



**lighthouse planning**  
urban planning consultants

## STATEMENT OF ENVIRONMENTAL EFFECTS

28 & 30 MCKAY AVENUE  
MOOREBANK

PREPARED FOR  
MCKAY MOOREBANK PTY LTD

PREPARED BY




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# 1 INTRODUCTION

## 1.1 SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by Lighthouse Planning for McKay Moorebank Pty Ltd, to accompany a Development Application (DA) to Liverpool City Council. The application is for the construction of a residential flat building, comprising infill-affordable housing, at 28-30 McKay Avenue, Moorebank.

## 1.2 THE REGULATIONS

This report addresses Section 24 of the Environmental Planning & Assessment Regulation 2021 (the Regulations) and therefore includes only what a 'Statement of Environmental Effects' accompanying a DA needs to include (in the case of development other than designated development or State significant development).

The approved form is as follows:

*A statement of environmental effects must indicate the following matters:*

- a) the environmental impacts of the development,*
- b) how the environmental impacts of the development have been identified,*
- c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,*
- d) any matters required to be indicated by any guidelines issued by the Director-General for the purposes of this clause.*

## 1.3 THIS REPORT

This SEE is divided into the following sections that address matters (a) to (d) above.

- |           |  |
|-----------|--|
| Section 1 | This introduction.   |
| Section 2 | A description of the site and its surrounds.   |
| Section 3 | A description of the proposal in detail.   |
| Section 4 | An assessment of the proposal in accordance with the relevant matters for consideration prescribed by Clause 4.15 of the Environmental Planning and Assessment Act, 1979 (as amended). |
| Section 5 | The conclusion to the assessment.  |

## 1.4 LIST OF DRAWINGS

Table 1 below lists the Architectural plans that this SEE has relied upon in order to detail as a minimum, any likely environmental and social impacts of the development. The plans have been prepared by Morfosis Architects.

TABLE 1 | LIST OF DRAWINGS

SHEET NO.	REVISION	DESCRIPTION
DA-000	C	COVER PAGE
DA-001	C	LOCATION MAP
DA-100	C	MASSING STUDY
DA-200	C	SITE – ROOF PLAN
DA-201	C	BASEMENT LEVEL 01 PLAN
DA-202	B	BASEMENT LEVEL 02 PLAN
DA-203	C	GROUND FLOOR PLAN
DA-204	C	LEVEL 01 FLOOR PLAN
DA-205	C	LEVEL 02 FLOOR PLAN
DA-206	C	LEVEL 03 FLOOR PLAN
DA-207	C	LEVEL 04 FLOOR PLAN
DA-208	C	LEVEL 05 FLOOR PLAN
DA-209	C	LEVEL 06 FLOOR PLAN
DA-210	C	ROOF PLAN
DA-211	C	DETAILED PLAN – GF LVL
DA-213	C	DETAILED PLAN – LVL 01
DA-214	C	DETAILED PLAN – LVL 02
DA-215	C	DETAILED PLAN – LVL 03
DA-216	C	DETAILED PLAN – LVL 04
DA-217	C	DETAILED PLAN – LVL 05
DA-218	C	DETAILED PLAN – LVL 06
DA-300	C	FRONT ELEVATION-S & EXTERNAL FINISHES SCHEDULE
DA-301	C	REAR ELEVATION – N
DA-302	C	SIDE ELEVATION – E
DA-303	C	SIDE ELEVATION - W
DA-350	C	SECTIONS
DA-352	C	RAMP SECTIONS
DA-400	B	BUILDING HEIGHT PLANE 3D
DA-401	B	VENTILATION STUDY
DA-402	B	SOLAR STUDY
DA-403	B	STORAGE CALCULATIONS
DA-404	B	GROSS FLOOR AREA CALCULATION

SHEET NO.	REVISION	DESCRIPTION
DA-405	B	LANDSCAPE CALCULATIONS
DA-406	B	DEVELOPMENT CALCULATIONS
DA-407	B	WINDOW SCHEDULE
DA-500	B	SHADOW DIAGRAMS STUDY
DA-501	B	SOLAR ACCESS AT 1PM – 3PM

## 2 LOCALITY AND THE SITE

### 2.1 SITE DESCRIPTION

The site is legally identified as Lots 16 and 17 DP 236405 and is known 28 & 30 McKay Avenue, Moorebank. It is located within the Liverpool Local Government Area. The site is rectangular in shape with angled side boundaries. The site has a frontage to McKay Avenue to the south of 37.55m and a total site area of 1,365.8m<sup>2</sup>.

FIGURE 1 | THE SITE



SOURCE: SIXMAPS 2022



SUBJECT SITE

### 2.2 THE LOCALITY

The site is located in Moorebank, a suburb within the Liverpool Local Government Area. The immediate locality is predominantly characterised by low density residential development however, the area is undergoing a strategic transition to higher residential density with numerous development applications and approvals for residential flat buildings in the immediate locality currently underway.

