

Planning Services Plan Finalisation Report

Local Government Area: Liverpool

File Number: IRF17/73

1. NAME OF DRAFT LEP

Liverpool Local Environmental Plan 2008 Amendment No.52 (draft LEP).

2. SITE DESCRIPTION

The planning proposal applies to multiple sites within the Liverpool Central Business District (CBD), (the site) as illustrated in Figure 1.



Figure 1: The Subject Site (shaded blue)

3. PURPOSE OF PLAN

The current zoning and development controls applying to Liverpool CBD which have been in place since 2008 do not encourage residential development within the CBD. City of Liverpool Council prepared a planning proposal for the CBD which will facilitate approximately 10,000 dwellings and approximately 22,000 jobs within the Liverpool City Centre.

The draft LEP aims to reinvigorate Liverpool CBD and seeks to:

- rezone approximately 25ha of land within the Liverpool City Centre from B3 Commercial Core to B4 Mixed Use zone, except for a few government sites (Liverpool civic buildings and Public School) and a site at 77 – 83 Moore Street and 193 Macquarie Street, Liverpool. Noting that a number of sites within the City Centre will retain a B3 Commercial Core zoning;
- change land use controls shown on a map to both existing and proposed B4 Mixed Use zone with development to be controlled through:
 - built form;
 - minimum lot size;
 - minimum frontage and frontage type; and
 - minimum commercial Floor Space Ratio (FSR);
- allow for greater development potential and increased heights on larger opportunity sites that satisfy a range of criteria and can contribute to the public domain, facilities or amenity;
- removal of existing key sites and related controls within the City Centre.

Precincts

Council's planning proposal identifies three character precincts known as Area 7, Area 8 and Area 9 based on ownership pattern, subdivision pattern, street block patterns and the role of the street and public domain.

The planning proposal is to:

- enable individual owners to develop sites without amalgamation;
- improve access to and connectivity within the Liverpool City Centre;
- remove car parking requirements from development, where appropriate; and
- develop built form controls for each precinct.

The three character areas were originally defined by the planning proposal as (Figure 2):

- Area 7 (Fine Grain) sites along Macquarie Street Mall have average lot sizes of 200sqm to 500sqm area. Car parking will not be required;
- Area 8 (Mid Rise Precinct) is the outer area adjoining Area 7 and includes the existing and proposed B4 zoned areas.; and
- Area 9 (Long Term Civic) sites includes Liverpool railway station/bus interchange site, public school and the Liverpool Hospital Precinct.

During finalisation of the planning proposal an additional precinct (Area 10) was added to clearly reflect the proposed changes to land use and development controls in the CBD (Figure 2). This does not change the intent of the planning proposal. Area 10 includes the

retained B3 Commercial Core zone (Liverpool Public School, civic buildings and Westfield shopping centre). While no change to the zoning is proposed for this area, the proposed incentive provisions, as described below, will apply.

A site plan showing the CBD area and the four Precincts is illustrated in Figure 2 and is provided in **Attachment F** and these Precincts are identified on the FSR maps.



Figure 2: Areas 7, 8, 9 and 10

Incentive Provisions

Two incentive provisions are proposed to allow flexibility for intensive development on larger and more accessible sites and for those developments which can meet the criteria identified in the LEP provisions. These provisions include the existing clause 4.4 and a new clause 7.5A.

The existing Clause 4.4, applies to the B3 zone and provides incentives to allow for greater FSR than the maximum identified within Area 10, if the consent authority is satisfied that the site area is greater than 1,000sqm. This clause will continue to apply to the B3 zoned land and includes land not covered by this LEP amendment.

The proposed clause 7.5A applies to sites that are larger than 1,500sqm, with two or more street frontages in Areas 8, 9 and 10. This clause also provides incentives for development which can meet the criteria identified in the clause.

It is noted that either clause 4.4 or 7.5A could apply to a development, not both concurrently. Changes to the existing LEP controls are summarised in the Table 1 and in more detail below.

