

4 September 2023

Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

ATTN: Nabil Alaeddine

**RE: REQUEST FOR ADDITIONAL INFORMATION
DA-28/2022
20 HUME HIGHWAY, WARWICK FARM
LOT 11, DP 1204506**

Dear Nabil,

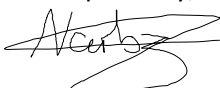
This letter has been prepared in response to Council's Request for Additional Information letter dated **28 July 2023**, with respect to the above-mentioned development application.

The applicants (*Gran Associates*) in conjunction with the project town planner (*GAT & Associates*) have reviewed the points in Council's letter and a response is provided below. This letter is submitted alongside the following documents:

- Amended Architectural Plans (Revision C, dated 24.07.23), prepared by *Gran Associates*;
- Updated Acoustic Assessment (Revision 4, dated 25/08/2023), prepared by *Acoustic Logic*;
- Review of Contamination Report by Certified Consultant (dated 29 August 2023), prepared by JKEvironments.

For ease of cross-referencing, this letter has followed the format of the Council's letter dated **28 July 2023** and will address the amendments in accordance with the subheadings used by Council to ensure clarity in the commentary below.

Respectfully,



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RESPONSE TO MATTERS RAISED

1. SEPP (Transport and Infrastructure) 2021

- Swept path plans, and plans (DA-100) updated to show the location of the power pole being 1.0m from the vehicle turning path have been provided.
- A Level 3 consultant has been engaged to review and advise on the relocation of the power pole. Nevertheless, the applicant and developer are aware that the electrical pole is subject to further approval and discussion from the operator/owner of the power pole. This can be appropriately addressed as a condition of consent during the construction certificate phase of development.

2. Liverpool Local Environmental Plan 2008

Clause 7.5 – Design Excellence

An additional Design Excellence Panel Meeting was held on the 11th May 2023. The Applicant's response to the recommendations made by the Panel pursuant to the nine design principles are as follows:

Context & Neighbourhood Character

- It is appreciated that the Panel commends the architectural expression and apartment layouts proposed;
- It is appreciated that the Panel will offer support for the proposal subject to the resolution of the other design principles.
- The Applicant has prepared sun eye diagrams at hourly intervals on the equinox (addressed within Point 3 of this letter).

Built Form and Scale

- Nil additional comment.

Density

- Nil additional comment.

Sustainability

- Ceiling fans have been added to all habitable rooms (Refer to drawings DA-100 through to DA-106);
- Rooftop photovoltaic systems have been shown on the roof plan (DA-107);
- The applicant is open to the provision of rainwater harvesting on the roof (which can be located on the mechanical equipment deck) – indicatively shown (DA-107 & DA-300).

Landscape

- Nil additional comment.

Amenity

- Additional highlight windows (to ensure visual privacy is maintained) have been incorporated into the Eastern Elevation (Level 1 through Level 6, and Level 9) – this is illustrated on Drawing DA-201. Solar access and daylight has therefore been improved throughout the development.

Safety

- Nil additional comment.

Housing Diversity + Social Interaction

- The Applicant has appointed *Evolve Housing* as the property management service to manage the affordable housing component of the development for fifteen (15) years. Additionally, the following statement has been extracted:

"I can also confirm that the Affordable Housing unit allocation has been reviewed and is suitable based on the housing need of the local community."

- As requested previously, a *Social Impact Assessment* prepared by Dr Judith Stubbs (dated 17 July 2023) has been submitted as part of the development application. The following conclusions have been extracted:
 - *"By far the most serious housing problem is faced by very low income renters, who make up two-thirds of those in rental stress. Very low and low income renters together make up 95% of renters in housing stress. There is no housing product in Warrick Farm or the LGA that is currently affordable to these households, although studio apartments would be affordable to some low income renters if there was a supply of such accommodation, and to some very low income renters if it were offered as affordable rental housing (at discount market rent)."*
 - *"The cohort with arguably the most serious affordable housing need is very low income lone person and couple only households, with 2,500 such households in the LGA. This group would benefit greatly from the provision of studio and 1 bedroom apartments as affordable rental housing, and even more so if some of it were offered by Evolve Housing as social housing with deep subsidies.:"*
 - *"It is also noted that the assessment of the registered community housing provider, Evolve Housing, is that the proposed dwelling mix accords with their assessment of need in the locality based on relative affordability, available and their waiting list."*

