demolition waste plan is not required.</p>
<p>For access to the building for the waste trucks, swept path diagrams must be provided to demonstrate that a rear-lift waste truck of the standard dimensions (including the width with side-mirrors) and turning circle used by Council's Waste Contractor can clearly and safely pass all the way to the bin pick-up point and perform all necessary turns to manoeuvre and exit in a forward direction.</p> <p>An unobstructed head-height of 3.4m must be maintained at all points through which the truck must pass, including the area where the bins are to be emptied, with an allowance made for any ramps or changes in level. It is noted that on the Ground Plan (Drawing No. TP01.04) that a portion of the loading dock is shown with a dotted line marked 'Egress Above', which suggests that the head-height in this area is restricted. Clarification should be provided as to whether this will impede the emptying of the 660L waste bins because of the reduced head-height in this area.</p> <p>The engineering specifications for the laneway must also reflect the capacity to deal with the maximum load of a fully loaded waste truck.</p>	<p>The requested changes by the Council have been integrated into the amended architectural drawings at <b>Appendix A</b> and detailed in the amended Waste Management Plan at <b>Appendix J</b>.</p>

Information Request	Proponent Response
<p>The proposed access laneway to the south of the building is only one portion of a laneway that is intended to run straight through from Bigge Street to George Street. Since the other parts of that laneway are subject to approval under other Development Applications to be lodged for the adjacent blocks, further information must be provided as to how the development of these blocks and the rest of the laneway is to be co-ordinated so that the waste trucks can use a completely constructed laneway.</p> <p>Unless the portions of the DAs that make up the development of the laneway are done concurrently, the waste trucks will not be able to gain access to the property. Similarly, information must be provided about whether any type of vehicle parking is planned for the laneway, which might impede the passage of the waste truck and its ability to enter or leave the premises. Ideally, the laneway will be a 'No Stopping' area, to avoid potential problems with disabled drivers parking there.</p>	<p>The Application includes for the provision of the full length of the new laneway from George to Bigge streets. The full length of the laneway is proposed to be completed by the applicant as part of this DA. The other applications will rely upon the laneway being constructed as part of this proposal.</p> <p>The applicant does not object to the proposed parking restrictions suggested by the Council. This may be included as a Condition of Consent, subject to approval.</p>
<p>Since the Council Contractor's waste trucks will be entering the building to carry out the bin emptying, a 'restriction as to user' will be required to be placed on the title of the property at the applicant's expense, which may not be removed or modified except with the permission of Council. This to indemnify Council and Council's Waste contractor against claims for damage, injury etc.</p>	<p>It is recommended that the restriction be imposed as a Condition of Consent subject to approval to ensure compliance with this requirement.</p>
<p>The commercial bin room shown in the north-western corner of the same plan has almost no space for access to and manoeuvring of the bins, access to the bins at the back of the store is impossible unless all the bins in front of it are moved out of the way.</p> <p>Serious consideration should be given to expanding the size of this bin store to avoid significant operational difficulties. Both the residential and the commercial bin storage areas must have the required features listed under the Liverpool DCP 2008 in section 25 'Waste Disposal and Re-use Facilities', which is to be confirmed in the revised WMP.</p>	<p>The arrangement of the waste management facilities has been updated as per Council's request. Refer to amended architectural drawings at <b>Appendix A</b> and TP06.41 which show and increased bin room size as requested. The shape of the storeroom has also been amended to allow for access to each bin individually.</p> <p>The revised waste room sizes are considered satisfactory and comply with section 25 'Waste Disposal and Re-use Facilities.'</p>
<p>The 194 residential units require 17 each of 660L general waste bins and 660L recycling bins, based on a twice weekly collection which is possible within the Liverpool CBD. This is based on a single unit producing 110L of waste and 110L of recycling per week, with no compaction being applied to the general waste materials.</p>	<p>The proposed residential component has been reduced to 179 apartments. 17 garbage bins will be provided.</p>
<p>The size and configuration of the area labelled as 'Bin Loading Area', adjacent to the loading dock on the ground floor plan (Drawing TP01.04) is acceptable and sufficient for purpose, given that it will hold at least 17 bins, which is the maximum</p>	<p>Noted. No response required.</p>