Area	Zoning	Base FSR	Bonus FSR	Base Height	Bonus Height
Area 7					
Existing	B3 Commercial Core	3:1 and 4:1	NA	18m, 28m and 35m	NA
Proposed	B4 Mixed Use	2.5	N/A	21m	NA
Area 8					
Existing	Part B3 Commercial Core	2.5:1, 4:1 and 5:1	4:1, 5:1 and 8:1	18m, 35m, 45m and 100m	NA
	Part B4 Mixed Use	2.5:1	NA	80m	NA
Proposed	B4 Mixed Use	3:1	10:1	28m	No maximum
Area 9					
Existing	Part B3 Commercial Core	2.5:1	6:1	45m	NA
	Part SP2 Infrastructure (Health services facility and Educational establishments)	2.5:1	NA	35m	NA
Proposed	Part B4	2.5:1	7:1	21m	No Maximum
	Part SP2	2.5:1	7:1	35m	No Maximum
Area 10					
Existing	Part B3	5:1	8:1	100m	NA

	Commercial Core – Civic Sites				
	B3 Commercial Core zone - Westfield	4:1	5:1	35m	NA
Proposed	Part B3 Commercial Core – Civic Sites	5:1	10:1	100m	No maximum
	B3 Commercial Core zone - Westfield	4:1	10:1	35m	No maximum

Table 1: Existing and proposed planning controls

Proposed Clauses

Clause 7.2 Sun Access in Liverpool city centre:

Clause 7.2(4) of LLEP 2008, Sun Access in Liverpool City Centre is amended to allow 21m street wall height at 4m setback of the public right of way on either side of Macquarie Street, between Elizabeth Street and Memorial Avenue except for the most southern 60m of Macquarie Street.

Clause 7.5A Additional provisions for Liverpool city centre:

A new Clause 7.5A will apply to Areas 8, 9 and 10. For Areas 8 and 10, the clause specifies those instances where the applicant lodges a development application that meets the requirements in the provisions:

- the FSR of buildings may exceed 3:1, 4:1 and 5:1 to a maximum FSR of 10:1; and
- building heights can exceed the height shown on the Height of Buildings Map.

For Area 9, the draft LEP specifies where the applicant lodges a development application that meets the requirements in the provisions:

- the FSR of buildings may exceed 2.5:1 to a maximum FSR of 7:1; and
- height of buildings may exceed the height shown on the Height of Buildings Map.

This clause requires:

- 20% of the gross floor area of a mixed use building to be used for commercial and other employment generating land uses;
- a development control plan to be prepared to address the land's suitability for development, relationship with the surrounding development, heritage issues, streetscape, urban design and other amenities; and
- provision of community infrastructure or amenities such as recreation, community, or education facilities, through site links or public car parks.

It is noted that the site specific DCP required under clause 7.5A is in addition to the draft DCP that has been prepared by Council. The purpose of the site specific DCP is to provide greater detail on the mix of uses, the bulk and scale, the relationship with on the public domain, and any heritage and environmental impacts of a specific development. In accordance with section 4.23 of the Environmental Planning and Assessment Act 1979 (EP&A Act), a concept development application can be lodged in lieu of preparing a site specific DCP.

Clause 7.14 Minimum building street frontage:

The LEP will amend the current clause 7.14 to insert subclause 7.14(3) to specify that the provision for a minimum building street frontage does not apply to Areas 7 and 8. The minimum building street frontage will still apply to lots outside of Areas 7 and 8.

Clause 6.4 Arrangements for designated State public infrastructure in intensive urban development area:

The LEP will be amended to include a satisfactory arrangement to collect contributions for key district infrastructure projects. Costings for these upgrades have been prepared and calculations on a per dwelling basis have been undertaken. This clause will be limited to the areas highlighted in Figure 1.

This satisfactory arrangement clause will apply to development of land wholly or partly for residential purposes only. The clause is focussed on the provision of additional road and road infrastructure upgrades that will be necessitated by the increase in population.

Pricing for these upgrades has been provided by RMS and Council and equates to approximately \$10,000 per dwelling, as only the regional infrastructure is funded under this arrangement (**Attachment SAC**).

It is noted that the transport study identified upgrades to transport infrastructure, equating to approximately \$6,300 per dwelling, to support growth (**Attachment SAC**). Local infrastructure upgrades will need to be funded through a section 7.11 Plan prepared by Council.

4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Liverpool Electorate. Mr Paul Gerard Lynch MP is the State Member for Liverpool.

Mr Chris Hayes MP is the Federal Member for Fowler.

To the regional planning team's knowledge, neither MP has made any written representations regarding the proposal.

NSW Government Lobbyist Code of Conduct: There have been no meetings or communications with registered lobbyists with respect to this proposal.
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NSW Government reportable political donation: There are no donations or gifts to disclose and a political donation disclosure is not required.