Aesthetics

- Elevations have been revised to show a concrete base with brick element above (Refer to Drawings DA201 – DA203), aligning with the DEP's recommendation;
- The darker palette for the upper two (2) floors has been integrated into the design (refer to Drawings DA-201 to DA-203), aligning with the DEP's recommendation;
- Glass blocks to the wide walls within setbacks (Levels 4 – 6) have been provided to increase natural light (Drawing DA-201) and to the western elevation (Levels 1 – 8; Drawing DA-203);
- Where condenser units are located on balconies, they are provided with screening devices to integrate into the building fabric (Drawings DA-101, DA-102 and DA-104);
- Façade sections have been provided, detailing materiality (Drawings DA-610 and DA-611). Additional *Schedule of External Materials, Finishes and Colours* provided on Drawing DA-400. Rendered and painted materials have been avoided, with the use of finished materials and cladding;
- Sound absorbing soffits (perforated CFC panels) are shown on Drawing DA-610.

3. Overshadowing / Scale of Building

The scale of the development is within the appropriate limitations applicable to the site (i.e. 35.0m LEP standard). An in-depth analysis of solar access has therefore been prepared by way of hourly sun-eye diagrams for the winter solstice, and the equinox (Drawings DA-700 through to DA-723).

The following is reiterated:

- The site is vacant, zoned R4 conducive to high-density development, with northern frontage. It is inevitable that overshadowing will fall to the south;
- The extent of overshadowing is what has been strategically determined and accepted for the site, given its applicable height and envelope controls;

Hourly Shadow Diagrams (21 June)

- *Impact to the eastern side of 24 Hume Highway* – Modest impact at 9am, with negligible impact between 10am to 12pm, where the proposed development ceases to fall upon 24 Hume Highway. Continued solar access through to 1pm, where the development is self-shadowing.
 - As the site is vacant, there would be an impact in the morning notwithstanding the extent of reasonable development on the site.
- *Impact to the eastern side of 4-6 Bigge Street* – Greatest impact is between 9am through to 12pm, noting that 4-6 Bigge Street is to the south of the subject site and the existing flat building at 24 Hume Highway supersedes some of the proposed building shadows in the early morning. Negligible impact to 4-6 Bigge Street after 12pm.
- *Impact to the western side of 18 Hume Highway* – Minor impact by the proposed development at 1:30pm (18 Hume Highway is otherwise self-shadowing). Some sunlight maintained to the rear between 12pm and 3pm.
- *Impact to the northern side of 3-5 Goulburn Street* – Modest additional impact between 10am and 10:30am. Impact is more prominent between 11am and 3pm. Overshadowing immediately to the south of the proposed development is inevitable. To assist in the property analysis of solar access, hourly sun-eye diagrams have been provided for the winter solstice (“worst case”), and the equinox (“average”).

Sun-Eye Diagrams (June 21 – Winter Solstice “Worst Case”)

- *24 Hume Highway:* Early morning direct solar access affected to 3 balconies from 9am to 10am – otherwise unaffected from 11 am and the remainder of the day (i.e. status quo maintained for a majority of the day). Minimal impact to existing roof terraces. Aerial imagery indicates that the eastern communal open space of 24 Hume Highway is self-shadowed.
- *4-6 Bigge Street:* No more than 10 units greatly affected between 9am and 11am in the morning. Status quo is generally retained after 1pm.
- *18 Hume Highway:* No units affected by the proposed development. Status quo maintained until 2pm and 3pm.
- *3-5 Goulburn Street:* Affected from 12pm through to 3pm;
 - 12pm: 4 balconies affected, with modest impact to one of four.
 - 1pm: 5 balconies affected.
 - 2pm – 3pm is the greatest impact to the northern elevation.

Sun-Eye Diagrams (September/March 21 – Equinox “Average”)

- *24 Hume Highway:* 5 balconies affected, and modest impact to roof terrace. Near nil loss of direct sun after 11am.
- *4-6 Bigge Street:* Affected at 10am only, to 12 balconies/units. Near nil loss of direct sun after 11am.

- *18 Hume Highway*: Negligible impact until 3pm.
- *3-5 Goulburn Street*: Unaffected until 1pm, when 2 units lose direct solar access; at 2pm 6 units are affected; and at 3pm, 4 units are affected. Notably the communal open space receives sun for most of the day, until 3pm.

Overall, the sun-eye diagrams adequately demonstrate that surrounding development will receive adequate sunlight throughout the year, despite the worst-case scenario occurring on the 21st June. The sun-eyes also demonstrate that the proposed development will receive sufficient solar access to the proposed units, as well as external ground floor landscaped communal open spaces (with the rooftop communal open space receiving sunlight all day).