A retail precinct (Moorebank Plaza) is located to the west with a variety of shops and a supermarket while to the immediate south are Nuwarra Public School and the Moorebank Community Centre and Library. Liverpool train station is located approximately 3km to the west, with connecting bus services in close proximity to the subject site.



#### ADJOINING SITES TO THE NORTH – 23 & 25 HARVEY AVENUE

The properties to the north (rear) of the site contain single-storey detached dwelling houses. These properties are part of a development approval (DA-627/2018) for:

*Demolition of existing structures and the construction of a 6-storey residential flat building comprising of 58 units*

This DA incorporated infill affordable housing and also included a variation to the building height control of 22.22%. The DA was approved on 18/5/2020 and is currently subject to a modification application (remaining substantially the same).

#### ADJOINING SITES TO THE EAST – 32 & 34 MCKAY AVENUE

The adjoining properties to the east contained two single storey detached dwelling houses. A Development Proposal was approved on 24 February 2020 for:

*Construction of a residential flat building with 23 units over five storey, basement carpark, strata subdivision and demolition of two (2) existing dwellings.*

#### ADJOINING SITES TO THE SOUTH – NUWARRA PUBLIC SCHOOL

To the south of the site, on the opposite side of McKay Avenue, is a primary school called Nuwarra Public School. The school contains numerous single storey buildings and demountables. An entrance to the school is provided opposite the subject site, with a pedestrian crossing linking the northern side of McKay Avenue to the school. The main recreation areas of the school are located on the western and southern sides of the school, further away from the subject site. An at-grade car park is provided in the north-west corner of the school.

#### ADJOINING SITES TO THE WEST – 24 & 26 MCKAY AVENUE

To the west of the site are single-storey detached dwellings. 24 and 26 McKay Avenue were subject to a similar DA (DA-854/2017) to the surrounding locality, seeking:

*Demolition of existing site structures and consolidation of existing lots into one lot, and the construction of a six (6) storey residential flat building consisting of 26 units over one basement level for car parking; as per the State Environmental Planning Policy (Affordable Rental Housing) 2009*

Council's DA Tracker notes that this went to the Land and Environment Court of NSW as a deemed refusal.

The site to the west has a recent approval under DA-42/2024 for a childcare centre.



## SITE CONSTRAINTS

The Site is currently zoned R4 High Density Residential according to the Liverpool Local Environmental Plan 2008 (LLEP 2008). The building is not a Heritage Item or within a Heritage Conservation Area. The Site is not subject acid sulphate soils, while no other natural hazards apply.

### 2.3 SITE AND LOCALITY IMAGES

IMAGE 1 | THE SITE – LOOKING NORTH FROM MCKAY AVENUE



SOURCE: STREETVIEW

IMAGE 2 | THE SITE – 30 MCKAY AVENUE





IMAGE 3 | NUWARRA PUBLIC SCHOOL – LOOKING SOUTH



IMAGE 4 | NORTHERN INTERFACE WITH 26 MCKAY AVENUE



SOURCE: STREETVIEW

IMAGE 5 | SUPERMARKET AND RETAIL AREA IN CLOSE PROXIMITY TO THE WEST OF THE SITE



SOURCE: STREETVIEW

## 3 THE PROPOSAL

### 3.1 THE PROPOSAL

The application generally seeks consent for the construction of a six-storey residential flat building comprising:

- 28 residential units consisting of:
  - 8 x 1-bedroom units (2 adaptable)
  - 19 x 2-bedroom units (1 adaptable)
  - 1 x 3-bedroom units
- Two (2) x basement levels
- 32 x on-site vehicle parking spaces
- Associated landscaping and communal open space

### 3.2 PROPOSED CONFIGURATION

Table 2 provides a breakdown of the proposed building by level.

TABLE 2 | PROPOSED DEVELOPMENT BY LEVEL

LEVEL	DETAILS
Basement 02	<ul style="list-style-type: none"><li>▪ Stair and Lift Access</li><li>▪ 19 x vehicle spaces (2 visitor spaces)</li><li>▪ Residential storage areas</li><li>▪ Vehicle access ramp</li><li>▪ Switch and plant rooms</li><li>▪ Common restroom</li></ul>
Basement 01	<ul style="list-style-type: none"><li>▪ Stair and Lift Access</li><li>▪ 13 x vehicle spaces (2 x visitor, 4 accessible spaces)</li><li>▪ 21 x bicycle spaces</li><li>▪ Residential storage areas</li><li>▪ Vehicle access ramp</li><li>▪ Bin room</li><li>▪ Sprinkler pump room</li></ul>