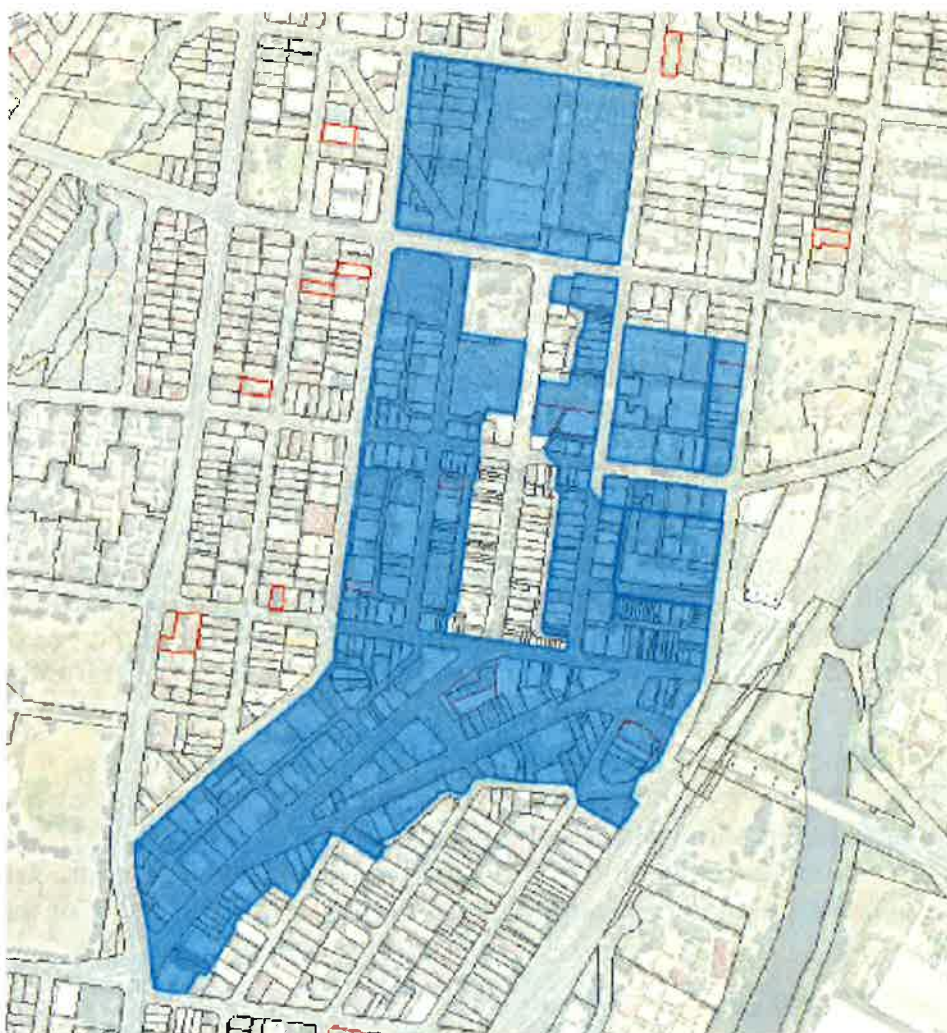


Figure 3: Areas where Opportunity Sites provisions can apply

5. GATEWAY DETERMINATION AND ALTERATIONS

The Gateway determination issued on 24 September 2015 (**Attachment C**) determined that the proposal should proceed subject to conditions.

The Gateway determination was revised on 16 November 2015 and 11 July 2016 to retain 1.2ha of mainly government owned land in the City Centre as B3 Commercial Core including Liverpool Public School and Civic buildings, and remove one small site (77-87 Moore Street and 193 Macquarie Street, Liverpool) from rezoning. Rezoning of this land is subject to a separate planning proposal (Liverpool LEP 2008 - Draft Amendment 56).

The Gateway determination was further altered on 15 September 2017 and 12 April 2017 giving Council until 31 December 2017 to extend the time for completion.

Gateway alterations are at **Attachment D**.

6. PUBLIC CONSULTATION

In accordance with the Gateway determination, community consultation was undertaken by Council from 18 November 2015 until 29 January 2016.

Seventeen submissions were received. The submissions were mostly from individual landowners:

- requesting changes to development controls (FSR and heights) along Macquarie Street within Area 7 to allow greater development potential;

- requesting expansion of Area 8;
- removal of opportunity sites and masterplan requirement;
- ground floor commercial uses, suitability of active street frontage provisions;
- complexity of FSR provisions; and
- excess car parking requirements.

The full submissions and the detailed Council response are in the planning proposal (**Attachment B**). The following provides a review of the key submissions received.