Information Request	Proponent Response
amount that will be required to be emptied at any one time.	
Regarding the area labelled as the 'Residential Bin Room' on the Basement 1 Plan (Drawing No. TP01.03), it is shown as holding 36 x 660L bins in total, which is enough to hold the thirty-four total residential bins, plus another two. This area is sufficient in size and configuration for the intended purpose	Noted. No response required.
<p>The commercial bin room shown in the north-western corner of the same plan has almost no space for access to and manoeuvring of the bins, access to the bins at the back of the store is impossible unless all the bins in front of it are moved out of the way.</p> <p>Serious consideration should be given to expanding the size of this bin store to avoid significant operational difficulties.</p> <p>Both the residential and the commercial bin storage areas must have the required features listed under the Liverpool DCP 2008 in section 25 'Waste Disposal and Re-use Facilities', which is to be confirmed in the revised WMP</p>	<p>The arrangement of the waste management facilities has been updated as per request. The proposed bin store has been increased in size.</p> <p>The revised waste room sizes are considered satisfactory and comply with section 25 'Waste Disposal and Re-use Facilities.'</p> <p>Refer to amended architectural drawings at at Error! Reference source not found..</p>
<p>The waste from the residential and commercial sections of the building must be kept completely separate to prevent contamination and mixing of residential and commercial waste streams and possible utilisation of residential waste bins by commercial portions of the building who are not paying for that service.</p> <p>Accordingly, the doors of the residential and commercial waste rooms must be provided with clear signage as to their use and kept secured at all times; cleaning and maintenance personnel from the various commercial use-types within the building must not be able to access the bins or bin storage area for the residential portion of the building. The residential bin room must only be able to be accessed by the representatives of the building management team.</p>	<p>Separate residential and commercial waste rooms are provided for in the design. Signage and door keying will be provided to meet council's security and access requirements.</p> <p>Refer to amended architectural drawings at <b>Appendix A.</b></p>
With regard to the stipulations relating to 'Bulky Goods' on Page 8 of the WMP, based on 194 residential units in total, the area needed for the storage of bulky household waste items is 74m <sup>2</sup> , with a minimum clear head-height of 2m. This is derived from 6m <sup>2</sup> for the first 26 units and 4m <sup>2</sup> for each 10 units (or part thereof) after that. If the area labelled as 'Bulky Goods/Cardboard' on the Basement 1 Plan is the only area provided as a storage point for bulky household items from the residential portion of the building, then this is well below what is required, being only approximately 7.35m <sup>2</sup> in area.	Bulky goods room is considered suitable for the purpose. Refer to amended architectural drawings at <b>Appendix A.</b>

Information Request	Proponent Response
<p>The collection of general waste from the residential levels of the building is to be done via a single waste chute depositing the bagged waste into the waste bins in the Level 1 Basement bin storage room. Recyclables collection is to be via a 240L mobile garbage bins in each chute room. This is an acceptable solution. The chute rooms on the residential levels appear quite small though, the dimensions should be checked to ensure that a 240L MGB for recyclables can in fact fit given the size of the space and the inward door swing. All chute rooms must be equipped with appropriate signage to allow the chute equipment to be used safely and to ensure that the correct separation of waste as regards what materials go where and the requirement for all recyclables to not be bagged is clearly stated.</p>	<p>Noted. The proposal will comply with these requirements. Recycling 240L bins will also be decanted into 660L bins in the residential bin room to comply with Council's requirements for collection.</p>
<p>To facilitate and support source separation of waste and reduce contamination, consideration should be given to supplying an integrated recycling container, clearly labelled with the types of co-mingled recycling it can take, within the kitchen fit-out of the individual units. This would form part of the requirement for storage of one day's volume of waste. Based on 110L of recycling per unit per week, a recycling container of 16 to 20L would be sufficient. This would improve the capacity of residents to make the correct recycling choices within their homes and facilitate moving recyclables to the MGBs in the chute room without resorting to plastic bags, which contaminate the waste stream and create problems for building management and for Council.</p>	<p>Noted. The proposal will comply with these requirements. This is detailed on p8 of the WMP at <b>Appendix J</b>.</p>
<p>The WMP makes reference on Page 13 under the section titled 'Movement and Transportation of Bins', to bin tugs, tractors, trailers and bin hitches.</p> <p>A suitable bin tug or tractor must be supplied by the developer to move bins over any surface with a gradient in excess of 7%. Bin hitches to secure bins to the bin tug or tractor during movement are the responsibility of the building proprietors to supply, install and maintain.</p> <p>Council will supply the residential waste bins that will actually be tipped to the Council Contractor's waste truck, comprising 17 x 660L general waste bins and 17 x 660L recycling bins. All other bins required for the collection and transport of waste around the complex (e.g. the 240L MGBs for recyclables for the individual chute rooms), are to be supplied either by the proprietors of the building in the case of the residential levels, or by the organisations/companies that hold the tenancies of the various commercial areas of the building</p>	<p>A suitable bin moving device will be provided for in the commercial waste room as shown in <b>Appendix J</b> at and drawing TP06.41 prepared by Rothelowman in <b>Appendix A</b>.</p>
<p>With regard to the hotel waste plan, which will be adopted by whichever organisation manages the hotel portion of the building, a small, clearly labelled</p>	<p>Noted. This will be part of the conditions of approval, and therefore for lease by the Selected</p>



Information Request	Proponent Response
<p>'recyclables only' bin (not lined with a plastic bag) must be provided for each hotel room. An appreciable proportion of the volume of waste produced from an average hotel room is empty recyclable containers and packaging, aluminium cans and glass and plastic bottles. If only general waste bins lined with a plastic bags are provided in-room for the use of hotel guests, then all these recyclable materials will go into general waste by default.</p> <p>Operationally, the carts provided for the use of hotel housekeeping staff will also need to facilitate the requirement to keep unbagged recyclables and general waste separate. This separation of waste will also need to follow through to whatever interim aggregation point the housekeeping staff store the waste materials in prior to it being taken to the commercial bin room in the basement.</p>	<p>Hotel Operator. This is detailed on p.10 of the WMP at <b>Appendix J</b>.</p>
<p>With regard to the restaurant and bar area which is a part of the hotel, these must also be provided with dedicated co-mingled recyclables bins within both the kitchen and bar areas, so that recyclable materials can be separated out at point-of-disposal.</p>	<p>The proposed restaurant area has been removed from the application. Café will be supplied with co-mingled recycling facilities as per p.12 of the WMP at <b>Appendix J</b>.</p>
<p>In regard to the role of the Building Manager/Waste Caretaker, detailed on Page 4 of the WMP, it is essential that one or other of these roles contains the effective oversight and control of the waste activities of the various uses and organisations that occupy the building. This must encompass the ability to institute corrective actions in regard to waste and raise non-compliances for action and resolution where incorrect practices are being followed.</p>	<p>Noted. This requirement can be imposed as a condition of consent, subject to approval.</p>

