

Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

Attn: Nabil Alaeddine

11 August 2023

Re: Response to Request for Additional Information – Inglis Riverside Stables

Dear Nabil,

We refer to your letter dated 11 June 2023 in relation to the abovementioned DA.

In response to the issues raised, the following documents have been submitted for your consideration:

- Amended Architectural Plans prepared by SJB Architecture;
- Architectural Design Statement prepared by SJB Architecture;
- Amended Landscape Plans prepared by Arcadia;
- Landscape Design Statement prepared by Arcadia;
- Comprehensive Social Impact Assessment prepared by Sarah George Consulting;
- Updated Stormwater Management Plan and MUSIC modelling prepared by SEEC;
- Acoustic Statement prepared by E-LAB Consulting;
- Traffic and Parking Statement and Car Parking Layout (with Swept Paths) prepared by PTC; and
- Heritage Impact Assessment prepared by GBA Heritage.

We note that the proposed development has been amended in response to the issues raised in Council's letter, with a key amendment being the deletion of the child care facility from the proposed application. The proposed changes are outlined below:

- Deletion of the ground floor childcare facility at Site A and replacement with ground floor administrative office space for William Inglis offices, ancillary to the approved stock and sale yard uses at the site.
- Conference centre has been removed from Level 1 and replaced with additional hotel suites which have the same layout as Level 2-8.

- Landscaped terrace has been moved from Level 1 to Level 2 which will provide additional landscaped amenity to the street.
- The podium design and massing has been retained with glazing removed from Level 1 to allow for planting.
- The basement loading dock has been reconfigured to allow for courier bays, SRV and MRV loading.
- Minor layout changes have been made to the main basement parking to allow for the loading dock changes.
- Windows have been added to SW and NE hotel suites on Level 2-8 to allow for cross ventilation.
- Window has been added to SW hotel suite on Level 9 to allow for cross ventilation.
- A different brick for the Site A façade has been selected which is lighter in colour, whilst remaining a warm tone. This is reflected in the elevations and CGIs.
- A fire rated radius has been added to the substation on the Ground plan to ensure compliance with utility provider requirements.

The documentation and amended plans formally amend the application in accordance with Clause 37 of the Environmental Planning and Assessment Regulation 2021 to respond directly to Council comments.

For completeness, we provide the attached written response to each of the issues raised.

We request that Council accept the amendments to the application and proceed to undertake an assessment of the amended DA. We request that if further matters arise that the applicant be advised and be given an opportunity to discuss and/or respond to such matters.

Should you wish to further discuss any of the above matters, please do not hesitate to contact me on (02) 9380 9911 or by email at sgordon@sjb.com.au.

Yours sincerely,

A handwritten signature in black ink, reading "Stuart Gordon". The signature is written in a cursive, flowing style.

Stuart Gordon
Associate

Response to Issues

SITE ADDRESS – DA-1080/2022

Responses to each of the issues raised in the RFI letter dated 11 June 2023 are provided below.

1. Planning

(a) **Comprehensive Social Impact Statement** - The childcare centre proposes greater than 20 places. In accordance with Part 1 Section 27 of the Liverpool Development Control Plan, applications for development of, or major changes to: childcare centre (more than 20 places) need to submit a Social Impact Assessment (SIA). The DCP also requires a Comprehensive SIA for a new development or major changes to the Hotels (bars, pubs, taverns) nightclubs, registered clubs, and liquor licenses. A Comprehensive Impact Assessment (SIA) is required to be submitted. The SIA should analyze local needs, demographic analysis of target groups and potential impacts of the proposed development. Details of the SIA requirements are in Liverpool City Council SIA Policy & Guidelines 2023.

(b) **Site Analysis and Safety** - NSW Childcare Planning Guidelines 2017, part C2, indicates that, 'Not all sites are suitable for childcare facilities. The location and physical context of a childcare facility should be safe and healthy for the children. Childcare facility should be compatible with the surrounding land uses.'

'When selecting a site, ensure that: - the site is environmentally safe including risks such as flooding, landslip, bushfires, coastal hazards. -The type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use. - it is not located closely to incompatible social activities and uses such as **premises licensed** for **alcohol** or gambling such as hotels, clubs, cellar door premises.' (C2).