Changes to development controls (FSR and heights) along Macquarie Street

- 1) In response to the land owner submissions in relation to Area 7 (Fine Grain Precinct as in consultation documents), Council conducted a review of development controls for sites fronting Macquarie Street and considered the possible shadowing impacts on the Mall from increased building heights. As a result, a new sun access provision and street wall height provision are proposed in order to protect the Mall from potential overshadowing (clause 7.2).
- 2) Council has retained the proposed FSR 2.5:1 and height limit of 21m for the Area 7 in the LEP. The current FSR of 3:1 with a bonus height limit of 80m is suitable for bigger lots (i.e. Area 8), however, smaller sites with 200sqm to 500sqm area within Area 7 will require amalgamation and have no potential to be developed individually. The character of the area does not support large scale development, so the fine grained nature of the area is to be protected.

Expansion of Mid Rise Precinct (Area 8)

As a result of a review of development controls, Council amended the boundaries of Area 7 and Area 8. This resulted in the expansion of Area 8. This was to include those lots formerly in Area 7 that were larger in size and more closely aligned to existing development patterns in Area 8. This change addressed submissions from landholders in the area.

Removal of masterplan requirements

Council has removed the requirement for a masterplan (as that is not a legal term that can be used in an LEP) and replaced it with requirements for achieving a site specific bonus for larger opportunity sites (clause 7.5A as previously discussed). These sites are more than 1,500sqm in size, which have potential for more intensive development.

These sites are within Area 8, 9 and 10 and will allow a base FSR of 2.5:1, 3:1, 4:1 and 5:1 up to a maximum FSR of 7:1 and 10:1, with no maximum height limit (see Table 1).

Car parking rates

Council proposed to make amendments to the car parking rate provision in current clause 7.3 subclauses (3) - (6). However, Council has decided to not progress with the amendments as they were inconsistent with the car parking rates provided for in the Liverpool LEP and DCP. The car parking rates related to controls and developer benefits for providing additional car parking. Additional parking is considered inappropriate in the CBD as it will result in congestion, and excellent public transport services are available. Existing car parking rates will continue to apply.

Mandatory use of ground floor for commercial uses

Council's LEP vision is to allow residential development as B4 Mixed Use in the City Centre to activate the CBD. However, Council would like to ensure that the rezoned land continues

to make a substantial contribution to jobs growth in the City Centre. The draft LEP provisions are to ensure all new development in the City Centre incorporate appropriate levels of commercial usage and ensure that streetscape activation is achieved.

The provisions regarding the uses of levels in a podium development regarding opportunity site are in the draft DCP for CBD. The draft DCP requires the two ground floor levels for employment use.

Any development that is to achieve bonus FSR needs to provide a minimum 20% floorspace to commercial and other employment generating land uses.

Suitability of active street frontage and minimum building street frontage provisions

The active street frontage clause 7.4A Active street frontage has been removed by Council. These have been replaced by a clause requiring the mandatory use of the ground floor for commercial uses detailed above. Clause 7.14 Minimum building street frontage will not apply to Areas 7 and 8. This clause specifies a minimum site frontage of 24m. This is not suitable for these areas due to existing development patterns, and a number of sites do not have 24m frontage to streets.

Council has adequately addressed the issues raised in the submissions and the changes made are based on strategic planning principles and are in accordance with the intent of the planning proposal, as well as government's strategic objectives for Liverpool CBD. No re-exhibition is required as a result.

7. ADVICE FROM PUBLIC AUTHORITIES

Council was required to and consulted with the following 14 agencies in accordance with the Gateway determination:

- Office of Environment and Heritage
- Family and Community Services - Housing NSW
- Department of Trade and Investment
- Department of Health
- Department of Education and Communities
- NSW Police Force
- Transport for NSW
- Transport for NSW - Sydney Trains
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Telstra
- University of Western Sydney
- Sydney Metro Airports (Bankstown Airport)
- The Commonwealth Department of Infrastructure and Regional Development

The issues raised by the agencies are discussed below.

Department of Education (School Infrastructure NSW)

The Department of Education raised no objections to the planning proposal, however,

requested that the Liverpool Primary School be rezoned from B3 Commercial Core to B4 Mixed Use to allow adapted reuse such as community and other uses of the heritage buildings on the site in the future. Community facilities are permissible in B3 zone. The other future adaptive re-uses are not identified in the letter.