## 4.7. CITY DESIGN AND PUBLIC DOMAIN

Information Request	Proponent Response
<p>Further design advice from the Liverpool City Council Architecture Excellence Panel is sought to finalise the Development Assessment of the proposal. Any recommendations from the Architecture Plan must be included in the returned plans.</p>	<p>Two meetings have been held with Liverpool City Council Architecture Excellence Panel. The amended design has incorporated the DEP comments. The DEP confirmed the amended proposal satisfies their design requirements, and the amendments to be presented in the plans included in <b>Appendix A</b>.</p>
<p>The laneway shall be the primary vehicle access for the building. No vehicle access is permitted from/to Elizabeth Street.</p>	<p>The laneway provides the major vehicular entry and exit point for the site. A secondary drop-off zone is provided with a secure access point from the laneway to facilitate the safe drop off of guests to the Hotel development contained within the development. This zone will be restricted to Bus, Taxi drop off only for the hotel, and will create a left out only onto Elizabeth street. The traffic engineers report details the proposed management strategy.</p>

Information Request	Proponent Response
	<p>The primary vehicular access to and from the site is from the rear laneway. All residential, commercial and hotel traffic will enter and exit the basement carpark by travelling along the rear laneway. Waste management and service vehicles will access the loading dock via the rear laneway.</p> <p>Elizabeth Street is a highly used pedestrian and vehicle thoroughfare. Accordingly, the ability to locate a porte-cochere along this frontage is limited. A shared pedestrian drop-off space is proposed in front of the main entrance to the hotel. This will be used by both cars and light buses who will travel in a single direction, south to north.</p> <p>Access to Elizabeth Street from this drop off space is an integral component of the proposal and highly common in hotel developments. The space will be nominated as a private driveway, with pavers and the like acting as visual cues to vehicles that pedestrians have priority.</p> <p>The provision of this drop off space will facilitate safe, and secure drop off for guests of the hotel, without impacting on the traffic movements on Elizabeth street.</p> <p>Appropriate access control measures for vehicles exiting the site through a left only movement include highly transparent ground level design with limited opportunities for obstruction. Continuation of councils preferred pavement finish across the full length of the site to further reinforce the priority of pedestrian movements over vehicular.</p> <p>Finally, the frequency of these movements are a very small proportion of the total traffic movements on the site.</p>
<p>If a pedestrian connection is maintained between the service way (proposed lane) and Elizabeth Street, further information is required for the 'Feature Landscape Wall'. Any proposed green walls will require information on how it will be achieved e.g. through a proprietary greenway system or via vines / trellis structure.</p>	<p>Refer to amended landscape/architectural drawings at <b>Appendix A</b>. The landscape plans will be submitted to Council in due course.</p>
<p>The applicant is required to upgrade the street lighting system for the frontage of the development including side streets. Any street light poles shall be multifunction poles including all necessary accessories. For approval to be granted it must be noted on the DA plans the intention to upgrade the street lighting.</p>	<p>Architectural drawings have been updated to reflect the intention to upgrade street lighting refer to <b>Appendix A</b>.</p>
<p>Where podium landscapes exist, including pots, irrigation plans must be submitted.</p>	<p>Amended landscape drawings reflecting the revised architectural design and embellishments recommended by the Design Excellence Panel will be submitted with the DA.</p>



Information Request	Proponent Response
Evidence must be provided that one lift is adequate for the servicing for the commercial component of the building layout.	Refer to amended architectural drawings which reconfigure the lift circulation for the commercial levels to enable more than one lift in <b>Appendix A</b> .
Evidence must be provided that appropriate sun shading has been provided to the building façade to minimise heat load issues	Refer to amended architectural drawings in <b>Appendix A</b> which show the solar point of view for mid-summer. The architectural strategy creates deep shade to the glazing at the hottest times of the year to reduce cooling requirements. The Architectural design report has been amended to include further explanation the sun shading measures employed to address this concern.
Sun/weather protection must be provided for pedestrians along Elizabeth Street. This is to be carefully designed as a lightweight structure, separate from the main building elements, scaled appropriately with the building interface and be designed to allow shade trees at the back of the kerb	Refer to amended architectural drawings at <b>Appendix A</b> .  Elizabeth Street façade has a suspended awning that cantilevers from the proposed building to create a deep shade zone along the main street frontage. Additional shade and shelter are provided in the form of a colonnade to the Elizabeth Street frontage, and along with the proposed shared pedestrian link to the Eastern façade.
Evidence of selected materials must be provided for the building and public domain areas.	In accordance with the DEP recommendations, the primary façade elements comprise a concrete finish equivalent to a Nawkaw system. The proposed colour is 'bright and light.' Secondary elements of the façade include a natural concrete colour with a Nawkaw type sealer system, powder-coated aluminium window frames, sunshades and glazed panels.
Provide evidence coordination has occurred, and there is an agreement with the adjacent property owner that the amendments to the lot boundary can be achieved.	As part of the design process, significant engagement and work have been undertaken to coordinate the provision of the new laneway, and the position and alignment of the new subdivision applying on the site.
Provide detail of the lap pool depth on Level 9.	Deleted.
Photovoltaic cells must be designed into the building design. Show the locations for the installation of photovoltaic cells and other sustainability initiatives.	Solar panels are noted on the rooftop in accordance with the BASIX report.
Equal access must be provided along the street frontage, laneway and into the building areas. Show finish levels on public domain plans.	Finish levels have been shown on public domain plans.
Detailed Landscape Architectural (Public Domain) plans prepared by a suitably qualified person are to be submitted with the items discussed in including: <ul style="list-style-type: none"> <li>Replace street tree species <i>Cupaniopsis anacardioides</i>, Tuckeroo with alternative species - <i>Quercus palustris</i>, Pin Oak. Elizabeth Street requires large spreading canopy trees to develop a distinct avenue of green and help ameliorate Urban Heat Island effects. <i>Cupaniopsis</i> will not perform this function, and the use of a deciduous species will allow winter</li> </ul>	Amended landscape drawings reflecting the revised architectural design and embellishments recommended by the Design Excellence Panel will be submitted with the DA.

