

Addendum Statement of Environmental Effects DA - 822/2020

167 Northumberland Street, Liverpool

Mixed Use Development

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1 Introduction

This addendum Statement of Environmental Effects (SEE) has been prepared by Karimbla Construction Services (NSW) Pty Ltd in support of Mixed-Use Development Application (DA822/2020) at 167 Northumberland Street, Liverpool to provide an additional level of basement car parking to better supply spaces for future land uses permitted within the Liverpool LEP 2008

In response to the matters raised by Council, we are formally seeking to amend DA822/2020 in accordance with Clause 55 of the *Environmental Planning and Assessment Regulations 2000*. The objective of the DA remains to redevelop the site for the purpose of a mixed-use development incorporating serviced apartments, child care centre, commercial and retail land uses, basement car parking and servicing.

The amended scheme addresses this issue by providing an extra level of basement parking, which will accommodate an additional 32 car parking spaces within the development that will be allocated for the serviced apartment use.

This amended DA presents an improved proposal than previously submitted and reaffirms the application's consistency and compliance with the relevant Environmental Planning Instruments and Policies, specifically Clause 7.3 of the Liverpool Local Environmental Plan 2008. This application provides Council with sufficient information and certainty to support approval of the application subject to relevant conditions of consent.

This addendum SEE is accompanied by a range of revised plans and reports prepared by specialist consultants. These address the key issues and impacts associated with the amended development, and includes the following documentation:

- Revised Architectural Plans prepared by PTW
- Revised Clause 4.6 prepared by Urbis
- Revised Traffic Report prepared by ARUP
- Revised Accessibility Design Review by ABE Consulting
- Sustainability Statement by Efficient Living
- Environmental Wind Tunnel Study by SLR
- Civil Report by AT&L

2 Amended Development Application

This section summarises the amendments to the proposal under DA822/2020 in accordance with Clause 55 of the Regulations.

2.1 Summary of Changes – DA822/2020

The follow amendments are proposed to the detailed design and works sought under DA822/2020 (as amended by the revised plans and supporting documentation):

- Provision of an additional basement (32 extra car parking spaces) as required by Council to reduce the parking shortfall;

2.2 Comparison of Original and Amended Scheme

As shown in **Figures 1** and **2** below illustrate, an additional basement level that will accommodate an additional 32 car parking spaces. **Figure 3** shows the layout of the additional basement level.