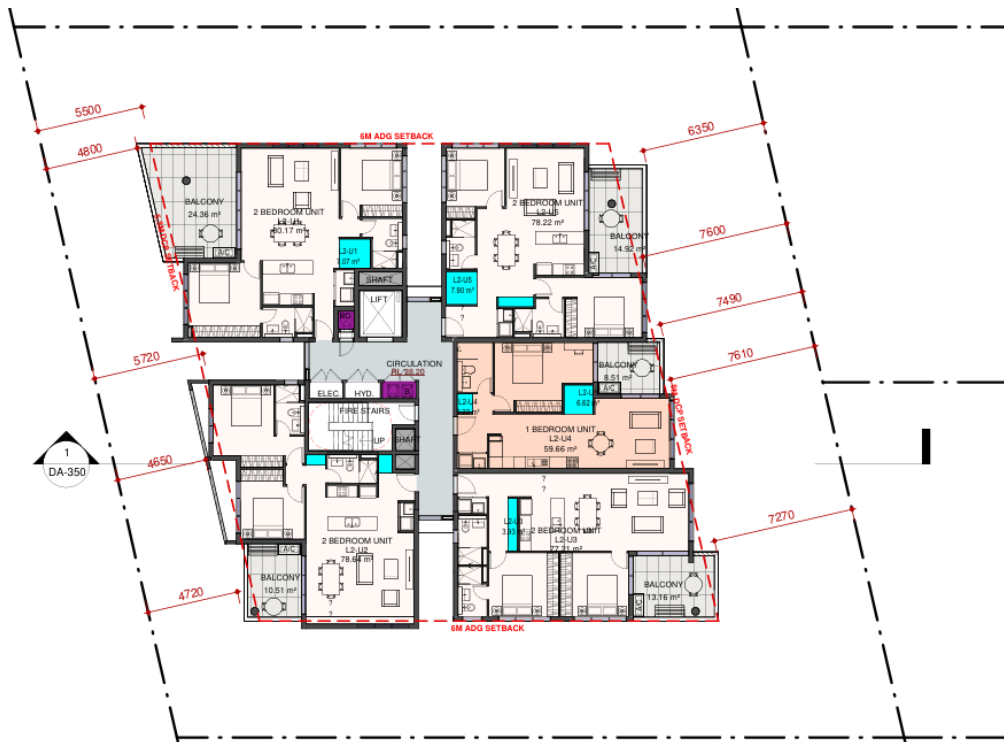
Ground Floor	<ul style="list-style-type: none"> <li>▪ Vehicle access via McKay Avenue</li> <li>▪ Vehicle access ramp to Basement Levels</li> <li>▪ 3 x pedestrian residential entries</li> <li>▪ Lift and Stair access</li> <li>▪ Landscaped spaces and deep soil areas</li> <li>▪ Common open space areas</li> <li>▪ 1 x 1b unit (adaptable)</li> <li>▪ 4 x 2br units (1 x adaptable)</li> <li>▪ Substation kiosk</li> </ul>
Level 01	<ul style="list-style-type: none"> <li>▪ Lift &amp; stair access via one lift core</li> <li>▪ 1 x 1br unit (adaptable)</li> <li>▪ 4 x 2br units</li> </ul>
Level 02	<ul style="list-style-type: none"> <li>▪ Lift &amp; stair access</li> <li>▪ 1 x 1br unit</li> <li>▪ 4 x 2br units</li> </ul>
Level 03	<ul style="list-style-type: none"> <li>▪ Lift &amp; stair access</li> <li>▪ 1 x 1br unit</li> <li>▪ 4 x 2br units</li> </ul>
Level 04	<ul style="list-style-type: none"> <li>▪ Lift &amp; stair access</li> <li>▪ 2 x 1br unit (plus study)</li> <li>▪ 2 x 2br units</li> </ul>
Level 05	<ul style="list-style-type: none"> <li>▪ Lift &amp; stair access</li> <li>▪ 3 x 1br units (plus study)</li> <li>▪ 1 x 3br unit (plus study)</li> </ul>
Level 06 (Roof)	<ul style="list-style-type: none"> <li>▪ Lift &amp; stair access</li> <li>▪ Common open space</li> <li>▪ Landscaping and bbq facilities</li> </ul>



[illegible]

SOURCE: MORFOSIS

FIGURE 3 | PROPOSED LEVEL 2



SOURCE: MORFOSIS

FIGURE 4 | INDICATIVE PERSPECTIVES



SOURCE: MORFOSIS

### 3.3 COLOURS AND MATERIALS

A Finishes Schedule has been prepared by Morfosis Architects and is submitted as part of the architectural package accompanying the DA (refer to submitted elevations). The external façade is composed of modest colours and materials that assist to articulate the building and will complement the emerging character of the area.



### 3.4 LANDSCAPING

Landscaping Plans have been prepared by Greenland Design and accompany this DA. Primary landscaped areas are located at Ground Level, around the perimeter of the centrally located building and at Level 06. This assists in softening the appearance of the residential flat building, while providing shade, privacy and amenity for occupants and contributing to the streetscape character.

### 3.5 VEHICLE ACCESS AND PARKING

Vehicle access and egress is provided via McKay Avenue at the western edge of the frontage, with separate pedestrian access points provided via the centre of the site. Ground level provides a vehicle access ramp to the lower basement levels. The proposal has 32 parking spaces provided across the two basement levels. Bicycle storage is also provided in the lower basement for 21 bicycles.