Information Request	Proponent Response
<p>solar access. The street trees must be 200L stock with 1.8m clear trunk.</p> <ul style="list-style-type: none"> <li>Trees are to be planted with 'Stratacell' or similar structural root zones. Details of the proposed design need to be shown on Landscape Architectural (Public Domain) Plans.</li> <li>Liverpool City Centre 'Core' (Bluestone) paving shall be installed, reinstated or replaced along the entire street frontage for Elizabeth Street.</li> <li>Nominate selected landscape materials for all areas of the public domain.</li> <li>Pedestrian seating is to be provided along Elizabeth Street. Seating shall be provided to the back of the street kerb and be a Council approved seating type.</li> <li>All pavements are to fall locally to tree pits and planting areas. This must be shown on public domain plans.</li> </ul> <p><b>All landscape works on podium must have the following requirements:</b></p> <ul style="list-style-type: none"> <li>Each tree planted on podium must be provided with a soil depth of at least 1000mm plus mulch of 100mm plus drainage material.</li> <li>Each tree planted on podium must be provided with a soil volume of at least 15m<sup>3</sup>.</li> <li>Shrubs on podium must be provided with a soil depth of at least 600mm plus mulch of 100mm plus drainage material.</li> <li>Turf on podium must be podium with a soil depth of at least 300mm plus drainage material.</li> <li>Show maintenance access routes</li> </ul>	

## 4.8. ENGINEERING

Information Request	Proponent Response
The following issues were raised and MUST be resolved prior to engineering support (re-referral required):	
The proposed laneway to the rear of the property is dependent on the agreement of adjoining property owners. Evidence that this agreement has been obtained is required.	<p>Refer to <b>Appendix K</b>.</p> <p>The proposed rear laneway has already been approved. This application seeks to reinforce this commitment to be carried out in accordance with DA. The architectural plans at <b>Appendix A</b> reflects the proposed laneway across the three sites 22 – 26 Elizabeth Street to be constructed and dedicated as part of each DA.</p>

Information Request	Proponent Response
The laneway at the rear is to be dedicated to Council at a certain stratum level. This should be coordinated with Council Assets section to ensure that the RL height to be dedicated is satisfactory.	The applicant agrees for this to be imposed as a Condition of Consent.
Water quality will be required for the site. The drainage plans shall be updated to incorporate a water quality system. Any modelling shall be submitted to Council.	Refer to drainage plans at <b>Appendix L</b> .
The new laneway shall be minimum 8 metres wide. Please see below dimensions.	Agreed. The scheme incorporates this requirement.
The electronic copy of the DRAINS model shall be submitted to Council. Please ensure drowned outlet conditions are considered where the connection is to a Council pit.	An electronic copy of the DRAINS modelling has been provided with the supplementary documentation.
Levels shall be provided for the OSD tank. Confirmation that the approximate invert level been confirmed for connection to the new Council pit is feasible.	Refer to drainage plans at <b>Appendix L</b> .

## 4.9. NATURAL ENVIRONMENT/LANDSCAPING

Information Request	Proponent Response
To be referred to City Presentation (Parks Coordinator Street Trees)	The amended application will be referred to the Landscaping team for review. The concept landscaping plan and urban design relating to the public domain areas have been supported by the Design Excellence Panel.

## 4.10. COMMUNITY PLANNING

As part of preparing the Social Impact Assessment for the proposed development, Urbis has consulted with the Community Planning team of the Council. The feedback and recommendations of the team have been reflected in the Social Impact Assessment in **Appendix O**.

## 5. EXTERNAL CONCURRENCE

Under clause 4.13(1) of the EP&A Act, the consultation and concurrence of a development application is required in accordance with the relevant environmental planning instruments and regulations, unless the consent authority determines to refuse the grant development consent.

Accordingly, DA-886/2018 has been referred to the following relevant external bodies for the granting of concurrence as required under clause 4.13(8) of the EP&A Act including:

- Roads and Maritime Services (**RMS**): discussed under **Section 5.1** of this report
- Bankstown and Camden Airports Limited (BCAL): discussed under **Section 5.2** of this report
- Endeavour Energy: discussed under **Section 5.3** of this report
- Careflight Health Emergency - Air Ambulance: discussed under **Section 5.4** of this report.
- NSW Police: discussed under **Section 5.5** of this report.
- Sydney Water: discussed under **Section 5.6** of this report.

### 5.1. RMS

Table 3 – Additional Information Request from RMS and response to matters raised.