Council in its submission considered that B3 Zoning be retained on the site. To clarify this matter, the Department consulted with the Department of Education. School Infrastructure NSW advised that it has commenced consultation with the school community, Liverpool City Council and other stakeholders to identify school infrastructure requirements and develop options to cater for the expected high enrolment demand over the long term and to deliver modern and sustainable teaching spaces. School Infrastructure NSW has advised that it will rely on the existing B3 Commercial Core zone and the site compatibility certificate provisions of the SEPP (Educational Establishments and Childcare Facilities) 2017 to support future development opportunities for the site. No change to the existing zone is required.

Transport for NSW (TfNSW) and Roads and Maritime Services (RMS)

Transport NSW and RMS jointly recommended Council undertake a Transport Study to assess the cumulative impacts of the planning proposal on existing and planned public transport infrastructure and regional road network including identification of feasible infrastructure improvements, funding responsibilities and associated funding mechanisms.

Council prepared the Transport Study (GTA Consultants, July 2017) for the Liverpool CBD was prepared and endorsed by RMS, and was adopted by Council in July 2017. The report identified local infrastructure works to include works such as road and intersection upgrades, provision of cycle ways and pedestrian walkways and feasibility studies for car parks. The regional infrastructure upgrade works identified in the study include works such as strategic investigation for eastbound off-ramp from M5 to Hume Highway, Newbridge and Heathcote Roads and Moorebank Avenue intersection upgrade, pedestrian bridge on Hume Highway at Elizabeth street intersection.

The RMS and TfNSW, in the absence of a funding mechanism being established, agreed that a monetary contribution per dwelling (per agreed uplift because of the LEP amendment) is to be made in a form of a VPA towards state and district road and transport infrastructure.

An additional clause for satisfactory arrangements (Clause 6.4A) is inserted in the LEP for the CBD area identified on the Floor Space Ratio Maps. This clause will ensure the need for contribution agreements to be formalised before development consent for a site can be issued. This will assist in funding the identified district level road upgrades at **Attachment SAC**.

Other agencies

NSW Police, Sydney Water, Commonwealth Department of Infrastructure and Regional Development (DIRD) and Sydney South West Area Health Services (SSWAHS) did outline requirements that will be required to be considered through any future development application process, however made comments that can be appropriately addressed by Council at development approval stage. These matters include vehicular and pedestrian conflicts, reservation of land for public purpose, provision/access to quality public open spaces and affordable housing options.

The Department of Education, Department of Health, State Emergency Services, NSW Police and Sydney Water did not identify the need for additional facilities and services to support the proposal.

8. POST EXHIBITION CHANGES

Council has made post exhibition changes in response to submissions and Council's internal review of the proposed development controls. The changes made by the Council are of a minor nature, or respond to the issues raised in submissions and Council's review and modelling of development controls.

The Department considers that the draft LEP can be made with the proposed changes as they do not change the intent of the planning proposal as exhibited, but provide more clarity and certainty to the public of Council's vision for the city centre.

These changes are largely detailed in Section 6 above. However, further details are provided below.

Expansion of Mid Rise Precinct (Area 8)

In response to submissions, Council has expanded Area 8 (Mid Rise Precinct) by including larger lots fronting Macquarie Street Mall which have greater development potential.

Sun access in Liverpool City Centre (Area 7, 8)

In response to submissions, Council modelled the implications for solar access to the Macquarie Street Mall. Council has increased the height of the permissible street wall from 15m to 21m, and permitted greater height at a setback of 4m to accommodate the preferred built form along Macquarie Street Mall whilst still protecting solar access. The existing clause 7.2 Sun access in Liverpool City Centre of the Liverpool LEP 2008 has been amended to allow this variation.

Removal of car parking rates, Design Excellence Panel and active street frontages

The exhibited proposed draft clauses for car parking, design excellence and active street frontages were inconsistent with the existing policies and Liverpool DCP. These clauses have been removed by Council to maintain consistency.

A proposed amendment to Clause 7.3 Car parking in Liverpool CBD, subclauses (3) - (6) related to controls for additional car parking. These clauses are inconsistent with the Liverpool DCP. These amendments have been removed and existing car parking rates will continue to apply.

The exhibited design excellence clauses 7.5(4) and (5) were removed because of duplication with Design Excellence Panel provisions in State Environmental Planning Policy 65 Design Quality of Residential Flat Development.

The exhibited active street frontage clause 7.4A as well as reference to active street frontage in subclause 7.16(5) were removed as the outcomes intended by the provisions cannot be achieved on smaller lots fronting Macquarie Street.

Commercial FSR

Council has elected to include a minimum gross floor area to be dedicated to employment generating floorspace in order for the bonus provisions to be enabled. This is to ensure the commercial viability of the City Centre is retained.