### 3.6 DESIGN INTENT

A Design Verification Statement, prepared by Morfosis Architects, accompanies the DA including a full assessment of compliance with the Apartment Design Guide.

## 4 ENVIRONMENTAL ASSESSMENT

### 4.1 ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2021

This report considers the environmental consequences of the development as required under Section 24 of the Environmental Planning & Assessment Regulation 2021 (the Regulations).

Any environmental impacts of the development have been identified through a review of applicable planning instruments as outlined below, review of the site and its surrounds and review of other related documents. Our assessment of the proposal, against the planning instruments guiding development, concludes that environmental impacts, as a result of the development, are minimal and satisfactory.

### 4.2 SEPP PROVISIONS

#### *STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022*

The proposed development is subject to the 'BASIX' provisions of the SB SEPP and submission requirements specified in the Regulation. Accordingly, the subject Development Application is accompanied by the relevant Certificates.

#### *STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE & HAZARDS) 2021*

In relation to development applications, Section 4.6 of Chapter 4 requires the consent authority to consider whether the land is contaminated, and if so, the consent authority must be satisfied the land will be suitable in its contaminated state, or will be suitable after remediation, for the purpose for which development is proposed.

Section 4.6(2) requires the consent authority before determining a DA that would involve a change of use on certain land (specified in sub clause (4)), to consider a report specifying the findings of a preliminary investigation of the land in accordance with the contaminated land planning guidelines.

In this instance, the land is unlikely to be contaminated and no preliminary investigation is triggered in this case given:

- The site is not within an investigation area or identified under the LEP as constituting contaminated land or land that must be subject to a site audit statement.
- The subject site and adjoining properties are not subject to a legal notice for a matter listed under Section 59(2) of the Contaminated Land Management Act 1997.

- There are no restrictions on the use of the site, or conditions attached to the previous consent for the residential use or recent adjoining applications.
- The site is not within an investigation area or contained land uses referred in Table 1 of the contaminated land planning guidelines.
- The site has been used for residential purposes, as has the surrounding area for a significant number of years.

Given the above factors, no further investigation of land contamination is warranted in this case. The site is suitable in its present state for the proposed development. Therefore, pursuant to the provisions of SEPP (Resilience and Hazards) 2021, Council can consent to the carrying out of development on the land.

#### *STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021*

SEPP (Housing) 2021 contains design quality principles, which must be incorporated into new or substantially altered existing Residential Apartment Developments (RADs). Clause 29 of the Regulations requires that Development Applications, for a RAD, are designed by a "qualified designer" and accompanied by a statement by the qualified designer verifying that the nine design quality principles have been incorporated in the Development Application and how the Objectives in Parts 3 and 4 of the Apartment Design Guide (ADG) have been achieved.

The proposal is consistent with the Objectives of SEPP Housing 2021; the design quality principles therein and with the relevant requirements of the ADG. The scheme has been designed by Morfosis Architects. The development is well-designed; will provide excellent amenity for future residents and will not diminish, to any unreasonable extent, the amenity of adjoining properties. The nine principles at Schedule 1 of SEPP Housing and the Objectives, Design Criteria and Design Guidance of the ADG, have been important guiding documents for the proposed development. Consistency with SEPP (Housing) 2021 and the ADG ensures that high quality urban design will be achieved.

#### Design Quality Principles

A Design Verification Statement prepared by Morfosis, accompanies the DA. The design quality statement provides a detailed assessment and analysis of the design quality and the design rationale of the proposal, prepared by a qualified designer, in accordance with Clause 29 of the Regulations.

#### Apartment Design Guide

Pursuant to the provisions of Clause 147 of SEPP (Housing) 2021, the ADG is to be taken into consideration in determining a Development Application to carry out works for a mixed-use development with residential component. The ADG has been considered in

the design of the proposal. A summary of compliance with the design criteria is provided in full with the Design Verification Statement.

#### Part 2 – Development for Affordable Housing

Part 2 of SEPP (Housing) 2021 aims to facilitate an increase in the amount and diversity of affordable housing in NSW by encouraging homeowners, social housing providers and developers to invest and create new affordable rental housing to meet the needs of the growing population and existing residents.

The proposed development has been assessed against the relevant development standards of Part 2 of SEPP Housing 2021. The results of the assessment are detailed in below and demonstrate a high level of compliance.

TABLE 3 | SEPP HOUSING 2021 – INFILL AFFORDABLE HOUSING COMPLIANCE

CLAUSE	PROPOSAL	COMPLIES
16 Development to which this Division Applies	The proposal is for a residential flat building within a R4 zone. The use is permissible in the Zone. Over 20% of the development is proposed as affordable housing.	Yes
	The site is within an 'accessible area', as it is within 400m of several bus stops that have regular services in accordance with the definition.	Yes
17 Floor Space Ratio (FSR)	The proposal adopts a permissible FSR of 1.65:1. This is based on a permissible FSR of 1.2:1 under LLEP 2008, plus the bonus (0.5:1) afforded under the Housing SEPP, resulting in a permissible FSR of 1.7:1.	Yes.
18 Non-discretionary development standards		
(2)(a) minimum site area of 450 square metres.	Site area of 1,365.8m <sup>2</sup> .	Yes.
(2)(c) at least 30% of the site area is to be landscaped.	34% proposed.	Yes.