Information Request	Proponent Response
Traffic generation in the planning proposal was 200-220 vehicle trips per hour (vph) during peak times. Submitted Traffic report indicates 116 vph with 20% discount applied to the proposed hotel and commercial areas but none for the restaurant.	The restaurant has been removed from the development proposal.
Need. to identify the impact of the development on the adjacent classified road network	The SIDRA model has been updated to include the potential traffic generated by the expansion of Westfield Liverpool Shopping Centre and the redevelopment of Liverpool Hospital.
Vehicular access from proposed ROW to Bigge Street should be left-in/left-out being in close proximity to traffic signals. A central median may be required which means traffic assessment and modelling need to be updated	It is recommended a separation kerb is installed to restrict any right-turn movements in and out of the proposed ROW and Bigge Street. A separation kerb will mitigate the need for any road realignment or widening, whilst achieving the objective of enforcing a left-in, left-out arrangement. Refer to Drawing No. CP-001 in Attachment 4 of <b>Appendix F</b> .
SIDRA electronic files should be submitted	SIDRA modelling accompanies the supplementary documentation.
Network capacity at the Bigge St/Elizabeth St and George St/Elizabeth St intersections are already constrained and requires additional uplift will further reduce capacity and level of service. RMS requires further information regarding vehicle and pedestrian cycle phasing arrangements and intersection lane layouts used in the SIDRA traffic modelling	SIDRA model has been submitted separately.
RMS advises that set cycle times at Bigge St are 120 seconds and the cycle times within the Liverpool CBD at 100 seconds. Clarification is requested why a 60 second 'network practical' cycle time was used in the traffic modelling	The SIDRA model has been updated to include a set cycle time of 120 seconds for intersections on Bigge Street and 100 seconds for intersections within Liverpool CBD.

## 5.2. BANKSTOWN AND CAMDEN AIRPORTS LIMITED

Table 4 – Response to Bankstown and Camden Airports

Information Request	Proponent Response
<p>Bankstown Airport Limited cannot provide support to the development. The following steps will need to be undertaken prior to any support being provided:</p> <p>A full review of the development's Aviation Assessment by both Air Services (air traffic control) and the Civil Aviation Safety Authority (CASA) who is the airspace regulator.</p>	<p>A full review of the proposal in accordance with the relevant aviation assessment has been undertaken by both Air Services and the Civil Aviation Safety Authority.</p> <p>In accordance with regulation 14, approval has been granted for the intrusion of the tower crane and building on the site into airspace prescribed for Bankstown Airport.</p> <p>The crane has been approved to a maximum height of 134.5 metres AHD and the building has been approved to a maximum height of 126.49 metres AHD. A copy of this approval has been provided at <b>Appendix N</b>.</p>
<p>A letter of approval must then be sort from the Department of Infrastructure Regional Developments and Cities (DIRDC).</p>	<p>A letter of approval from the Department of Infrastructure Regional Developments and Cities is submitted at <b>Appendix N</b>. This approval has been issued to both the Civil Aviation Safety Authority, Airservices Australia, Bankstown Airport Limited and Council.</p>
<p>Information must also be sort from the Emergency Helicopter operators. I note that this has not been provided at this time.</p>	<p>Consent for the controlled activity for the intrusion of airspace under the Aiport Act 1996 has been obtained and is attached at <b>Appendix N</b>.</p>

## 5.3. ENDEAVOUR ENERGY

Refer to **Appendix R** for the response to the Endeavour Energy comments from the Consultant.

Information Request	Proponent Response
<p>The preliminary desktop assessment ahead of receiving a load application for this development via Network Connections Branch indicates that based on the proposed floor space and estimated the building load to be approximately 1.6 Mega Volt Amps (MVA) to 1.8 MVA. Therefore the applicant should ensure the proposed indoor substation is able to accommodate a minimum of 2 x 1500 kilovolt amperes (kVA) transformers (the highest capacity for a distribution substation in Endeavour Energy's network). However, 2 x 1000 kVA transformers may only be installed depending on the actual load application. If in the event that the building load is greater than 2500 kVA, then a 3 x 1500 kVA transformer chamber should be provided in accordance with Endeavour Energy Standards.</p> <p>An additional room for a HUB Switching Station to maintain the reliability of supply in accordance with Endeavour Energy Standards &amp; Policy may also be</p>	<p>Based on the latest provided Architectural drawings, the calculated maximum demand can be supplied via 2x1500kVA transformers. The chamber substation room shown on the electrical conceptual drawings located on the ground floor is sized for 3 x 1500kVA transformers in the event that building load exceeds a 2500kVA.</p> <p>The HUB switching station will be located within the same chamber substation room subject to ASP/3 engineer confirmation.</p> <p>Refer to <b>Appendix R</b>.</p> <p>The HUB switching station will be located within the same chamber substation room subject to ASP/3 engineer confirmation.</p>

Information Request	Proponent Response
required in the building design. The HUB Switching Station will allow for both planned or unplanned switching events, e.g. to provide to back-up feeders in case of failure	
As there are currently no existing 11 kilovolts (kV) high voltage feeders required to supply the substation in the proximity of the site, they will need to be extended/augmented. As mentioned in the previous advice to Council regarding Development Application DA-926/2018 at Westfields Shopping Centre, 25 George Street, Liverpool NSW 2170, the existing feeders in the locality currently have some spare capacity, but with others being at full capacity they cannot accommodate any additional load	To be confirmed by ASP/3 engineer as part of the CC stage. It is recommended that a condition of consent be provided subject to approval for consideration and implementation as part of the CC stage.
A proper load assessment by the customer's Level 3 Accredited Services Provider (ASP) or Consultant Engineer and Endeavour Energy's Capacity Planner will be needed to determine the best method of connection and any reconfigurations and upgrades. The customer is urged to engage with an Electrical Consultant prior to finalising plans to Liverpool City Council to assess and incorporate the appropriate indoor substation.	To be confirmed by ASP/3 engineer as part of the CC stage. It is recommended that a condition of consent be provided subject to approval for consideration and implementation as part of the CC stage.
Additional information provided in the advice will be provided in a separate email.	