The following matters are to be addressed for the childcare centre:

- (i) The childcare centre entry is adjacent to a new substation which is a safety concern. The substation should be located elsewhere. Plans are to be amended accordingly.
- (ii) The childcare centre entry should be located away from public entry to the hotel including entry to the reception centre.
- (iii) The impact of the Terrace Bar on the Childcare centre should be discussed in the application.
- (iv) The outdoor play area is exposed to loading dock entry road and loading dock area. A greater separation and articulation from the children's play area should be included. There should be no opportunity for vehicles to break through the fence accessing the play area.
- (v) The impact of noise from the horse facility and from children on the horses is to be considered in the placement of the outdoor area.
- (vi) The impacts of the horse racing events on children should be considered during the childcare centre trading hours.

The proposed childcare centre may not have an operator at this stage; however, the Childcare Planning Guideline's must be considered against the proposed childcare centre including the principles and objectives of the guidelines. This can be in the Statement of Environmental Effects (SEE) or in a separate document.

Response:

Noting that the proposed development has been amended to delete the childcare facility, the amended application is supported by a Comprehensive Social Impact Assessment prepared by Sarah George Consulting which addresses the relevant matters raised in Issue 1(a).

2. Flooding and Engineering Matters

(a) Provide a stormwater report describing stormwater quality & quantity management for the development with necessary plans & drawings.

On-site water quality treatment facilities shall be incorporated in the proposal and details shall be provided in the report. The treatment facilities shall ensure that stormwater runoff of the development is treated before leaving both sites and comply with the Council's water quality standards. The treatment facilities shall capture all gross pollutants and contaminants from stormwater on sites before discharging into the waterway or Council's stormwater system. The treatment measures shall be designed using MUSIC modelling software and performance of the treatment system shall be verified using Council's MUSIC link.

(b) Submit the stormwater report with MUSIC modelling analysis, plans & drawing of proposed stormwater drainage system and water quality treatment facilities for the development with details. A copy of MUSIC model with result files shall be provided for the assessment.

Response:

The amended application is supported with an Updated Stormwater Management Plan and MUSIC modelling prepared by SEEC which address the matters raised under Issue 2.

3. Environmental Health Matters

*(a) Food Premises Construction Details – Childcare centre kitchen and bottle preparation room
Detailed floor and section plans for the food premises are to be submitted to Council for review.
The plans are to demonstrate compliance with the following:*

- AS4674-2004 – Design, construction and fit-out of food premises*
- Food Standards Code (Australia)*
- Building Code of Australia*

In this regard, the submitted plans shall make provisions for the following:

- (i) Construction details/finishes for the floors (including coving), walls, ceiling, fixtures, and fittings in the food preparation area of the premises;*
- (ii) Location and construction details of all light fittings and any floor wastes within the food preparation area;*
- (iii) A designated hand washing facility, accessible and no further than 5 metres, except for toilet hand basins, from any place where food handlers are handling open food, fitted with a single spout capable of delivering a supply of warm running water;*
- (iv) A double-bowl wash sink suitable for cleaning and sanitising food contact surfaces and equipment;*
- (v) Details of proposed cooking appliances and mechanical ventilation system;*
- (vi) Please note: In addition to the requirements of AS/NZS 1668.1 and AS 1668.2, an extraction system shall be provided where there is any dishwasher and other washing and sanitising equipment that vents steam into the area to the extent that there is, or is likely to be, condensation collecting on walls and ceilings;*
- (vii) A cleaner's sink for disposal of liquid waste (which is not to be located in areas where open food is handled); and*
- (viii) Details of storage facilities for cleaning equipment and staff personal belongings.*

(b) Suitably Qualified and experienced consultant

To improve environmental health outcomes and efficiency during the development assessment process, Council requires development applications to be supported by technical reports prepared by suitably qualified and industry certified environmental consultants.

The applicant is to confirm that the acoustic report has been prepared or reviewed and certified by a suitably qualified and experience consultant.

The council currently recognises environmental consultants with the following qualifications, membership and/or certifications.

Acoustic Reports

- A member of the Australian Acoustical Society

- Employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Response:

Noting that the proposed development has been amended to delete the childcare facility, the amended application is supported by an Acoustic Statement prepared by E-LAB Consulting which addresses the matter raised under Issue 3(b).