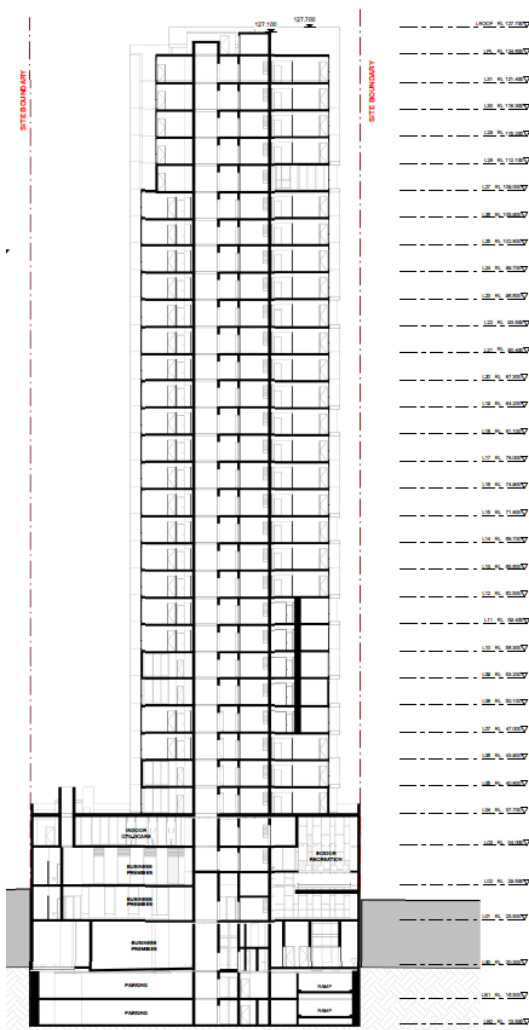


Figure 1: Original North – South Elevations

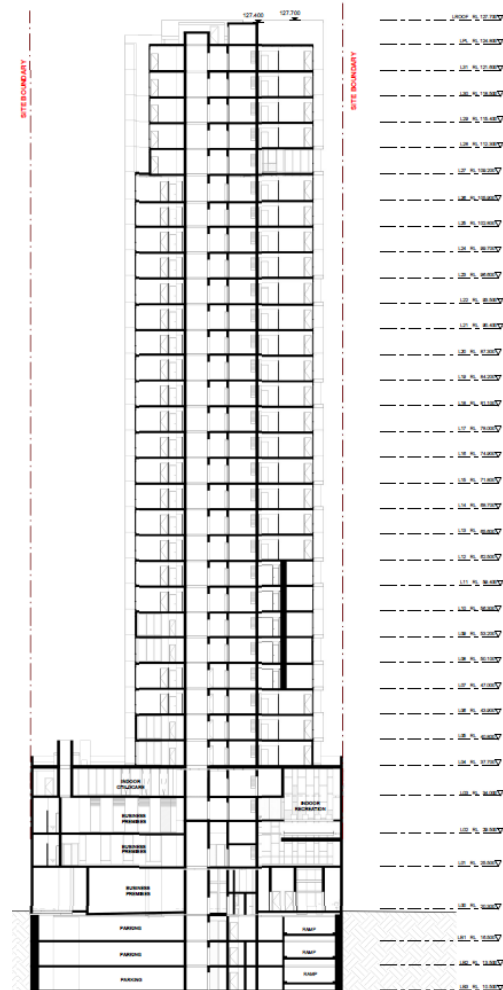


Figure 2: Revised North – South Elevations

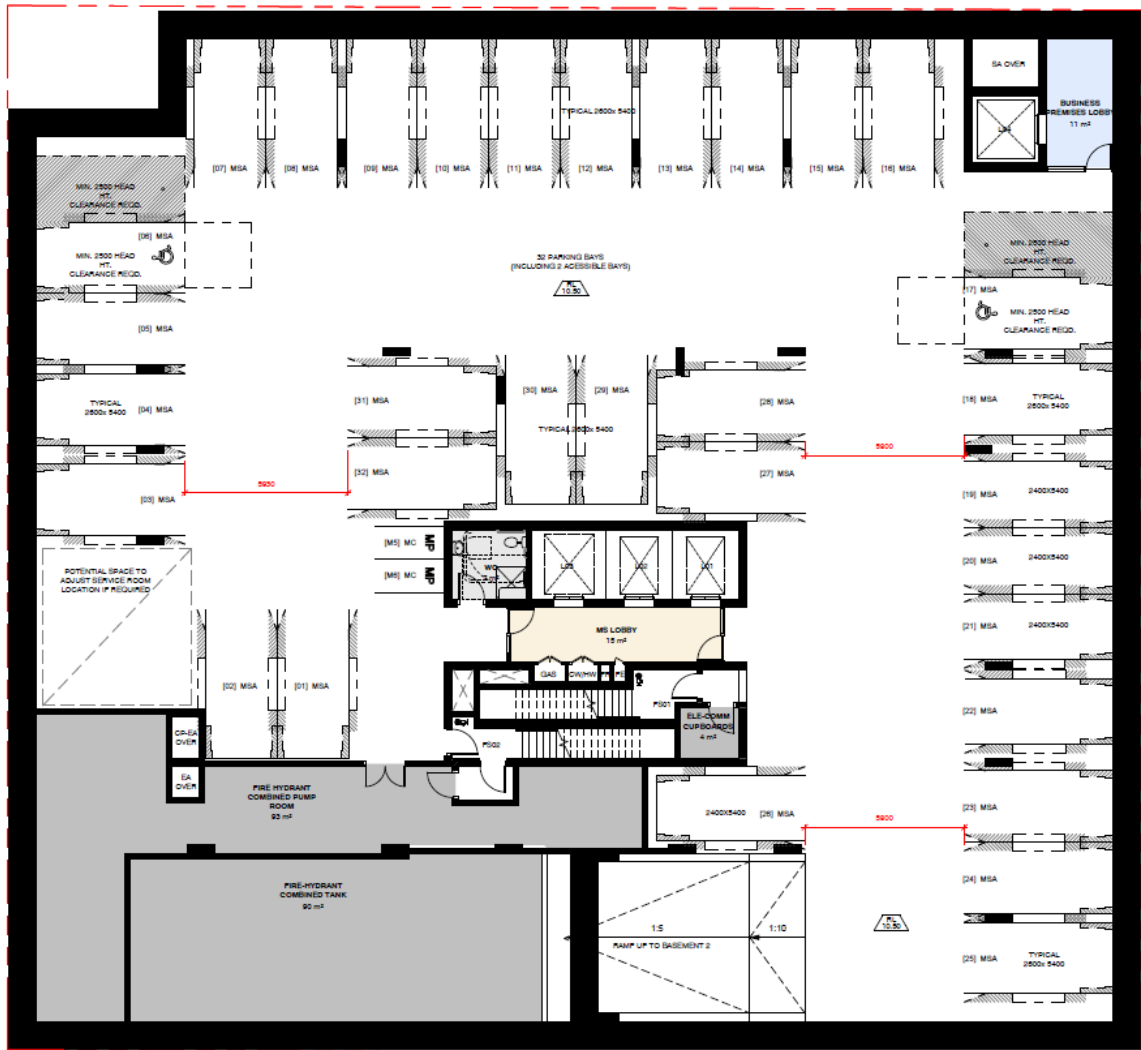


Figure 3: Proposed New Basement Level

2.3 Revised Development Description – DA822/2020

Development Application DA822/2020 is seeking development consent for a new mixed-use development at 167 Northumberland Street, incorporating a 32-storey tower with 3 levels of basement parking, retail/commercial floorspace and serviced apartments.

Table 1 Key Numerical Summary of Amended Proposal

Component	Amended Proposal
Site Area	1,565 m ²
Maximum Building height	32 Storeys 130m RL
Total GFA	15,650 m ²
- Serviced Apartments	12,520 m ²
- Child Care	1,087 m ²
- Commercial/Indoor recreational Uses	2,319 m ²
- Retail	282 m ²
- Indoor Recreation	442 m ²
Floor Space Ratio	10:1
Serviced Apartments	
- Studio	28
- 1 Bedroom	79
- 2 Bedroom	46
- 3 Bedroom	10
Car Parking	3 Levels of Basement
- Serviced apartments	69
- Commercial	15
- Retail	3
- Child Care	7
Total	94
Loading Bay	2 (SRV and MRV)
Bicycle Parking	40

3 Environmental Planning Assessment

The additional basement level in the Mixed-Use Development Application is to be assessed against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) below.

3.1 Section 4.15(1)(a)(i): Environmental Planning Instruments

3.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP55 requires the consent authority to consider the likelihood that the site has previously been contaminated and to address any necessary remediation of land.

The risks associated with potential contamination have been thoroughly assessed and satisfied under DA-222/2020. The Detailed Site Investigation approved as part of the Development Application confirms that all necessary site remediation has been undertaken, therefore it is considered that the site is suitable for the proposed modifications.