## 5.4. CAREFLIGHT HEALTH EMERGENCY – AIR AMBULANCE

Information Request	Proponent Response
Consideration of flight paths and impact on the emergency services – Air Ambulance.	<p>Consent has been granted by the Department of Infrastructure, Transport, Cities and Regional Development in <b>Appendix N</b> for a controlled activity for the intrusion of the hammerhead tower crane during construction.</p> <p>Consent has also been granted by the Department of Infrastructure, Transport, Cities and Regional Development in <b>Appendix N</b> for a controlled activity allowing for the intrusion of the proposed building of 126.49metres exceeding the penetration of prescribed airspace by 15.49 metres.</p> <p>The assessment of these two activities have taken into account the city centre, existing uses and in particular the Liverpool Hospital and its operations.</p>

## 5.5. NSW POLICE

Information Request	Proponent Response
Generally, supports the application with the following recommendations:	The comments and recommendations made by the NSW Police following their review of the original

Information Request	Proponent Response
<ul style="list-style-type: none"> <li>• Theft of the construction equipment &amp; hot water systems during construction stages;</li> <li>• Trespassers into construction areas after hours;</li> <li>• Theft of mail from mailboxes;</li> <li>• Theft from motor vehicles/underground carparks;</li> <li>• Lighting to deter anti-social behaviour at public areas/walkways;</li> <li>• Restrict unauthorised access via to lifts to different floors (if buildings and floors can only be accessible by swipe cards, supply Liverpool Police with a master card;</li> <li>• Register the CCTV cameras with the free NSW Police CCTV register at <a href="http://polices.nsw.gov.au/services/register-my-business-cctv-details">http://polices.nsw.gov.au/services/register my business CCTV details</a>.</li> </ul>	<p>proposal have been considered and the following design changes have been made:</p> <ul style="list-style-type: none"> <li>• <b>During construction:</b> Hoarding shall be installed around the site to avoid any access to the construction zone and prevent theft of equipment and other related items and building materials. It is recommended that a condition of consent be provided to address this issue in the consent, subject to approval. The hoarding will not permit entry to trespassers into the site.</li> <li>• <b>Monitoring and surveillance:</b> Once the development has been completed, it is proposed that the foyers, public domain spaces, including the underground car parks, will be monitored by CCTV cameras. It is recommended that a condition of consent be provided to address ongoing monitoring and surveillance in the consent, subject to approval.</li> <li>• <b>Lighting:</b> It is proposed that illumination of the street and laneways surrounding the site will be provided as part of the development. The plans prepared by Rothelowman indicate the proposed locations of the lighting which will be compliant with AS 4282- 1997. is recommended that a condition of consent be provided to address lighting of external areas as part of the consent, subject to approval.</li> </ul>

## 5.6. SYDNEY WATER

Information Request	Proponent Response
<p>Sydney Water have provided a letter containing a number of items to be addressed.</p>	<p>The response to the items raised for response is provided in <b>Appendix Q</b>.</p>



## 6. PUBLIC SUBMISSIONS

In accordance with clause 4.13 of the Environmental Planning and Assessment Act 1979, DA-886/2018 was publicly notified from 12 December 2018 to 16 January 2019 as per the Liverpool Development Control Plan 2008.

During the notification period, a total of three submissions were received by the Council to DA-886/2018 which detailed under **Sections 6.1 to 6.3**. The response to the submissions is provided under Sections 6.1 to 6.3 of this report.

### 6.1. SUBMISSION 1

Overall supportive but request more information/studies to be undertaken.

Table 5 – Response to submission No.1

Information Request	Proponent Response
<i>Acoustic Impact</i> - The report did not consider noise from the rooftop restaurant outdoor dining or ground floor retail. Consideration to sensitive receivers such as the adjoining school and place of worship as they relate to noise has not been investigated. More comprehensive noise assessment is required.	The restaurant use has been removed from the application. The application has been amended as discussed under <b>Section 2</b> of this report and the amended SEE to remove the restaurant from the proposal under DA-886/2018.
<i>Social Impact Assessment</i> - The SEE did not address social impacts on the adjoining schools, place of worship, Liverpool Court house, Bigge Park and Liverpool Hospital. More information of the impact to the above given that hotel/restaurant and bar uses are proposed.	<p>A Social Impact Assessment has been prepared by Urbis and is submitted at <b>Appendix O</b>. Impacts to adjoining schools, places of worship, Liverpool Court House, Bigge Park and Liverpool Hospital have been addressed. The report concludes:</p> <ul style="list-style-type: none"> <li>• The proposal will generate additional access to housing, commercial, retail and hotel uses, improve the public domain and community ownership of the site and generate employment opportunities.</li> <li>• The incoming resident, worker and visitor population may place pressure on open space. There is likely to be perceived congestion and road safety impacts associated with the proposal.</li> <li>• Liverpool CBD is currently undergoing significant development and therefore there is potential for local residents to experience construction fatigue and a change in community identity as a result of the proposal contributing to cumulative development in Liverpool.</li> <li>• Overall, it is considered that the proposal is aligned with the growth vision for Liverpool CBD and will deliver a positive impact long-term.</li> <li>• The short-term negative impacts can be managed subject to compliance with the recommendations in the report.</li> </ul>
<i>Environmental Heritage</i> - Impact on Bigge Park conservation area (in addition to those mentioned above).	As discussed in <b>Section 3.3</b> , a detailed shadow study has been undertaken to assess the impact of the proposed development on Bigge Park. Further, the DEP has confirmed they are satisfied with the level of overshadowing to Bigge Park.



