

Addendum Statement of Environmental Effects DA - 82/2020

167 Northumberland Street, Liverpool Concept Development Application

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Contents

1	Introduction	1
2	Amended Development Application	2
2.1	Summary of Changes – DA822/2020	2
2.2	Comparison of Original and Amended Scheme	2
2.3	Revised Development Description – DA82/2020.....	4
3	Environmental Planning Assessment.....	5
3.1	Section 4.15(1)(a)(i): Environmental Planning Instruments.....	5
3.1.1	State Environmental Planning Policy No. 55 – Remediation of Land	5
3.1.2	Liverpool Local Environmental Plan 2008.....	5
3.2	Section 4.15(1)(a)(ii): Draft Environmental Planning Instruments	7
3.3	Section 4.15(1)(a)(iii): Development Control Plans.....	7
3.3.1	Liverpool Development Control Plan 2008	7
3.4	Section 4.15(1)(a)(iiia): Planning Agreements.....	7
3.5	Section 4.15(1)(a)(iv): Regulations	7
3.6	Section 4.15(1)(b): Likely Impacts	7
3.7	Section 4.15(1)(c): Suitability of the Site.....	7
3.8	Section 4.15(1)(d): Submissions.....	7
3.9	Section 4.15(1)(e): The Public Interest	7
4	Conclusion.....	8

Annexure 1: Revised Concept Plans

Annexure 2: Revised Traffic Report

Annexure 3: Revised Civil Report

Annexure 4: Revised Wind Report

1 Introduction

This addendum Statement of Environmental Effects (SEE) has been prepared by Karimbla Construction Services (NSW) Pty Ltd in support of Concept Development Application (DA82/2020) 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 DA82/2020 in accordance with Clause 55 of the *Environmental Planning and Assessment Regulations 2000*. The Concept Development Application continues to define the building envelopes for the future redevelopment of the site that will accommodate serviced apartments, child care centre, commercial and retail land uses and basement car parking.

The concept plan incorporates a minor adjustment to the building envelope by providing an extra level of basement parking, which will accommodate an additional 32 car parking spaces for the future mixed-use development.

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. 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 revised section plans the highlights the additional basement level. No other documentation is required to be amended.

2 Amended Development Application

This section summarises the amendments to the proposal under DA82/2020 in accordance with Clause 55 of the Regulations.

2.1 Summary of Changes – DA822/2020

The follow amendments are proposed to the proposed concept design sought under DA82/2020 (as amended by the revised plans):

- 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

Figures 1 and 2 below illustrates an additional basement level that will accommodate an additional 32 car parking spaces within the concept plan. Figure 3 on the following page shows the proposed layout of the third level that forms part of the Stage 2 DA 822/2020.