CLAUSE	PROPOSAL	COMPLIES
(2)(d) deep soil zones on at least 15% of the site area, can support trees and has a minimum dimension of 3m. (where practical behind the building).	15% proposed with appropriate dimensions and location.	Yes.
2(e) living rooms and private open spaces for a minimum of 70 per cent of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.	85.71% proposed.	Yes.
(2) (g) at least 0.5 parking spaces are provided for each dwelling containing 1 bedroom, at least 1 parking space is provided for each dwelling containing 2 bedrooms and at least 1.5 parking spaces are provided for each dwelling containing 3 or more bedrooms.	Refer to the submitted Traffic Report. 25 spaces are required and 32 are proposed, including 4 visitor spaces.	Yes.
(2)(h) comply with dwelling size of the ADG.	All dwellings comply.	Yes.
20 Design Requirements	The proposal has been assessed against the ADG. Refer to submitted Design Verification Statement.	Yes.
21 Must be used for affordable housing for 15 years	Council may wish to impose suitable conditions of consent to ensure compliance with this Clause.	Yes.

## 4.3 LEP PROVISIONS

### LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008 (LLEP 2008)

LLEP 2008 is the relevant local planning instrument applicable to the site. The key development standards within LLEP 2008 are addressed below.

#### Definition

The proposal seeks consent for a *residential flat building*. LLEP 2008 defines this use as follows:

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

#### Land Use Zone

The site is located within the R4 High Density Residential Zone. Residential flat buildings are expressly permissible with consent within the R4 Zone.

The objectives of the R4 Zone are:

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

The proposed works will be consistent with the objectives of the R4 Zone as they will provide a permissible use on the site that integrates an appropriate density for the services and facilities that the area provides.

#### 4.3 Height of Buildings

The site is subject to a maximum building height of 18m under LLEP 2008. The proposal seeks a maximum height of 22.6m. This results in a maximum variation to the building height limit, predominantly for a lift overrun located centrally on the building and site, providing access to rooftop communal open space. This is a variation of 4.6m, equating

to a 25.55% variation. A lesser variation also occurs to the building façade. Accordingly, a Clause 4.6 variation is submitted under separate cover as part of this DA.

The variation is primarily a consequence of accommodating the incentive additional gross floor area, provided for the considerable quantum of affordable housing incorporated within the project. In retaining appropriate setbacks and residential amenity, the height of the building is marginally varied to accommodate the additional GFA without unreasonable impact and allowing rooftop open space.

The absence of environmental impacts resulting from the variation means strict adherence to the maximum building height standard is unreasonable and unnecessary in this instance. Refer to the Clause 4.6 Report submitted under separate cover for greater detail.

#### 4.4 Floor Space Ratio

The site is subject to a floor space ratio of 1.2:1. Given the site area of 1,365.8m<sup>2</sup>, this results in a maximum compliant Gross Floor Area of 1,638m<sup>2</sup>. As discussed above, the site is afforded additional FSR under SEPP (Housing) 2021, due to the provision of affordable housing as part of the development. This results in a maximum permissible FSR of 1.7 for the site. GFA Diagrams have been prepared by Morfosis and are included in the architectural package that accompany this DA. They demonstrate a compliant GFA of 2,233.6m<sup>2</sup> and FSR of 1.63:1.

## 4.4 DCP PROVISIONS

### LIVERPOOL DEVELOPMENT CONTROL PLAN 2008 (LDCP 2008)

LDCP 2008 provides further guidance and controls for specific development types and localities within the area. In this instance, the project is primarily guided by the aims and controls in Part 3.7, which relates to residential flat buildings in the R4 Zone.

Compliance with the relevant controls of LDCP 2008 is addressed in Appendix A of this SEE. The proposal is compliant and satisfactory with regard to the relevant objectives and controls of the LDCP 2008.

## 4.5 OTHER RELEVANT MATTERS

### ACCESS

An Access Assessment Report has been prepared by Loka Consulting Engineers and accompanies this DA. The Report assesses the design documentation against the relevant provisions and determines that subject to adoption of their recommendations, the proposal complies or is capable of complying with the requirements of AS4299 and will provide equitable and dignified access for all users of the building/facility



## GEOTECHNICAL

A report has been prepared by Geotechnique to provide detail on the aspects of the site and proposed development. This Report is submitted as part of this DA under separate cover.

## STORMWATER

Stormwater Plans have been prepared by Loka Consulting Engineers and accompany this DA. The plans demonstrate the ability of the proposed development and basement levels to adequately manage stormwater.

## TRAFFIC & PARKING

A Traffic Impact Assessment has been prepared by Loka Consulting Engineers and is submitted as part of this DA. The Assessment concludes that the proposal complies with the required provision of car parking and bicycle facilities. It also determines that traffic generation as a consequence of the proposed development is satisfactory, and will result in a change of approximately 7 additional trips per hour during peak hour from Monday to Friday.