4. Blank Walls on Elevations

- The East, South and West Elevations have been amended to incorporate highlight windows and glass blocks, as recommended by the DEP (Point 2 – Aesthetics).
- The modified colours and materiality has effectively improved the visual interest for the eastern, southern and western elevations – comparative images provided below (not-to-scale).

Previous revision:



East Elevation



South Elevation



West Elevation

Current revision:



5. Balconies

- To reduce direct overlooking, additional screening has been provided to the western balconies on Levels 1 to Level 3 (DA-203);
- Planter gardens have been provided to the eastern and western elevations to provide passive screening by vegetation, as well as additional physical separation (Levels 4, 8, 9 – Drawings DA-102, 104 and 105). The planter boxes are a minimum of 1.0m high to accommodate 1.0m soil depth. The plantings specified on the Landscape Plan (prepared by iScape Landscape Architecture) have a minimum mature height of 1.0m, which offers an overall 2.0m physical barrier with passive screening above.

6. Apartment Design Guide

- Each unit is provided with sufficient storage, whether a combination of storage within the basement, or within the unit itself. It is noted that the ADG does not require storage within the basement, as long as storage is provided within the unit itself. A storage calculation schedule is provided below:

STORAGE Schedule

Level	UNIT Number	unit Area	UNIT type	VOL of storage within unit	storage in basement	total storage
GROUND FLOOR	U01	98 m ²	3 BED	8.3 m ³	9.3 m ³	17.6 m ³
GROUND FLOOR	U02	36 m ²	STUDIO	3.7 m ³	6.8 m ³	10.5 m ³
GROUND FLOOR	U03	93 m ²	2 BED	5.2 m ³	6.0 m ³	11.1 m ³
LEVEL 1	U11	36 m ²	STUDIO	4.6 m ³		4.6 m ³
LEVEL 1	U12	66 m ²	1 BED	3.0 m ³	6.0 m ³	9.0 m ³
LEVEL 1	U13	37 m ²	STUDIO	4.3 m ³		4.3 m ³
LEVEL 1	U14	51 m ²	1 BED	3.7 m ³	6.0 m ³	9.7 m ³
LEVEL 1	U15	40 m ²	STUDIO	4.0 m ³		4.0 m ³
LEVEL 2	U21	36 m ²	STUDIO	4.6 m ³		4.6 m ³
LEVEL 2	U22	65 m ²	1 BED	3.0 m ³	6.0 m ³	9.0 m ³
LEVEL 2	U23	37 m ²	STUDIO	4.3 m ³		4.3 m ³
LEVEL 2	U24	51 m ²	1 BED	3.7 m ³	4.0 m ³	7.7 m ³
LEVEL 2	U25	40 m ²	STUDIO	4.0 m ³		4.0 m ³
LEVEL 3	U31	36 m ²	STUDIO	4.6 m ³		4.6 m ³
LEVEL 3	U32	65 m ²	1 BED	3.0 m ³	7.4 m ³	10.4 m ³
LEVEL 3	U33	37 m ²	STUDIO	4.3 m ³		4.3 m ³
LEVEL 3	U34	51 m ²	1 BED	3.7 m ³	7.4 m ³	11.1 m ³
LEVEL 3	U35	40 m ²	STUDIO	4.0 m ³		4.0 m ³
LEVEL 4	U41	70 m ²	2 BED	4.6 m ³	9.1 m ³	13.7 m ³
LEVEL 4	U42	98 m ²	2 BED	4.6 m ³	7.5 m ³	12.1 m ³
LEVEL 5	U51	70 m ²	2 BED	4.6 m ³	7.5 m ³	12.1 m ³
LEVEL 5	U52	98 m ²	2 BED	4.6 m ³	7.5 m ³	12.1 m ³
LEVEL 6	U61	70 m ²	2 BED	4.6 m ³	10.7 m ³	15.3 m ³
LEVEL 6	U62	98 m ²	2 BED	4.6 m ³	12.2 m ³	16.8 m ³
LEVEL 7	U71	70 m ²	2 BED	4.6 m ³	9.7 m ³	14.3 m ³
LEVEL 7	U72	98 m ²	2 BED	4.6 m ³	12.8 m ³	17.4 m ³
LEVEL 8	U81	103 m ²	3 BED	10.2 m ³	11.9 m ³	22.1 m ³
LEVEL 9	U91	101 m ²	3 BED	9.7 m ³	9.1 m ³	18.8 m ³
28 units				133.0 m³	156.9 m³	289.8 m³
				28 units	19 units	

7. Development Engineering Matters

- DRAINS Model was prepared with the previous Request for Information, however it is appreciated the Planning Portal did not accommodate the file type at the time. This has been resent to Council via email, and to the Planning Portal, on the 17th August 2023.
- Stormwater plan has been updated accordingly (already submitted with last RFI)