4. Traffic and Transport Matters

The proposed Servicing and Waste collection two (2) loading bays accommodating 1 Medium Rigid Vehicle and 1 Small Rigid Vehicle within the basement car park will be in conflict with other motorist's safe access. Basement Car park Nos. B45 & B46 will be within Loading bays.

- *Applicant to submit layout plan including turning path of the Loading bays in relation with adjoining basement car spaces.*
- *The proposal should address the shortfall in parking spaces to comply with the DCP.*

Response:

Whilst it is acknowledged that the proposed quantum of car parking does not meet the minimum DCP requirements, the calculation of parking provision does account for the supply of existing spaces available within the car park shared by Inglis and Australian Turf Club, which comprises over 800 spaces.

Specifically, DA-1309/2011, relating to Lot 2 DP 1172051 (i.e. the ATC car park site), was approved on 9 October 2012 for the demolition of existing structures and the construction of a new car park accommodating 832 vehicles. Condition 58 of this consent required an easement on Lot 2 DP 1172051 to facilitate the shared use of the car park between ATC and Inglis. The easement facilitates the use of car park for the purpose of car parking associated with Inglis Riverside Stables and its activities, including the existing hotel.

A copy of the Section 88B Instrument has been provided to Council with this DA and it demonstrates that the arrangements are in place and are operating in perpetuity.

Additionally, the amended application is supported with a Traffic and Parking Statement and Car Parking Layout Drawings (with Swept Paths) prepared by PTC which provides additional detail, assessment and justification relating to Issue 4 above.

5. Heritage Matters

The proposed development is located within the Warwick Farm Racecourse which is a listed local heritage item under Liverpool Local Environmental Plan 2008. In accordance with the Environmental Planning and Assessment Act 1979 and the aims and objectives of the Local Environmental Plan. Liverpool City Council is required to assess the impact of the proposal on the heritage significance of the item.

*To proceed with the assessment, a **detailed heritage impact assessment** is to be submitted for review. This assessment should be prepared by an **experienced heritage consultant** and include a consideration of any relevant conservation management plans, development control plans and relevant NSW Government guidelines for designing buildings within a heritage context.*

Response:

The amended application is supported with a Heritage Impact Assessment prepared by GBA Heritage which addresses the matters raised under Issue 5.

6. Fire Safety

Details of the proposed electrical substation are required in accordance with Endeavour Energy Document No MCI 0006 (Current Version).

Response:

The Amended Architectural Drawings include a fire rated radius to the substation on the Ground plan as required to demonstrate compliance with the requirements of Endeavour Energy.

7. Design Excellence Panel (DEP)

Please refer to the DEP minutes for design matters (attached). Please ensure that these matters are addressed in full in conjunction with the request for information in this letter.

Response:

Each of the matters raised by the Design Excellence Panel have been addressed within the submitted Architectural Design Statement and the amended Architectural Plans prepared by SJB Architecture, with several matters also addressed within the Landscape Design Statement and the amended Landscape Plans prepared by Arcadia.

8. City Design and Public Domain

The following matters are to be considered to improve the development and surrounding public domain and should be considered in addition to the comments from the DEP (attached to this letter).

(a) Context

(i) The site has an approximately 490m frontage to Governor Macquarie Drive, which should be embellished as part of this development (e.g., canopy street tree plantings).

- (ii) It is recommended that the development include contributions to the public domain by incorporating large (200-400L) street tree plantings (at 8-10m centres), along the Governor Macquarie Drive frontage, as part of the overall landscape proposal.
- (iii) It is recommended that this development include embellishments to the internal pathway network (within the adjacent lot) to provide safe pedestrian and cyclist connectivity from the surrounding AT network.
- (iv) Canopy tree plantings along the pathways and access road (within this adjoining lot) should be considered to enhance the overall arrival experience.
- (v) It is recommended the proposal consider for the overall arrival experience (into the site), to cater for pedestrians and cyclists and the overall increased demand from the hotel and childcare centre.
- (vi) Additional treatments for the implementation of a pedestrian priority area (e.g., shared zone as below image) within the frontage of the site, to facilitate traffic calming and encourage walkability within in the precinct. This could include paved surface treatments, flush kerbs etc.