## WASTE MANAGEMENT

A Waste Management Plan (WMP) has been prepared by Loka Consulting Engineers to establish the manner in which all waste and other materials resulting from the demolition, construction and on-going use of the building on the site are to be dealt with. The measures set out in the WMP demonstrate that all waste management activities can be carried out effectively and efficiently, in a healthy, safe and convenient manner, to acceptable community standards, and to the requirements of Liverpool City Council.

## GENERAL IMPACTS

General impacts to the built environment and social environments will be positive in light of the economic and social benefits associated with the proposal's construction and housing supply. The development has been well considered and designed to avoid unreasonable amenity impacts to adjoining properties and provide a high-quality, compatible presentation to the street. Natural environmental impacts will be within normal community expectations.

## 4.6 SUITABILITY OF THE SITE

The SEE has demonstrated in detail that the Site is suitable for the proposed development. In summary, suitability is achieved given:

- The proposed development is permissible and will meet the relevant Zone objectives.
- The development will respect the existing and desired future character of the immediate locality.
- Considerable compliance is achieved with the relevant non statutory controls, with both numerical and performance criteria being satisfied.
- Likely impacts from the proposal are reasonable and there are no prohibitive constraints posed by the Site or those adjacent.

## 4.7 SUBMISSIONS

Any submissions received through the public notification period can be considered by the Applicant.

## 4.8 THE PUBLIC INTEREST

The proposal is within the public interest for the following reasons:

- The proposal is an expressly permissible use in a convenient, central location for residents, workers and visitors.
- It is of a compatible character and in accordance with the envisaged future character of the area.
- The environmental and amenity impacts of the proposal are reasonable and within anticipated and satisfactory limits.

## 5 CONCLUSION

The Development Application is for the construction of a residential flat building comprising infill affordable housing. The immediate locality will provide services for residents and the area is undergoing a period of transition as the strategic intention for a denser, accessible residential locality is realised and the proposal will assist in achieving this vision.

The site is capable of accommodating the proposal and this SEE demonstrates the proposal is permissible with consent and satisfies the relevant statutory or non – statutory controls. The development will meaningfully add to the high-quality supply of housing in close proximity to transport and services. Accordingly, the development application warrants the support of Liverpool City Council.

## **APPENDIX A – LDCP 2008 COMPLIANCE**

## APPENDIX A: LDCP 2008 CONTROLS

Control	Comment	Complies
<b>PART 1 – GENERAL CONTROLS FOR ALL DEVELOPMENT</b>		
Section 2 – Tree Preservation	Removal of trees proposed to be replaced as per the submitted Landscape Plan prepared by Greenland Design.	Yes
Section 3. Landscaping and Incorporation of existing trees	Landscaping proposed is 34% of the Site area, which is greater than the ADG requirement.	Yes
Section 8. Erosion and Sediment Control	Erosion and Sediment Control Plan submitted as part of this DA.	Yes
Section 14. Demolition of Existing Development	Existing detached dwellings are to be demolished as part of this proposal.	Yes
<b>PART 3.7 – RESIDENTIAL FLAT BUILDINGS IN THE R4 ZONE</b>		
<i>Frontage and Site Area</i> <i>Minimum lot width – 24m</i>	Lot frontage of 37.53m	Yes
<b>Site Planning</b>		
<i>The building should relate to the site's topography with minimal earthworks, except for basement car parking.</i>	The proposal has two levels of basement parking however is otherwise generally built to natural ground level and is consistent with the topography.	Yes
<i>Siting of buildings should provide usable and efficient spaces, with consideration given to energy efficiency in the building design</i>	The proposal is located centrally on the site and is oriented to the street frontage. The proposal appropriately locates spaces and access to improve energy efficiency.	Yes
<i>Site layout should provide safe pedestrian, cycle and vehicle access to and from the street.</i>	The proposal provides three separate pedestrian entries and a well identified and compliant vehicle access to McKay Avenue.	Yes
<i>Siting of buildings should be sympathetic to surrounding development, taking specific account of the streetscape in terms of scale, bulk, setbacks, materials and visual amenity.</i>	The proposal is of similar siting and scale relative to approved and proposed developments within the immediate locality, that reflect the strategic intention for an uplift in residential density.	Yes
<i>Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water</i>	Refer to submitted stormwater plans demonstrating the ability to manage stormwater.	Yes