Information Request	Proponent Response
<i>Public Domain</i> - Commends the east-west link through the site but notes the lack of north-south pedestrian linkage which is crucial to a connected and pedestrian-friendly CBD.	This is not the case. The proposal incorporates an additional north/south shared pedestrian way through the site that extends active frontages and facilitates a link to the Warren Serviceway (along the new lane).
<i>Wind</i> - Wind tunnel modelling is requested to study potential impact on the quality of the street environment.	<p>A qualitative assessment of the impact of the proposed development on the wind environment surrounding the site was previously prepared and submitted to Council. A revised Wind Assessment has also been prepared by CPP and is submitted at <b>Appendix P</b>.</p> <p>Based on the assessment findings in the Wind Assessment report at <b>Appendix P</b>, wind tunnel modelling is not considered necessary. It is considered that wind modelling would form part of the initial CC design phase to verify that the design, as proposed, will meet the required ground level wind criteria.</p>
Inadequate documents including basement plans, ground floor, mezzanine, level 1, 6-8, 15-34, all sections, deep soil planting and communal open space.	Noted. Refer to amended architectural drawings in <b>Appendix A</b> .

## 6.2. SUBMISSION 2

Table 6 – Response to submission No.2

Information Request	Proponent Response
<p>I oppose the plan for a high-rise tower on at this location for the following reasons:</p> <p>A huge edifice towering over Liverpool will look awkward and absurd. A tower is unnecessary. A tower is totally unsympathetic to heritage items All Saints Church and Bigge Park. The development will inevitably have no set-back creating a tunnelling effect.</p>	<p>The building is setback from the street and articulated in accordance with councils existing DCP and discussions with councils Design Excellence panel.</p> <p>The existing planning controls applicable to the site, specifically height and FSR, anticipate a development of this scale.</p> <p>The scheme integrates significant setbacks on all four site boundaries and a detailed wind study accompanies the application that demonstrates appropriate wind conditions at ground level.</p>
The streets of the so called 'Hoddle Grid' plan, actually the 1819 Meahan grid plan, is totally unsuited to high-rise development. The streets are too narrow to sustain developments of this scale.	The proposal recognises the significance of the Hoddle grid street pattern and seeks to lay the foundations for future development. The introduction of a through-site link reinforces the underlying principles of the Hoddle Grid which is to provide for a permeable and legible city environment.
The tower will shadow over the heritage item Bigge Park, and crucially over Bigge Park at the colder times of the year when light and warmth is crucial. It may also shadow over heritage item All Saints church and its stain glass windows, darkening the inside of the church at certain times of the year.	See <b>Section 3.3</b> of this response report.

Information Request	Proponent Response
Increase to traffic/Lack of parking. The parking spots made available will be insufficient for residents, let alone shoppers and diners. Traffic heading to Westfield at peak periods is chaotic and the car park full or near full at peak periods. Competing with parking at Westfield, the Hospital	A detailed parking study has been completed as part of the application.

## 6.3. SUBMISSION 3

Table 7 – Response to submission No.3

Information Request	Proponent Response
What should be approved for the site is a much lower unit development (4-5 storeys), or a multi-storey car park. There are continual complaints about lack of parking in Liverpool, so Council could at least approve a car park for the site, or a development that blends in with surrounding buildings.	<p>The current FSR controls that apply on the subject site anticipate a much denser development than that which would be achieved through a 4-5 storey development.</p> <p>The proposed development contains sufficient parking to suit the proposed uses.</p>
I believe approving this DA in the current form would be another example of too much over development in the Liverpool area. Local road, services and infrastructure are already congested during the daytime. There is a lack of parking and infrastructure to cope with the population increase. There are not enough jobs in the Liverpool area to justify the approval of even more high rise residential units.	The current FSR controls that apply to the subject site anticipated a density and intensity of development that matches the proposal.
If you want to buy some fresh bread at Coles or Woolworths in Westfield, they are already sold out by most afternoons. Bringing in more people, just makes it harder for existing residents to maintain their own standards of living, as they are in competition with others just to get basic items such as food and clothing.	The number of residential apartments has been reduced from 194 to 179 which would have minimal if any impact on the retail demand in Liverpool CBD
There is no late-night entertainment in the Liverpool CBD, to justify having a large scale development at the site. There are no beaches or anywhere to take young children.	Comments not considered relevant to the proposed development.
There is no need for ugly unit developments 35 storeys high in the centre of Liverpool, when there is vacant land between Glenfield and Macarthur along the railway line that could be further developed for residential and commercial purposes.	Comments not considered relevant to the proposed development.