8. Community Planning and Social Impact Statement

- A Social Impact Assessment (SIA) has been previously prepared and up[loaded to the NSW Portal. Confirmation of receipt of the report was received via email on the 27th July 2023.
- The Applicant has sought management of the affordable housing component from Evolve Housing (<https://evolvehousing.com.au/>) who have internal management policies, procedures – they also offer a range of affordable rental programs, leasing pathways and resident engagement programs (<https://evolvehousing.com.au/about-us/who-we-are/plans-and-strategies/>).
- As a more appropriate Social Impact Assessment has been prepared since lodgement of the DA, it is requested that the comments within the SIA report prepared by Judith Stubbs are referred to with respect to the comments made to *local economy and employment opportunities*.

9. Environmental Management

- The submitted reports have been peer reviewed and certified by relevant persons, as requested.
- DSI is underway and will be uploaded upon completion.

10. Fire Safety

- A Level 3 consultant (Accredited Service Provider) has been engaged to assess the electricity load and the proposed method of supply for the development to demonstrate whether or not a substation is required.

11. Public Submissions

- *Deep Soil*: At least 120m² of deep soil around the perimeter of the site has been provided to accommodate canopy trees. This is 11.45% of the site, which exceeds the required 7% per ADG.
- *Solar Access*: The orientation of the site, in addition to its context with northern frontage to a busy classified road (Hume Highway) is a known constraint of the site. There is no avoiding overshadowing to the south, particularly as the site is vacant with no substantial structure. Consistent solar access will be provided to the rooftop communal open space. The development is also supported by planters boxes throughout the proposed structure to contribute to softening of the built form, and visual amenity.
 - The Landscape Design has included shade tolerant species of planting including Native Violets, Philodendron and ornamental pears, which are tolerant of partial shade. Consequently, despite the shade, there are appropriate plantings that can be accommodated for within landscape and deep soil areas.
- *Basement and Structure*: The development will ultimately be subject to structural and civil detailing required prior to Construction Certificate; and any required dilapidation reports can be a condition of consent.

- 23 vehicles for 28 residential units is not excessive, and aligns with the requirements under the Housing SEPP 2021 and generally, for residential flat buildings.
- *Overshadowing:* Addressed in Point 3, above. Further comments include:
 - The site is vacant, zoned R4 conducive to high-density development, with northern frontage. It is inevitable that overshadowing will fall to the south;
 - The extent of overshadowing is what has been strategically determined and accepted for the site, given its applicable height and envelope controls;

We trust the above has addressed the matters raised by Council and DEP.

Sincerely,

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ROZELLE NSW 2039

REQUEST FOR ADDITIONAL INFORMATION

(In accordance with the provisions under Section 36 of the *EP&A Regulations 2021*)

ADDRESS: LOTS 11 & 12 DP 1204506
20 HUME, WARWICK FARM
DESCRIPTION: CONSTRUCTION OF A 10-STOREY RESIDENTIAL FLAT
BUILDING COMPRISING 28 RESIDENTIAL UNITS ABOVE
TWO LEVELS OF BASEMENT CAR PARKING, TOGETHER
WITH VEHICLE ACCESSED LANDSCAPING AND
ASSOCIATED WORKS. THE APPLICATION IS SUBMITTED
UNDER THE STATE ENVIRONMENTAL PLANNING POLICY
(HOUSING) 2021

Council has conducted an assessment of the amended documentation for Development Application DA-28/2022 and has identified a number of matters to be addressed that relate, Transport for NSW matters, minor design amendments to the facade, missing documentation in particular environmental noise and contamination matters, engineering matters, and response to submissions, which prevent Council from supporting the proposal in its current form:

1. SEPP (Transport and Infrastructure) 2021

- i. Clause 2.119 – Development with frontage to classified road.
 - (a) Council notes that information responding to TfNSW concerns was received on 8 May 2023 and referred to TfNSW for consideration on 9 May 2023. TfNSW responded to the additional information on 25 May 2023 and requested additional plans relating to the electrical power pole.

Please refer to the attached TfNSW letter for further details.
 - (b) The applicant is advised to ensure that the electrical pole asset operator/owner is advised and supportive of the relocation. Evidence is to be provided from the asset operator/owner confirming relocation is supported.

2. Liverpool Local Environmental Plan 2008

- i. Clause 7.5 – Design excellence in Liverpool city centre



The application was considered by the Liverpool Design Excellence Panel on 11 May 2023. Please find attached a copy of the DEP's Minutes for your information and response.