(b) Built Form + Scale

- (i) It is recommended that the proposal utilise the southern space, outside the 71m2 classroom to provide direct covered access to the external space as shown below.
- (ii) It is recommended that applicant consider internal cavity sliding doors within the configuration of the childcare centre (where possible) to maximise the usage of smaller spaces (cot rooms, nappy change rooms etc.) as shown below.
- (iii) The configuration of the internal walls (within the childcare centre) creates some impractical spaces that could be easily eliminated by incorporating traditional ninety-degree corners. This should be considered by the applicant as part of a future revision as shown below.
- (iv) Concerns for the proposed Western façade of Site B, in particular the visual presentation to the site frontage, as well as the overall constraint it places on site permeability (pedestrian). The proposal presents a solid blank façade (within minimal articulation) to the frontage of the site, limiting both physical and visual connection from and to the surrounding areas of the precinct.
It is recommended the applicant explore opportunities to enhance the façades visual relationship to the site frontage, and incorporate additional opportunities for physical permeability within the proposed built form of Site B.

(c) Landscape

- (i) The application does not include any indication of planting pot size and quantities. Plant size and quantities are imperative to the successful implementation of the proposed landscape design (as it is depicted within the submitted landscape package). To achieve the intent of the submitted design, within a reasonable timeframe, adequate plant sizes and quantities must be included within the proposal. It is encouraged that on the Level 02 terraces the applicant should utilise a minimum 100L pot size for all tree plantings.
- (ii) Minimum soil volumes outlined in Part 4P of the Apartment Design Guidelines, for all on-slab plantings (e.g., trees, shrubs, and turf etc.), should be achieved.
- (iii) Where large mature trees have been depicted to 'sell' the proposal (in renders, elevations, sections and plans etc.), large pot sizes should be proposed within the landscape design, to ensure the design intent is achieved within a reasonable timeframe of project completion.
- (iv) Where possible and if healthy, the nine (9) Lagerstroemis trees should be considered for relocation to another suitable area within the subject and/or adjacent site, as part of the proposed landscape works.
These trees could be repurposed to line the main entrance and/or form part of an alternate landscaped area and/or be included within the adjacent RE1 area.

(v) The applicant is encouraged to include street tree plantings within the southern public domain frontage of 155 Governor Macquarie Drive, to maximise tree canopy coverage within the area, as per the advice of the DEP and noted in the Context section in this letter.

(vi) The landscape proposal must include treatments to visually conceal and integrate the substation within the landscape through screening, plantings and/or public art. Ideally these substations would be required to be relocated to a back of house location or within the building and/or basement car park.

The application is to look for alternative methods for the location of the substation.

(vii) If a pedestrian priority zone is not applicable, CDPD encourages the applicant to consider raised pedestrian crossings (i.e., at the level of the kerb) to prioritise pedestrian safety and movement and assist with vehicle calming within the frontages of the site as shown below.

(viii) There is concern raised for the positioning of Site B built from in proximity to the adjoining road. This design provides minimal usable space for pedestrians to walk alongside the road (e.g., connect to the crossing). There is also no footpath on the opposite side of the roadway to facilitate this movement. Pedestrians will be forced to use the road which creates a dangerous situation. A larger setback from the kerb should be considered by the applicant, to better facilitate safe pedestrian movement around Site B (without having to walk within the internal garden and/or bar areas). See image below.

Response:

Noting that the proposed development has been amended to delete the childcare facility, the amended application is supported by an Architectural Design Statement and Amended Architectural Plans prepared by SJB Architecture, a Landscape Design Statement and amended Landscape Plans prepared by Arcadia, which collectively respond to the matters raised in Issue 8.

9. Discrepancies with Plans

When Architectural Plans are submitted to Council there is a level of clarity and information to be included to allow a proper assessment to be undertaken of the proposed development. The preliminary assessment indicated that there are deficiencies with the plans as follows and are to be amended accordingly:

(i) No finished floor levels are indicated on plans throughout the application,

(ii) No scale, scale rule/marker or dimensions are indicated on plans,

(iii) The materials and finishes should also be keyed into the separate elevation plans.

(iv) Natural ground levels are to be clearly marked on elevations and sections and should reflect the natural ground level at the point for each elevation.

Response:

The matters raised in Issue 9 have been addressed on the amended Architectural Plans prepared by SJB Architecture.