

ITEM NO: DPG 04
FILE NO: 088913.2015
SUBJECT: Liverpool City Centre LEP Review

RECOMMENDATION

That Council:

1. Endorses in principle the proposal to rezone all existing land zoned B3 Commercial Core in the city centre to B4 Mixed Use.
2. Endorses in principle the proposal to revise the development standards as detailed in this report.
3. Delegates to the CEO the authority to approve the final Planning Proposal for submission to the Department of Planning and Environment for Gateway Review.

COUNCIL DECISION

Motion: **Moved:** Clr Harle **Seconded:** Clr Mamone

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

DPG 04**Liverpool City Centre LEP Review**

Strategic Direction	Vibrant Prosperous City Activate the city centre and develop vibrant places that attract people to Liverpool
Key Policy	City Centre Strategy
File Ref	088913.2015
Report By	Jan McCredie - Acting Manager Strategic Planning
Approved By	Toni Averay - Director Planning & Growth

EXECUTIVE SUMMARY

Council has undertaken an assessment of the Liverpool Local Environmental Plan (LLEP 2008) and commenced the preparation of a Planning Proposal to review the planning controls for the Liverpool City Centre. The proposal seeks to:

- rezone B3 Commercial Core zoned lands to B4 Mixed Use
- increase the development potential in parts of the existing B4 Mixed Use zone
- change development standards to correspond to the proposed changes in land use to be principally controlled through built form.
- allow for greater development potential and increased heights on larger sites, 'key sites', that satisfy a range of criteria and are able to contribute to the public domain, facilities or amenity

The proposal also aims to respond to, and incorporate a range of ideas that have emerged or been reinforced in the 'Building Our New City' process including:

- the importance of the amenity of the public domain in Macquarie Street along its entire length including solar access and openness to the sky
- the amenity that will be provided by improvements to Bigge Park
- the need and desirability of increasing the density, and patronage that is possible in the southern part of the city.

Council officers are in the process of finalising the Planning Proposal which details the changes that will be sought to the Liverpool Local Environmental Plan 2008 (LLEP 2008). To ensure this proposal is not delayed for another month, in principle endorsement for the proposed changes is sought from Council.

It is recommended that the CEO be delegated authority to approve the final planning proposal for submission to the NSW Department of Planning and Environment for Gateway determination by 29th May 2015.

It is anticipated that the rezoning will be finalised in late 2015.

PROPOSED AMENDMENTS TO LLEP 2008

Zoning

The planning proposal will seek to rezone the existing B3 Commercial Core to Mixed Use B4 to facilitate a wider range of development potential in Liverpool City Centre.

Building Envelopes

The planning proposal will seek to vary the building height controls applying to each site in relation to the desired built form across the CBD. In the mid-rise and fine-grain sites the height will be determined by the building envelope, the street wall height and the related FSR for the site. Where sites meet the criteria for key sites, the height will be determined through a master planning process

One of the purposes of the change to the LEP is to promote rejuvenation of the smaller sites in the CBD by removing the requirement for amalgamations. Built form controls including the definition of envelopes, street wall heights and setbacks for upper levels will be the primary controls for height.

These building profiles are designed to promote residential development; address overshadowing, car parking and interface with other buildings; and stimulate street life.

‘Fine Grain’ and ‘Mid-rise’ Sites

- In general, the fine grain sites would be characterised as follows:
 - 4 storey height at street frontage;
 - 4 storey height at lane frontage.
- In general, the mid rise sites would be characterised as follows:
 - 6 storey height at street frontage; except where the adjoining street is to the south and the building would overshadow the southern side of the street
 - 4 storey height at lane frontage, except where the lane is to the north and 6 storeys would have no adverse impact

It should be noted that the proposed new B4 Mixed Use zoning provides real development potential by allowing residential uses where currently only commercial uses are permissible. It also ensures that the development standards relate to the subdivision pattern. The heights in the current LEP cannot be achieved on many of the sites without amalgamation or because the lot depth is too shallow. Mid rise sites also have the possibility being

categorized as a 'key site'. Key Sites can have greater height and floor space. The proposed standards increase the overall capacity of the CBD but ensure that the built form relates to the street pattern, site characteristics and amenity. The planning proposal will seek the insertion of a corresponding Building Frontage Profile Map

Key Sites

Sites greater than 1500sqm in the 'mid rise' precincts may apply to be classified as 'key sites' that would allow increased height and floor space.