3. Overshadowing / Scale of Building

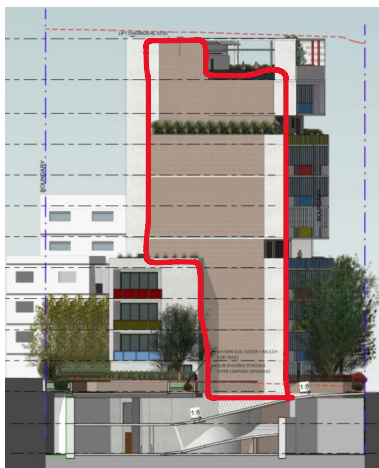
The development results in additional overshadowing to southern-adjoining sites. Given the height proposed and the orientation of the site, overshadowing of the southern adjoining development is inevitable. The plans, however, do not provide an in-depth assessment of the extent of additional overshadowing that would occur, and in this regard, such shall be provided given that ADG separations are not met.

Whilst the proposal is within the allowable building of 35m, a 10-storey building as proposed results in excessive overshadowing of adjoining properties and is inconsistent with scale of the adjoining 5-6 storey residential apartment buildings. In order to minimise the extent of shadow impacts upon neighbouring sites, the reduction of the overall height and scale of the building is encouraged.

Alternatively, should the height not be reduced, an in-depth analysis should be provided to clearly delineate the extent of overshadowing for every hour during the winter solstice and provide an additional hourly analysis for later in the year, between September to December to justify any departure from the control.

4. Blank Walls on Elevations

East, west and south elevations consist of long vertical blank wall with no openings. While there is an understanding that this may be related to privacy, further articulation of these elevations should be undertaken and include highlight windows at large sill heights which will encourage light and solar penetration, and further improve ventilation and aesthetics of the building without negatively impacting on privacy and overlooking.



East Elevation



South Elevation



West Elevation



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170

All correspondence to Locked Bag 7064 Liverpool BC NSW 1871

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Web www.liverpool.nsw.gov.au **NRS** 13 36 77 **ABN** 84 181 182 471

5. Balconies

A number of units are provided with large courtyard balconies; however, these courtyards are not screened appropriately and do not meet minimum ADG separation requirements, thus allowing direct overlooking. The balustrading shall be revised to improve visual privacy for the occupants of the building and the residents of the adjoining apartment buildings.

6. Apartment Design Guide

It is noted that only 19 storage areas are provided within the basement levels, and not all units provide compliant storage internally. Clarification is required as to whether the ADG storage requirements have been satisfied.

7. Development Engineering Matters

A review by Council's Development Engineer has raised the following matters to be addressed:

- (a) Provide electronic DRAINS model, and
- (b) Stormwater drainage details plan shows both a 110mm and 32.5mm diameter orifice. Confirm which is correct and amend plans accordingly.

8. Community Planning and Social Impact Assessment

Council's Community Planning Section has reviewed the application and provides the following comments are required to be addressed:

- (a) The proposed development has the potential to support the growing need for affordable housing in Liverpool and broader regions, however Community Planning requires additional information for further assessment of this application.

The Liverpool DCP Part 1 Section 27 states that 'applications for development of, or major changes to 'Affordable housing, within the meaning of SEPP, should submit a social impact assessment.'

It is requested that a **Social Impact Assessment (SIA)** be submitted that identifies the social impacts, and mitigation measures to the negative impacts. A rationale is needed for the mixed housing proposal as it appears the proposed development will allocate a high percentage (50.1%) to affordable housing compared to the minimum requirement of (20%). On this basis, it is suggested that the applicant provide specifics of the targeted beneficiaries for the affordable housing component.

- (b) A **detailed plan of management** should be provided for low-income rental, including evidence of who will be overseeing the tenancy i.e., a registered community housing provider and/or a private organisation for the affordable housing component.



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- (c) The application lists 'landscape maintenance and cleaning of the site' in response to Question 9. *Local economy and employment opportunities*. Clarification is needed if this is a legitimate proposition to create income opportunities on-site, and if so, what will be the process to ensure low-income tenants are afforded the opportunity for ongoing employment.