<i>satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate.</i>		
<i>The development will need to satisfy the requirements of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.</i>	Refer to Design Verification Statement and ADG Compliance summary prepared by Morfosis Architects and submitted as part of this DA.	Yes
<b>Setbacks</b>		
<i>Front Setback – 5.5m Verandahs, eaves and other sun control devices may encroach on the front and secondary setback by up to 1m.</i>	5.5m setback achieved – refer to floor plans highlighting setback requirements. Very minor encroachments due to articulation and angled frontage of the site.	Yes – satisfactory.
<i>Side and rear boundaries: Side boundary &lt; 10m – 3m Side boundary &gt; 10m – 8m Rear Boundary – 8m</i>	Side boundaries of 6m provided for first 4 storeys, then increased to 9m in accordance with the ADG. Minor variation at Level 3, above 10m, however setback at lower levels is twice that required and it remains ADG compliant.  Rear setback of 8m achieved. Very minor encroachments for unit corners on angled site (refer to plans). The design has been reviewed by Liverpool's Design Excellence Panel.	Yes
<i>Consideration will need to be given to existing and approved setbacks of residential flat buildings on adjoining buildings.</i>	The proposal is consistent with similar approved setbacks, which equally reflect the ADG.	Yes
<b>Landscaped Area and Private Open Space</b>		
<i>A minimum of 25% of the site area shall be landscaped area.</i>	34% proposed	Yes
<i>A minimum of 50% of the front setback area shall be landscaped area.</i>	Achieved – refer to plans demonstrating landscaping with the exception of the driveway and substation easement.	Yes
<i>Optimise the provision of consolidated landscaped area within a site.</i>	Landscaping is largely consolidated around the perimeter with generous proportions.	Yes

<i>Promote landscape health by supporting for a rich variety of vegetation type and size.</i>	Refer to Landscape Plans and planting schedule.	Yes
<i>Increase the permeability of paved areas by limiting the area of paving and/or using pervious paving materials.</i>	Impervious materials are limited where possible.	Yes
<i>Provide communal open space, which is appropriate and relevant to the context and the building's setting.</i>	Compliant communal open space areas are provided in appropriate locations.	Yes
<i>Where communal open space is provided, facilitate its use for the desired range of activities</i>	Facilities are provided for recreation and communal cooking in a landscaped setting.	Yes
<i>Locate open space to increase the potential for residential amenity.</i>	Communal open space is provided at roof level and is appropriately separate from the residential units.	Yes
<i>Private open space shall be provided as follows:</i> - 10m <sup>2</sup> for a dwelling size less than 65m <sup>2</sup> - 12m <sup>2</sup> for a dwelling size over 65m <sup>2</sup>	Compliance with ADG minimum is achieved.	Yes
<i>Private open space may be provided as a courtyard for ground floor dwellings or as balconies for dwellings above the ground floor.</i>	Noted and achieved.	Yes
<i>Private open space areas should be an extension of indoor living areas and be functional in size to accommodate seating and the like.</i>	All balconies are located off living areas.	Yes
<i>Private open space should be clearly defined for private use.</i>	Private open spaces are identifiably private.	Yes
<b>Building Design, Streetscape and Layout</b>		
<i>Refer to the Liverpool LEP 2008 for the maximum Building Height in the R4 zone.</i>	18m required. 22.6m proposed. Refer to Clause 4.6 Report submitted, justifying the height variation.	No - Satisfactory
<i>Residential Flat Buildings to comply with SEPP 65 and the ADG.</i>	Refer to Design Verification Statement and ADG Compliance summary prepared by Morfosis Architects and submitted as part of this DA.	Yes
<i>Building facades shall be articulated and roof form is to be varied to provide visual variety.</i>	The proposed design has significantly articulated facades, with deep recesses within the elevations and use of varied materials and colours.	Yes



<i>The pedestrian entrance to the building shall be emphasised.</i>	The main entrance is located centrally and easily identifiable.	Yes
<i>A sidewall must be articulated if the wall has a continuous length of over 14m.</i>	All walls are articulated wo break up wall length – refer to submitted plans.	Yes
<i>Where possible vehicular entrances to the basement car parking shall be from the side of the building.</i>	Vehicle access is provided via a ramp to basement levels on the western side of the proposed development.	Yes
<i>Driveway walls adjacent to the entrance of a basement carpark are to be treated so that their appearance is consistent with the basement or podium walls.</i>	Noted and can comply.	Yes
<i>Balcony objectives:</i> <i>a) To ensure that balconies contribute positively to the façade of a building.</i> <i>b) To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for dwelling residents.</i> <i>c) To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.</i> <i>d) To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.</i>	Balconies are appropriately located and complement the overall design of the building. They are located off living areas in each dwelling and are oriented to provide passive surveillance. The balconies do not overly protrude from the façade and allow a good balance of protection from the elements while retaining solar access to lower levels.	Yes
<i>Daylight Access objectives:</i> <i>a) To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.</i> <i>b) To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.</i> <i>c) To provide residents with the ability to adjust the quantity of daylight to suit their needs.</i>	The orientation and layout of the design achieves solar access to habitable rooms. Refer to the solar access study within the architectural plans, demonstrating compliance with both the ADG and the provisions of the Housing SEPP. Solar access is also provided to Communal Open Space, which incorporates appropriate landscaping and shading where required.	Yes
<i>Internal Design objective:</i> <i>To ensure that the internal design of</i>	The internal layout of the design provides good amenity for occupants and ensures overlooking and privacy impacts are minimised. Natural ventilation is considered throughout	Yes