Key Sites Provisions

Areas 7, 8, 9 and 10 have been removed from the Key Sites maps and related design excellence provisions have been removed from the proposal.

Other changes

There were few changes made to the draft plan during legal drafting process of the instrument. These changes are not significant and do not affect the intent of the draft LEP. Council has agreed to the changes as follows:

- removal of references to “Fine Grain”, “Mid-Rise” and “Long term Civic Sites”. They have been renamed as “Area 7”, “Area 8” and “Area 9” respectively. This follows naming convention and is clearly identifiable on the FSR maps;
- an additional precinct “Area 10” was added to clearly reflect the proposed changes to development controls for Civic buildings, Liverpool Public school and Westfield shopping centre in the planning proposal;
- removal of reference to “desired future character” as a FSR bonus trigger and insert reference to development meeting the requirements of a DCP prepared under section 3.44 of the EP&A Act;
- removal of the definition of masterplan and approved masterplan; and
- a satisfactory arrangement clause has been inserted to cover the provision of regional infrastructure as identified in the Liverpool Transport Study.

The Department has reviewed the Draft Liverpool City Centre DCP and considered that the draft DCP provides adequate guidance for the bonus provisions in terms of built form.

9. ASSESSMENT

The draft LEP can be made as it is consistent with the key directions in the Greater Sydney Region Plan and the Western Sydney District Plans.

The draft LEP will:

- reinvigorate Liverpool City Centre;
- protect, develop and expand the commercial core;
- facilitate up to 10,000 dwellings and approximately 22,000 jobs in the city centre with proximity of public transport infrastructure;
- facilitate additional housing and jobs in proximity to a major public transport corridor and will increase population living within 30-minute city;
- support Liverpool to meet the dwelling and job targets as identified in the Draft Western City District Plan; and
- provide improved access to jobs, goods and services in the centre by allowing residential in the centre which will in turn attract significant and diverse investment and business activity in the centre; and
- create residential development in the commercial core but without the expense of the attraction and growth of jobs, retailing and services.

Western Sydney Aerotropolis

On 20 August 2018, the draft Stage 1 Land Use and Infrastructure Implementation Plan (LUIIP) for the Western Sydney Aerotropolis was released for public comment. The Aerotropolis is to transform Sydney through the creation of highly accessible local and international transport connections, new homes, and jobs, supporting a 24-hour economy in

the heart of Western Sydney. When established the Aerotropolis will create 200,000 new jobs in Western City. The Stage 1 Plan outlines how the Western Sydney Aerotropolis would evolve, identifying potential land uses and sequencing for development. The plan was developed through a planning partnership with the Greater Sydney Commission, local councils, and state and federal government agencies.

The proposal would support the Western Sydney Aerotropolis by providing high-order jobs, variety of goods and services and homes close to the airport.

The Liverpool CBD is not within the is not within the Obstacle Limitation Surface (OLS) and is not within the Australian Noise Exposure Concept (ANEC) and Australian Noise Exposure Forecasts (ANEF) contours as identified in the LUIP. Further clauses 17.17 and 17.18 of the Liverpool LEP 2008 currently include provisions to protect airspace around airports at development application stage, including the Badgerys Creek Airport.

Section 9.1 Directions

At the time of Gateway determination, the Secretary's delegate has agreed that the planning proposal is consistent with all relevant section 9.1 Directions except for Direction 4.1 Acid Sulfate Soils be prepared prior to the public exhibition of the planning proposal.

Section 9.1 Direction 4.1 Acid Sulfate Soils

Parts of the city centre are mapped as having Class 5 Acid Sulfate Soils and are located within 500m of land mapped as Class 1 Acid Sulfate Soils.

Condition 1(b) of the Gateway determination required Council to undertake an acid sulfate soils study, prior to public exhibition, in accordance with section 9.1 Direction 4.1 Acid Sulfate Soils. On 16 October 2015, Liverpool Council requested for an exemption from the direction on the basis that it would conduct the Acid Sulfate Soils Study which will be exhibited concurrently with the planning proposal. On 16 November 2015, the Department agreed that the planning proposal has addressed the Gateway condition based on the area being liable to Class 5 Acid Sulfate Soils which has the lowest potential incidence of Acid Sulfate Soils and the Council's agreement to undertake a study.