The applicant is advised to refer to the requirements available in LCC SIA Policy & Guidelines 2023 and Council's Social Justice Policy 2018 located on Council's website at the following link:

[Social Impact Assessment | Liverpool City Council \(nsw.gov.au\)](https://www.liverpool.nsw.gov.au/social-impact-assessment)

9. **Environmental Management**

Council's Environmental Health Section has requested that the following matters be addressed:

(a) **Site Contamination**

Council requires all contaminated site reports to be prepared or reviewed and certified by a suitably qualified environmental consultant who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

The submitted document titled Report to VM & KTP Holdings Pty Limited c/- Gran Associates on Preliminary (Stage 1) Site Contamination Investigation for Proposed High-Rise Residential Development at 20-22 Hume Highway, Warwick Farm, NSW Ref: E34148Brpt prepared by JK Environments dated 8th October 2021 does not appear to be prepared or reviewed and certified by a suitably qualified environmental consultant who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

In this regard, the Applicant must arrange for the submitted document titled Report to VM & KTP Holdings Pty Limited c/- Gran Associates on Preliminary (Stage 1) Site Contamination Investigation for Proposed High-Rise Residential Development at 20-22 Hume Highway, Warwick Farm, NSW Ref: E34148Brpt prepared by JK Environments dated 8th October 2021 to be peer reviewed by a suitably qualified environmental consultant who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The peer reviewer's comments and recommendations may need to be incorporated into a revised report supporting the Application.



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Based upon the findings of the Stage 1 Preliminary Site Investigation, the **Applicant shall submit a Stage 2 – Detailed Site Investigation prepared or reviewed and certified by a suitably qualified environmental consultant.** This investigation shall give regard to the potential effects of any contaminants on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA Sampling Design Guidelines for contaminated land.

If the Stage 2 – Detailed Site Investigation indicates that the site poses unacceptable risks to human health or the environment, a Remedial Action Plan (RAP) shall be prepared or reviewed and certified by a suitably qualified environmental consultant in accordance with applicable guidelines made or approved by the NSW EPA under the *Contaminated Land Management Act 1997*. In these circumstances, the Remedial Action Plan shall be referred to Liverpool City Council for review.

The report's cover or title page must confirm that the consultant is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

(b) Noise Management

Council requires acoustic reports to be prepared or reviewed and certified by a 'suitably qualified acoustic consultant' who is a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

In this regard, the Applicant shall engage a suitably qualified acoustic consultant to peer review the document titled 20-22 Hume Highway, Warwick Farm DA Acoustic Assessment Project ID: 20210703.1, Document Reference 20210703.1/2212A/R3/LA, Revision 3, prepared by Acoustic Logic Pty Ltd dated 22 December 2021.

The report's cover or title page must confirm that the consultant is a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

It is further noted that consideration was not given to the Interim Construction Noise Guideline published by the Department of Environment & Climate Change NSW dated July 2009.

10. Fire Safety

- (a) The amended plans do not identify the location of a future substation. The referral from Endeavour Energy stated that one may be required, and the submitted Statement of Environmental Effects states that the electrical substation will be located within the building or its basement.
- (b) Alternatively, the applicant should engage the services of an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the



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electricity load and the proposed method of supply for the development, to demonstrate that a substation is not required.

11. Public Submissions

The following comments were received in response to the public exhibition of the application. In this regard, these comments are requested to be addressed in the additional information.

- (a) The proposed development does not achieve a minimum deep soil zone of 15% as required by Housing SEPP standards.
- (b) The proposed building design results in constant overshadowing at ground level of the south side oriented landscaped area and communal open space of the subject site. This part of the site does not contain deep soil landscaped area and as such it is unlikely any vegetation will successfully establish and provide any visual amenity for the residents as intended.
- (c) The proposed 2 level basement to accommodate 23 vehicles is excessive and is designed abutting the southern boundary of the site (for almost its entire length) and should be setback to avoid structural damage impact on development on the adjoining sites.
- (d) The proposed design results in excessive overshadowing of adjoining land as identified on the proposed shadow diagrams, in particular of the ground level landscaped communal open space of the southern adjoining allotment at 3 Goulburn Street.

In response to the above matters, Council is affording three (3) options to progress the application, as follows:

- 1. Prepare and submit further supporting information/amendments to [the NSW Planning Portal](#), addressing the matters as raised. If amended plans are submitted for assessment, an additional processing fee will apply in accordance with Council's adopted fees and charges. Based on the value of works, the amount payable is \$TBA, or
- 2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application; or
- 3. Withdraw the application. Should you wish to withdraw the application, you must correspond with Council in writing, to which you will be entitled to a partial refund of fees paid.



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Call Centre 1300 36 2170 **Email** lcc@liverpool.nsw.gov.au
Web www.liverpool.nsw.gov.au **NRS** 13 36 77 **ABN** 84 181 182 471

To enable Council to process the application as efficiently as possible, you are requested to take action on the above within **21 days** of the date of this letter through the NSW Planning Portal or before close of business on **Monday 21 August 2023**.

If a response is not received within the above time period, the application will be determined on the basis of the available information, which may result in refusal of the application.