Information Request	Proponent Response
<p>My parents left their homeland to live in Australia with some open space and fresh air. They did not come to live cheek-by-jowl in boxes. While unit style living is good for some type of situations, it should not become the norm.</p> <p>Council need to stabilize the population and promote sensible development. Just bringing more and more people to the City Centre is a recipe for more overcrowding, congestion and pollution. This DA should be rejected by Council.</p>	<p>Comments not considered relevant to the proposed development.</p>

## 7. SYDNEY WESTERN CITY PLANNING PANEL

The Development Application was referred to the Sydney Western City Planning Panel who is the consent authority for the Development Application as the Capital Investment Value of the DA exceeds \$30 million dollars. The comments from the preliminary review of DA-886/2018 is detailed in Table 8

Table 8 – SWCPP preliminary comments and proponent response.

Information Request	Proponent Response
<p>The SWCPP secretariat provided the following key issues and matters discussed in the briefing:</p> <ol style="list-style-type: none"> <li>1. Safety/desirability of the residential lobby entrance being off the side lane rather than the main street – Police and DEP advice needed.</li> <li>2. Segregation of different lifts, particularly residential lifts from others</li> <li>3. Height – protrusion into the OLS area; and the need to resolve the OPS breach during construction</li> <li>4. Desirability/provision of additional greenery on the façade</li> <li>5. Traffic impacts need further assessment</li> <li>6. DEP panel review /assessment</li> </ol>	<ol style="list-style-type: none"> <li>1. The laneway along the eastern boundary creates additional activity. The through site link connects Elizabeth street to the Warren Serviceway and beyond. This will facilitate greater pedestrian movements in the space.</li> </ol> <p>The lobby space not only addresses the shared way link but Elizabeth street through the integration of an open and visually permeable ground level. This would provide for quite high amounts of passive surveillance.</p> <ol style="list-style-type: none"> <li>2. All individual users within the development are served by dedicated lifts.</li> <li>3. Height has been resolved as per detailed response by Thompson GCS and endorsement has been received from the Department of Infrastructure, Transport, Cities and Regional Development in <b>Appendix N</b>.</li> <li>4. The height and exposure of the main tower element result in a limited practical opportunity for external planting. Selected areas on the lower level facades incorporate provision for controlled and elegant planter areas.</li> <li>5. Refer to the Amended Traffic Impact Statement for further assessment of the traffic and parking issues raised and responses.</li> <li>6. The design of the commercial and residential facades has been developed as part of the engagement process with the DEP.</li> </ol>

## 8. CONCLUSION

On 21 November 2018 a development application seeking consent for the construction of a 35-storey mixed-use development over four levels of basement car parking at Lot 2, 26 Elizabeth Street, Liverpool under DA-886/2018. This response report seeks to address the additional information requests provided by the Council following the notification and referral process of the DA.

As part of the process, the application has been referred to the Council's Design Excellence Panel for review and comment. As part of this process, the design and proposal have been amended taking on the feedback and advice by the experts to improve the development. Through this extensive consultation period with the Panel, Council officers, public authorities and the community the proposal has been amended as follows:

- Construction of a 34-storey mixed-use development over four levels of basement car parking;
- Three hundred twenty-one car parking spaces within Basement 4 to Level 1.
- Approximately 5,764sqm of commercial floor space within the ground level to Level 4;
- Approximately 15,855sqm of residential floor space within Level 9 to Level 33 (179 apartments);
- Approximately 5,928sqm of hotel floor space from ground level to Level 8 (113 hotel apartments).

It should be noted that the amended architectural design has been supported and encouraged by the Design Excellence Panel and has been approved by the Department of Infrastructure, Transport, Cities and Regional Development.

References to the original proposal seeking consent for the demolition of the existing structures on the site have now been removed, following the receipt of the relevant approvals obtained for this work under Complying Development Certificate No. J180351 by Vic Lilli & Partners 2018 on 14 August 2018 for the demolition of existing factory/workshop buildings at 22-26 Elizabeth Street, Liverpool and recorded on Council's online system under CD-711/2018.

The amended design has been the subject of design development and testing and ongoing review from various government and independent parties to ensure that it achieves the highest standard in architectural design while ensuring a functional interface is delivered within the emerging city centre within the Liverpool LGA.

Overall the proposed development (as amended) is considered appropriate for the site and warrants approval from the Sydney Western City Planning Panel for the following reasons:

- The proposal satisfies the applicable state planning policies, and relevant environmental planning instruments that apply to the site.
- The development provides a diverse range of uses that are complimentary and supportive of one another.
- The proposal is highly commended by the DEP given the context and potential of the Liverpool City Centre and deemed a catalyst for the future design of tower development within the CBD.
- The proposal will have an acceptable level of environmental impact for the following reasons:
  - The site responds to the constraints of the local context including impacts on Bigge Park
  - The development respects the historical nature of the local area and grid-pattern of the streets
  - The development has been designed to respond to the western Sydney climate with solar access achieving over 70% compliance with ADG and allow for the planting of landscaping within the lower levels of the development and its surrounds to respond to the urban heat island effect.
- The proposed detailed design of the development has considered and is integrated with, the detailed design of the hotel entrance and Porte cohere and the importance of the internal laneway to service the needs of this use while allowing this space to be used as part of the wider public domain with suitable landscaping and embellishments.

- The proposal satisfies the additional information request as demonstrated in this report and accompanying specialist reports except for the amended landscape plan which will be submitted to Council in due course once finalised.
- In view of the above, we submit that the proposal is in the public interest and that the DA should be approved subject to appropriate conditions.

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