Council prepared an Acid Sulfate Soils Study (Cardno, 9 December 2015) that was exhibited concurrently with the planning proposal. The study demonstrates that the site is suitable for rezoning for intensified development and unlikely that it will be affected by actual acid sulfate soil or potential acid sulfate soils. This study recommended, however that further investigations will be required at development application stage to confirm consistency with the Acid Sulfate Soils provision under the LEP particularly for sites in close proximity to Georges River.

The proposal's inconsistency with the section 9.1 Direction 4.1 Acid Sulfate Soils is of a minor significance and Secretary's agreement is required.

State Environmental Planning Policies

The draft LEP is consistent with relevant SEPPs or deemed SEPPs.

Greater Sydney Regional Plan

The draft LEP is consistent with the following directions.

- Goal 3 Infrastructure and collaboration

The draft LEP is within Liverpool Collaboration Area which is led by the Greater Sydney Commission. The draft LEP will contribute to the place strategy being prepared for the Collaboration Area.

Infrastructure agencies have been consulted for additional infrastructure need. A Transport

Study was prepared and endorsed by RMS, Transport for NSW and Council to deliver necessary infrastructure and funding to be aligned with the growth envisaged in and around the city centre. The draft LEP has a satisfactory arrangement provision that will ensure funding commitment for funding of transport infrastructure to be aligned with expected growth within the city centre.

- Goal 4 Liveability

The draft LEP is consistent with Objective 6 Services and infrastructure meet communities' changing needs, Objective 7 Communities are healthy, resilient and socially connected, Objective 10 Greater housing supply and Objective 12 Great places that bring people together.

The draft LEP will facilitate up to 10,000 additional dwellings in the CBD within close proximity to public transport infrastructure and access to jobs and community, recreation, education and cultural facilities. The draft LEP will support housing targets of 39,850 dwellings for Western City District in 0-5 years and long-term target of 184,500 dwellings.

- Goal 5 Productivity

The draft LEP is consistent with Objectives 14-Integrated land use and transport creates walkable and 30 minute cities, 20-Western Sydney Airport and Badgerys Creek Aerotropolis, 21-Internationally competitive health, education, research and innovation precincts, 22-Investment and business activity in centres, and 24-Economic sectors are targeted for success.

The draft LEP for Liverpool CBD:

- will facilitate approximately 22,000 jobs within the vicinity of a major rail and bus interchange, within 30-minute walking distance;
- will provide additional dwellings with access to jobs, goods and services in centres.
- Subject sites are within the vicinity of existing health (Liverpool Hospital) and education precinct (Western Sydney and University of Wollongong);
- is consistent with the vision for Future Transport 2056, Greater Sydney Transport objectives; and
- will expand the existing centre with increased heights and outward to accommodate businesses.

Council advises that there are 6 mixed use Development Applications awaiting the LEP to be made.

Western City District Plan

The draft LEP is consistent with the Planning Priorities in the Directions for Infrastructure and Collaboration, Liveability and Productivity.

Planning Priority W1 Planning for a city supported by Infrastructure and W2 Working through collaboration

Liverpool CBD is part of the Liverpool Collaboration Area, in accordance with actions in Planning Priority W9 Growing and strengthening the metropolitan city cluster in the draft Western City District Plan. The Liverpool Collaboration Area includes the CBD, Warwick Farm and Georges River Corridor Masterplan Precincts as well as the under-construction Moorebank Intermodal Terminal.

The Greater Sydney Commission is responsible for management and coordination of a stakeholder group being represented by government agencies to deliver productivity,

liveability and sustainability outcomes in the District Plan. The work is underway and the stakeholder group will deliver a whole of government strategic and infrastructure plans for the area, a place strategy and an infrastructure plan. These plans will provide clarity and certainty to the private sector for investment and the community on planning and delivery of infrastructure outcomes that may have the potential to influence and leverage the continued growth of Liverpool as a strategic centre.

Planning Priority W3 Providing services and social infrastructure to meet people's changing needs

The draft LEP will create walkable neighbourhoods with access to services and public transport infrastructure to reflect future needs for the community in an existing centre, and optimise the use of available public and social infrastructure.

Planning Priority W4 Fostering healthy, creative, culturally rich and socially connected communities

The draft LEP will provide walkable places with active street life and co-location of services such as education, social, health, sporting, cultural and other shared facilities, consistent with the actions identified in the priority to deliver inclusive places for people of all ages and abilities that support healthy and socially connected communities.