General Notes

It is important to label the documents in line with Councils electronic filing naming convention *i.e. DA Number – Additional Information – Site Plan – XXX Address.pdf*

To track the progress of your application, please visit <https://eplanning.liverpool.nsw.gov.au/> and click on "Track an Application". The ePlanning portal also contains other relevant information including an online mapping system and access to frequently requested planning information. Alternatively, please visit [the NSW Planning Portal](#).

If you have any further enquiries, please contact Greg Mottram on the abovementioned contact details.

Yours faithfully



Nabil Alaeddine
PRINCIPAL PLANNER
DEVELOPMENT ASSESSMENT



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170
All correspondence to Locked Bag 7064 Liverpool BC NSW 1871
Call Centre 1300 36 2170 **Email** lcc@liverpool.nsw.gov.au
Web www.liverpool.nsw.gov.au **NRS** 13 36 77 **ABN** 84 181 182 471

25 May 2023

TfNSW Reference: SYD23/00363/02
NSW Planning Portal Reference: CNR-46917
Council Reference: DA-28/2022



Dr Eddie Jackson
Chief Executive Officer
Liverpool City Council
lcc@liverpool.nsw.gov.au

Attention: Amanda Merchant

**ADDITIONAL INFORMATION FOR CONSTRUCTION OF A 10-STOREY RESIDENTIAL FLAT BUILDING
COMPRISING 28 RESIDENTIAL UNITS ABOVE TWO LEVELS OF BASEMENT CAR PARKING AT 20
HUME HIGHWAY, WARWICK FARM**

Dear Dr Jackson,

Reference is made to Council's referral dated 23 March 2023 with regards to the abovementioned Development Application, which was referred to Transport for NSW (TfNSW) for concurrence in accordance with State Environmental Planning Policy (Industry and Employment) 2021.

TfNSW has reviewed the submitted information and is unable to support the development application in its current form. TfNSW requires the following prior to the determination of the application:

1. Swept path plans submitted indicates that the power pole within the front of the subject site impacts on vehicles existing the site. TfNSW requires modified plans showing the relocation of the power pole at least 1 metre away from vehicle turning path.

For more information, please contact Zeliha Cansiz, Development Assessment Officer via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Pahee".

Pahee Rathan
Senior Land Use Assessment Coordinator
Planning and Programs, Greater Sydney Division

OFFICIAL

27-31 Argyle Street Parramatta NSW 2150
PO Box 973 Parramatta CBD NSW 2124

W transport.nsw.gov.au

**MINUTES OF DESIGN EXCELLENCE PANEL MEETING
Thursday the 11th of May 2023**

DEP PANEL MEMBERS PRESENT:

Shaun Carter	Chairperson	CarterWilliamson Architects
Kim Crestani	Panel Member	Order Architects
Vishal Lakhia	Panel Member	Vishal Lakhia Architect

APPLICANT REPRESENTATIVES:

Peter Reed	Principal Architect	Gran Associates
Krystal Narbey	Town Planner	GAT & Associates
Van Minh	Owner	

OBSERVERS:

Ariz Ashaf	Conveyor	Liverpool City Council
Nabil Alaeddine	Principle Planner	Liverpool City Council
James Martinez	Technical Administration Officer	Liverpool City Council

ITEM DETAILS:

Item Number: 3

Application Reference Number: DA-28/2022

Property Address: 20-22 Hume Highway, Warwick Farm NSW 2170

Council's Planning Officer: Nabil Alaeddine

Applicant: VM & KTP Holdings Pty Ltd

Proposal: Construction of a 10-storey residential flat building comprising 28 residential units above two levels of basement car parking, together with vehicle access, landscaping and associated works. The application is submitted under the State Environmental Planning Policy (Housing) 2021

Meeting Venue: Microsoft Teams Meeting

1.0 WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The Chairperson introduced the Panel and Council staff to the Applicant Representatives. Attendees signed the Attendance Registration Sheet.

The Liverpool Design Excellence Panel's (the Panel), comments are to assist Liverpool City Council in its consideration of the Development Application.

The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.

All nine design principles must be considered and discussed. Recommendations are to be made for each of the nine principles, unless they do not apply to the project. If repetition of recommendations occur, these may be grouped together but must be acknowledged.

2.0 DECLARATIONS OF INTEREST

Nil

3.0 PRESENTATION

The applicant presented their proposal for DA-28/2022 – 20-22 Hume Highway, Warwick Farm NSW 2170.