<i>buildings provide a pleasant environment for the occupants and residents of adjoining properties.</i>	the building and rooms of similar uses are co-located.	
<p><i>Ground Floor Dwelling objectives:</i></p> <p><i>a) To contribute to the desired streetscape of an area and to create active safe streets.</i></p> <p><i>b) To increase the housing and lifestyle choices available in dwelling buildings.</i></p>	Proposed landscaping to the street frontage balances privacy and streetscape character with the ability to interact with the street. Several pedestrian entrances are provided from the frontage and two of the dwellings on Ground Level are adaptable design.	Yes
<p><i>Security objectives:</i></p> <p><i>a) To ensure that buildings are orientated to allow surveillance from the street and adjoining buildings.</i></p> <p><i>b) To ensure that entrances to buildings are clearly visible and easy to locate in order to minimise the opportunities for intruders.</i></p> <p><i>c) To ensure buildings are safe and secure for residents and visitors.</i></p> <p><i>d) To contribute to the safety of the public domain.</i></p>	The proposal is oriented to the street frontage, with access from an identifiable entry that is central to the site. Sight lines to the lift and residential lobby are available from the front of the development. Parking within the basement levels is secure. Distances between balconies and adjoining properties are significant.	Yes
<p><i>Natural ventilation objectives:</i></p> <p><i>a) To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.</i></p> <p><i>b) To provide natural ventilation in non-habitable rooms, where possible.</i></p> <p><i>c) To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.</i></p>	A ventilation study has is incorporated within the Architectural Plans and demonstrates that >85% of units receive cross ventilation (24/28 units). All units have access to fresh air from habitable rooms.	Yes
<p><i>Building Layout objectives:</i></p> <p><i>a) To provide variety in appearance.</i></p> <p><i>b) To provide increasing privacy between dwellings within the building.</i></p> <p><i>c) To assist with flow through ventilation.</i></p> <p><i>d) To improve solar access.</i></p>	The building has been designed with a variety of unit layouts, dwelling mix and provision of adaptable units. The overall building has significant articulation and cross ventilation and is oriented for good solar access. Refer to the submitted Design Verification Statement for more detail.	Yes
<i>A secure storage space is to be</i>	Achieved – refer to architectural plans, Design Verification Statement	Yes

<i>provided for each dwelling with a minimum volume of 8m<sup>3</sup> (minimum dimension 1m<sup>2</sup>). This must be set aside exclusively for storage as part of the basement or garage.</i>	and ADG Compliance summary.	
<i>Storage areas must be adequately lit and secure. Particular attention must be given to security of basement and garage storage areas.</i>	Storage areas are illuminated, and the basement is secured by a secured roller door.	
<b>Car Parking and Access</b>		
<i>Visitor car parking shall be clearly identified and may not be stacked car parking.</i>	Noted and will comply. Parking is not stacked.	Yes
<i>Visitor car parking shall be located between any roller shutter door and the front boundary.</i>	Visitor parking is provided within the basement levels behind the roller shutter. Notwithstanding, visitor parking remains secure and easy to facilitate. It is noted that the proposal is not required to provide any visitor car spaces.	No - satisfactory.
<i>Pedestrian and driveways shall be separated.</i>	Pedestrian access and driveways are separate.	
<i>Driveways shall be designed to accommodate removalist vehicles.</i>	Refer to Traffic and Parking Report.	
<i>Give preference to underground parking.</i>	Basement parking is provided.	
<i>Pedestrian access objectives: a) To promote residential flat development that is well connected to the street and contributes to the accessibility of the public domain. b) To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their dwelling and use communal areas via minimum grade ramps, paths, access ways or lifts.</i>	The proposal incorporates numerous pedestrian access and egress points and has accessible means of accommodating strollers and wheelchairs (refer to Access Report). The basement incorporates significant bicycle parking and storage areas.	Yes
<b>Amenity and Environmental Impact</b>		
<i>Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least: - One living, rumpus room or the like; - 50% of the private open space</i>	The building primarily overshadows McKay Avenue to the south and adjoining properties retain three hours of sunlight at winter solstice.	Yes

<i>Building siting, window location, balconies and fencing should take account of the importance of the privacy of onsite and adjoining buildings and outdoor spaces.</i>	Privacy is adequately considered within the site and for adjoining properties.	Yes
<i>Windows to habitable rooms should be located so they do not overlook such windows in adjoining properties, other dwellings within the development or areas of private open space.</i>	The design incorporates the balconies to the front and rear of the building. Considerable setbacks are provided that are compliant with the ADG and windows do not unreasonably impact on adjoining properties or private open space.	Yes
<i>Acoustic Impact objective: To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings.</i>	The proposal incorporates considerable setbacks from boundaries and locates uses appropriately to mitigate potential acoustic impacts.	Yes
<i>Site Service objectives: a) To ensure that the required services are provided. b) To ensure that the services provided are easily protected or maintained.</i>	All required services to the site will be available.	Yes