Planning Priority W5 Providing housing supply, choice and affordability, with access to jobs and services

The draft LEP will facilitate up to 10,000 additional dwelling within the city centre supporting the housing target for Liverpool LGA in the short term. This in turn will support growing the city centre, creating a living city, strengthen the connection between the city and the health and education precinct, improve the quality of the public domain, consolidate the city centre and enhance the pedestrian networks. A greater residential density within the proximity of public transport infrastructure as mixed use will in turn increase jobs, support the role of centres, improve accessibility and connectivity to services and other centres.

Planning Priority W7 Establishing the land use transport structure to deliver a liveable, productive and sustainable Western Parkland City

The draft LEP will facilitate additional housing and jobs in proximity to a major public transport corridor and will increase population living within 30-minute city.

Planning Priority W9 Growing and strengthening the metropolitan city cluster (Liverpool)

The draft LEP will:

- support job growth including around education and health precincts;
- retain and built upon the centre's administrative and civic role;
- encourage a vibrant mix of uses, new lifestyle and entertainment uses to activate streets and grow the night time economy; and
- facilitate opportunities for improvement to public domain, connectivity to the Georges River and prioritise pedestrian, cycle and public transport facilities.

Planning Priority W11 Growing investment, business opportunities and jobs in strategic centres

The draft LEP will:

- provide improved access to jobs, goods and services in the centre by allowing residential in the centre which will in turn attract significant and diverse investment and business activity in the centre;

- create opportunities for Council to create vibrant, safe places and quality public realm, improve the walkability within and to the centre; and
- create residential development in the commercial core but without the expense of the attraction and growth of jobs, retailing and services.

Revitalising Liverpool City Centre Plan 2006

The Government's vision document (**Attachment B**) has targets for 15,000 new jobs and 5,000 new dwellings for the city centre by 2031. The draft LEP is consistent with this objective as it will facilitate 10,000 dwellings and 22,000 jobs in the city centre.

The draft LEP is consistent with Objective 1-Vision for the Liverpool city centre. The proposal will support growing the city centre, creating a living city, strengthen the connection between the city and the health and education precinct, improve the quality of the public domain, consolidate the city centre and enhance the pedestrian networks.

The draft LEP is also consistent with Objective 6-Economic development as it will deliver the identified employment capacity targets, reinvigorate the city centre economic support precincts, assets and opportunities. The draft LEP is also consistent with Objective 9-City centre character. It will enhance the residential, commercial, education and medical precinct identified in the vision document.

Liverpool LEP Revision

The Liverpool LEP Revision was prepared and endorsed by Council to support the draft LEP.

The document provides the underlying rationale and modelling to rezone the commercial core and suggests that, based on the existing controls, including bonuses for larger sites will create 30,394 jobs, if the city centre is developed to its full capacity as a commercial district. However, the uptake of office space is likely to remain slow for many years, if at all.

The study suggests rezoning the city centre to permit greater residential density as mixed use offers the best available pathway to development and will in turn increase the provision of jobs. The modelling further suggested if the city centre is to be developed to its full capacity with the development controls in the planning proposal the total increase to jobs would be 22,000 and in addition would also yield 10,000 residential units.

Liverpool Transport Study

The Transport Study was prepared by GTA Consultants (July 2017) for the Liverpool CBD and was endorsed by RMS, and was adopted by Council in July 2017.

The study identified access impacts on the road network through modelling in accordance with RMS requirements, intersection analysis on key intersections a future traffic conditions in and around the city centre up to 2031, and developed an initial infrastructure project schedule and funding regime.

10. MAPPING

Ten Liverpool LEP 2008 maps required amendment in relation to the draft LEP. These maps are:

- Land Zoning maps (LZN 011 and 012);
- Floor Space Ratio maps (FSR 011 and 012);

- Height of Building maps (HOB 011 and 012); and
- Key Site maps (KYS 011, 012 and 013).

These maps are correct, and have been checked by the Department's ePlanning Team and sent to Parliamentary Counsel.

10. CONSULTATION WITH COUNCIL

Council was consulted on the terms of the draft instrument. On 26 July 2018, Council provided comment on the draft instrument and confirmed that it was happy with the draft subject to some changes being made (**Attachment G and H**). The changes requested by Council have been made.

11. PARLIAMENTARY COUNSEL OPINION

On 23 August 2018 Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at **Attachment PC**.

12. RECOMMENDATION

It is recommended that the delegate of the Greater Sydney Commission determine to make the draft LEP to Liverpool City Centre by facilitating up to 10,000 dwellings and approximately 22,000 jobs in the city centre. These developments will be in proximity of public transport infrastructure, and will support Liverpool to meet the dwelling and job targets as identified in the Draft Western City District Plan.



24/08/2018

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