A Contamination Statement and Geotechnical Statement has been provided by Douglas Partners as part of DA-222/2020/A. The statements confirm that no groundwater contamination has been identified at the site. As such, the site is suitable for the proposed third basement level.

3.1.2 Liverpool Local Environmental Plan 2008

The subject site, to which the development applies is zoned B4 Mixed Use, the changes to the original proposal maintains the land use permissibility set out in the B4 Mixed Use zone.

The proposed changes to the development description continue to be consistent with the objectives of the B4 zone in that they provide opportunities for a mixture of uses on site including retail, recreation facility (indoor), a childcare centre and serviced apartments with commercial.

The other provisions of the LEP relevant to the proposed changes are addressed below.

3.1.2.1 Clause 7.3 Car Parking

Clause 7.3 of the Liverpool Local Environmental Plan 2008 (LLEP) stipulates car parking requirements for developments within the Liverpool City Centre that are zoned either Zone B3 Commercial Core or B4 Mixed Use.

This clause is outlined below and provides the requirements for the ground floor level, retail and other uses (commercial and childcare).

- *Clause 2 (a) – at least one car parking space is provided for every 200m² of any new gross floor area that is on the ground floor level of the building;*

In respect to any other part of the building –

- Clause 2 (b)(i) – at least one car parking space for every 100m² of any new gross floor area that is to be used for the purposes of retail premises, and
- Clause 2(b)(ii) – at least one car parking space for every 150m² of any new gross floor area that is to be used for any other purpose.

Furthermore, Clause (3) of this section (of the LLEP) states that ‘development consent may be granted to a development with less or no on-site car parking if the consent authority is satisfied that the provision of car parking on-site is not feasible.’