4.0 DEP PANEL RECOMMENDATIONS

The nine design principles were considered by the panel in discussion of the Development Application. These are 1] **Context**, 2] **Built Form + Scale**, 3] **Density**, 4] **Sustainability**, 5] **Landscape**, 6] **Amenity**, 7] **Safety**, 8] **Housing Diversity + Social Interaction**, 9] **Aesthetics**.

The Design Excellence Panel makes the following recommendations in relation to the project:

4.1. Context & Neighbourhood Character

- The Panel thanks the applicant for providing comprehensive set of architectural drawings, landscape drawings and 3D views provided as part of this application and further commends the overall architectural expression and well-planned internal apartment layouts considered within the proposal.
- The Panel discussed overshadowing of the habitable areas and private open spaces within the existing apartments on neighbouring property to the south. Particularly, whether the proposed height and floor space ratio are justified for the subject site.
- The Panel understands that the proposed height of 10 storeys already complies with the 35m LEP height limit and proposed floor space ratio of 2.43:1 (including the affordable housing bonus) is below the maximum permissible floor space ratio of 2.5:1.

- The Panel further discussed that due to the east-west orientation of the proposed building, overshadowing at mid-winter is likely to occur and this creates complex relationship with the southern neighbour. Given that the proposal complies with the overarching height and FSR controls, the Panel is willing to offer support for the proposal, subject to acceptable resolution of the further recommendations made in this Report.
- Additionally, Council's officer should review mid-winter solar access drawings for its consistency with the guidance offered within Part 3B-2 of the NSW Apartment Design Guide (ADG) – *where an adjoining property do not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%*. As an alternative strategy, the Panel suggests sun eye diagrams at equinox should be provided at hourly intervals for Council's review of solar access impact on the adjoining property to the south.

4.2. Built Form + Scale

- Refer recommendations offered in *Principle 9 – Aesthetics*

4.3. Density

- As discussed in Principle – 1 Context & Neighbourhood Character, the Panel offers support for the proposal including its height and density, subject to acceptable resolution of the further recommendations made in this Report.

4.4. Sustainability

- Provision of ceiling fans to all habitable areas is encouraged as a low energy alternative to any A/C system.
- The applicant is encouraged to include a rooftop photovoltaic system for environmental benefits and for use in power/lighting of common areas.
- Provision of a rainwater tank shall be required to allow water collection, storage and reuse for irrigation of landscape and other uses within the site, such as toilet flushing etc.

4.5. Landscape

- No discussion

4.6. Amenity

- The Panel considers the internal apartment layouts are generally well-resolved and the proposal will achieve an acceptable, ADG compliant level of residential amenity.
- The Panel recommends the applicant should maximise opportunities to improve natural cross ventilation across multiple level through inclusion of highlight operable windows. This can also improve the solar access and daylight within the development.

4.7. Safety

- No discussion

4.8. Housing Diversity + Social Interaction

- The Panel notes that considerable number of studio apartments are proposed and recommends some of the smaller apartments should be combined to create more two and three bedroom apartments.
- Council's assessment officers should confirm details of the apartments nominated for the purpose of affordable housing including the affordable housing provider and perpetuity.

4.9. Aesthetics

- The Panel notes that lighter colour materials close to other structures tend to reflect more light, and recommends that the building base should be expressed in concrete with brick elements above.
- The Panel recommends a darker colour palette for the top two floors to help make them appear recessive and reduce the visual impact on the surroundings. At the same time colours and finishes with a solar absorptance rating below 0.76SA should be considered for thermal benefits.
- The Panel suggests further addition of glass blocks to the side walls within setbacks or with privacy concerns to increase natural light..
- The applicant should provide a detailed schedule of external materials, finishes and colours, and nominate the relevant building materials and manufacturers on the architectural drawings.
- Use of rendered and painted surfaces should be avoided considering longevity and associated long term maintenance costs. Self-finished materials with an integral finish – such as face bricks, concrete, opaque/seraphic glass for the balconies are suggested as suitable alternatives.
- Architectural drawings should identify location of A/C condenser units and other mechanical equipment. The Panel recommends that these should not be located within balconies (unless thoughtfully screened and/or integrated into the building fabric).
- Developed architectural drawings should include details of the proposed design intent with at least three 1:20 detail sections indicating materials, balustrade types and fixing, balcony edges, junctions, rainwater drainage including any downpipes and similar details within the proposal.
- Given the scale of the proposal, consideration should also be given to appropriate design of the building soffits. Soffits facing the street, should use sound absorbing material to help mitigate against traffic noise.

5.0 OUTCOME

The Panel have determined the outcome of the DEP review and have provided final direction to the applicant as follows:

The project is supported. Respond to recommendations made by the panel, then the plans are to be reviewed/approved by Council.