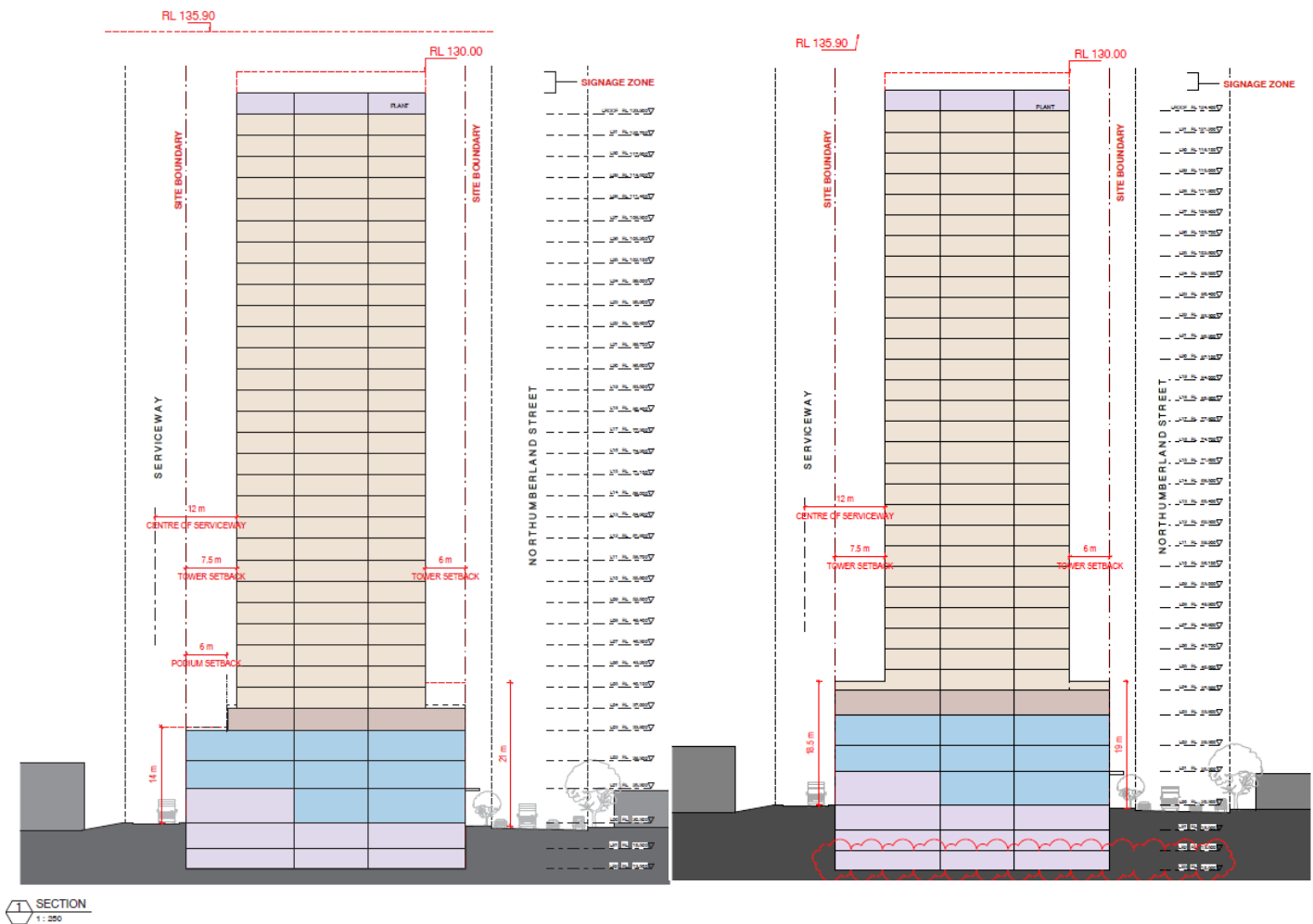


Figure 1: Original Section

Figure 2: Revised Section

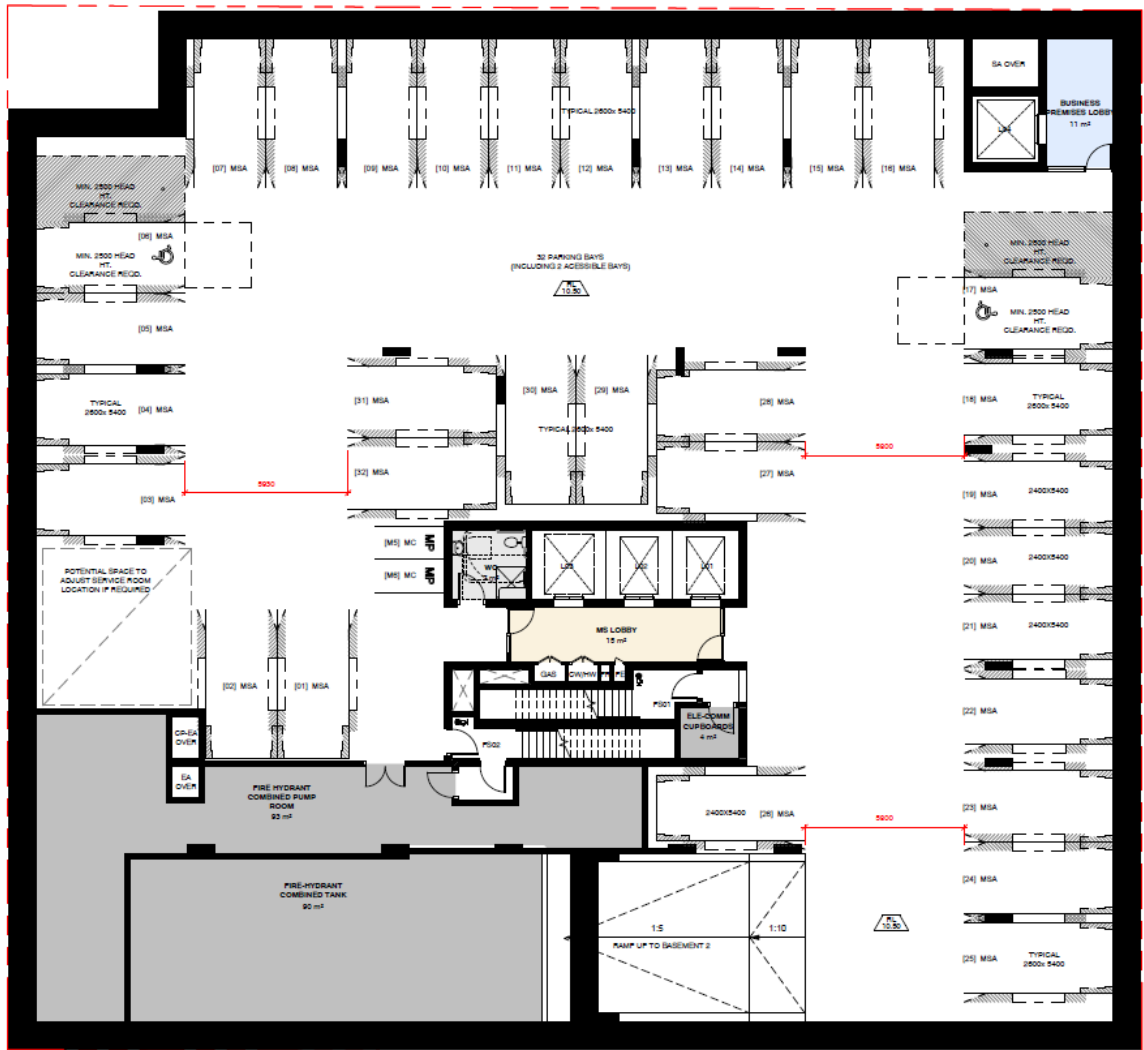


Figure 3: Proposed New Basement Level (DA822/2020)

2.3 Revised Development Description – DA82/2020

The Stage 1 Concept DA seeks to establish building envelopes for the future development of the site for mixed use purposes, 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
Car Parking	3 Levels of Basement
Land Uses	Serviced Apartments Commercial Retail Child Care Centre Recreational Facility (Indoor)

3 Environmental Planning Assessment

The additional basement level in the Concept Plan 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 additional basement level to the building envelope maintains the land use permissibility set out in the B4 Mixed Use zone.

The additional basement level to the development description continues to be consistent with the objectives of the B4 zone. An improved supply of carparking spaces is made available to the mix of uses permissible in the B4 zone.

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 relevant provisions within Clause 7.3 for the additional basement level is outlined below.

- *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 required car parking rates and provision additional car spaces that can be contained in the amended building envelope is outlined in **Table 2** below:

Table 2 – Revised Car Parking

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. The proposed changes are reflected in the updated Traffic Impact Assessment Report at **Annexure 2**.

There are no other clauses of the LEP that are particularly relevant in the assessment of the additional basement level.

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 or additional basement car park.

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

3.3.1 Liverpool Development Control Plan 2008

Section 4.23 of the EP&A Act states that if an environmental planning instrument requires the preparation of a DCP before any development is carried out on a site, that obligation may be satisfied by the making and approval of a Concept DA.

The additional basement level in the Concept DA remains consistent with Clause 4.23 of the EP&A Act.

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

The additional basement level does not generate the requirement for a Planning Agreement.

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

This addendum to the Concept 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 additional basement in the proposed building envelope will result in positive impacts on the future land uses by increasing the car parking supply more closely aligned to the car parking rates in the Liverpool LEP 2008. There is no 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 additional basement level. To the contrary, the additional basement will create a positive impact by increasing the supply of car parking spaces by 32.

3.8 Section 4.15(1)(d): Submissions

Should Council consider the application requiring public notification, any submissions received for the additional basement level will be considered by Council.

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

The additional basement level will have a positive contribution to the public interest by increasing the car parking supply and taking demand for car parking spaces off the road network.

The provision of an additional basement level will ensure that an appropriate level of on-site car parking is provided to cater for future land uses.

4 Conclusion

This addendum SEE supports DA82/2020 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 Concept Development application, subject to necessary, relevant and appropriate conditions.

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