A summary of the revised car parking rates and provision is outlined in **Table 2** below:

Type	No/GFA*	Car Parking Rate	Spaces Required	Spaces Previously Provided	Spaces Provided
Ground floor requirements (LLEP Clause 7.3 2(a))					
Serviced Apartments	237m ²	1 space for each 200m ² GFA	1	0	1
Retail***	282m ²		2	3	3
Commercial	171m ²		1	0	1
Other building requirements (LLEP Clause 7.3 2(b))					
Serviced Apartments	12,283m ²	1 space for each 150m ² GFA	82	38	68
Commercial	2,149 m ²	1 space for each 150 m ² GFA	14	14	14
Child Care	528m ²	1 space for each 150m ² GFA	4	7	7
Total (excludes service vehicle spaces)			104	62	94

* The no./ GFA has been based on drawing DA-00-0000, revision D provided for DA822/2020.

** The fraction will be rounded up to the nearest whole space.

*** The entire retail premises floor area is accounted for on the ground floor level.

The proposal is zoned B4 Mixed use and involves the provision of an additional basement level which will accommodate an additional 32 car parking spaces. The proposed changes ensure that an appropriate level of on-site car parking is provided to cater for the users of the future mixed-use development.

Given the subject site is not for residential purposes, there will be less demand for vehicular trips to the site with an expected 60% occupancy rate. Therefore, a shortfall of 10 spaces in the serviced apartments development, equivalent to a variation of 12% is more than adequate and can be approved on merit.

A revised Clause 4.6 variation supporting the variation is provided to Council. Refer to **Annexure 2**.

There are no other clauses of the LEP that are particularly relevant in the assessment of the proposal.

3.2 Section 4.15(1)(a)(ii): Draft Environmental Planning Instruments

There are no draft environmental planning instruments that apply to the subject site.

3.3 Section 4.15(1)(a)(iii): Development Control Plans

3.3.1 Liverpool Development Control Plan 2008

Liverpool Development Control Plan 2008 applies to the subject site.

Section 4.4.2 of the Liverpool Development Control Plan 2008 specifies that Parking requirements for buildings on land zoned B3 — Commercial Core B4 — Mixed Use within Liverpool city centre are detailed in clause 7.3 of LLEP 2008.

This has been addressed in Section 4.1.2 of this Statement.

3.4 Section 4.15(1)(a)(iiia): Planning Agreements

Not applicable.

3.5 Section 4.15(1)(a)(iv): Regulations

The Development Application has been made in accordance with the requirements contained in Clause 50(1A) of the *Environmental Planning and Assessment Regulation 2000*.

3.6 Section 4.15(1)(b): Likely Impacts

The amended scheme will result in positive impacts on the future mixed-use development as it will assist in reducing parking congestion in the area surrounding the development without adding to the bulk and scale of the development.

3.7 Section 4.15(1)(c): Suitability of the Site

There are no environmental constraints on the site that would impede the proposal or render it unsuitable for the site.

3.8 Section 4.15(1)(d): Submissions

The amended proposal has been informed by and responds to the issues raised by members of the community, Council and the Panel during the assessment and public exhibition of D/822/2020.

3.9 Section 4.15(1)(e): The Public Interest

The proposal will have no detrimental impact on the public interest.

It is in the public interest to facilitate the redevelopment of the site as it provides a high-quality mixed-use development within close proximity to employment opportunities, housing and public transport. Importantly, the proposal provides much needed short-term stay accommodation for visitors, tourists and workers to the growing region of Liverpool and Greater Western Sydney.

The provision of an additional basement level in the revised scheme will assist in reducing parking congestion in the area surrounding the development and will ensure that an appropriate level of on-site car parking is provided to cater for the users of the future mixed-use development.

4 Conclusion

This addendum SEE supports DA822/2020 to provide an additional level of basement car parking to better supply spaces for future land uses permitted within the Liverpool LEP 2008.

Following a review of the relevant planning controls, it is concluded that the additional basement level is an appropriate and compatible form of development when assessed under headings of consideration of *Section 4.15* of the *Environmental Planning and Assessment Act 1979*, *Liverpool Local Environmental Plan 2008* and *Liverpool Development Control Plan 2008*

Having considered all the relevant matters, we conclude that the additional level of basement parking represents an appropriate development outcome that continues to strengthen and contribute to the locality, and it is recommended the approval of the Mixed-Use Development application, subject to necessary, relevant and appropriate conditions.

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