A Clause will be included in the LLEP to enable key sites to exceed the overall height but not the street wall height subject to a master plan being provided for the site in accordance with Council's DCP.

Variations to the built form controls in the 'mid rise precinct' may be permitted if a larger site meets a number of the following criteria as follows:.

- minimum area of the consolidated sites 1500sqm (mandatory)
- multiple street or lane/serviceway frontages;
- a site shape that can accommodate taller buildings that can be designed to not impact negatively on the adjacent public domain, heritage buildings or neighbouring sites;
- a site shape that can accommodate tower footprints of up to 750 sq metres GFA with the appropriate set backs and separation distances between towers; and / or
- offer the potential to provide some additional car parking located in key locations in the CBD.

Long Term Civic Sites

A Clause will be included in the LLEP to enable the long term civic sites to be developed subject to a master plan being provided for the site in accordance with Council's DCP.

Both long term civic sites are in Government ownership and both contain heritage buildings. The Liverpool Court House is located on the south west corner of Bigge Street and Moore Street and is currently under consideration for nomination on the State Heritage Register. Both sites offer the possibility of maintaining and enhancing their history and heritage context as well as introducing sympathetic development that contributes to the cultural and commercial life of Liverpool CBD.

Floor Space Ratio

Fine Grain and Mid-rise Sites

The planning proposal will seek to amend the Floor Space Ratio (FSR) across the CBD to enable the overall FSR to be calculated as separate formulae for fine grain sites and medium grain sites related to the building envelopes. The base FSR for the fine grain sites will be 2.5:1 and for mid-rise sites 3.0:1.

A Clause will be included in the LLEP to enable fine grain and mid-rise sites to exceed the base floor space subject to the building envelopes proposed in accordance with Council's DCP

Key Sites

The planning proposal will seek to amend the Floor Space Ratio (FSR) across the CBD to enable the overall FSR to be calculated as separate formulae for key sites as related to the building envelopes. The base FSR for the key sites will be the mid-rise FSR of 3.0:1. However these sites will qualify for bonuses associated with key sites provisions up to a maximum of 10:1.

A Clause will be included in the LLEP to enable key sites to exceed the base floor space subject to a master plan being provided for the site in accordance with Council's DCP.

Long Term Civic Sites

The planning proposal will seek to amend the Floor Space Ratio (FSR) to enable the overall FSR to be calculated as separate formulae for civic sites as related to the building envelopes and uses. The base FSR for the civic sites will be the fine grain FSR of 2.5:1. However these sites will qualify for bonuses.

A Clause will be included in the LLEP to enable the civic sites to exceed the base floor space subject to a master plan being provided for the site in accordance with Council's DCP

DEVELOPMENT CONTROL PLAN

Part 4 of the Liverpool Development Control Plan 2008 [LDGP2008] is to be amended to accommodate principles related to the desired built form outcomes for the Fine grain and Mid-rise sites and specific principles related to the Key sites.

The LEP will be supported by the DCP maps that will show:

- Building frontage heights and profiles
- Building set backs (including street widening)
- Lane extensions, setbacks, and through site links
- Active street frontages
- Awnings
- Preferred public car park locations with (indicative numbers)
- Site access (restrictions on additional kerb crossings)

The planning proposal will seek to insert a Clause under 'Division 1 of the Liverpool LEP 2008 in relation to the city centre to ensure that development on identified key sites is only considered after a master plan has been prepared and adopted for that site.

Building Set Backs (including street widening)

The planning proposal will seek to insert a Clause 'Building Set Backs' of the LLEP 2008 to ensure that the street and pavement width relates to the proposed built form and that there is

sufficient separation between buildings to enable residential uses .The planning proposal will also seek the insertion of corresponding Building Set Backs Map

Lane extensions, setbacks, and through site links [See Attachment]

Active Street Frontages

The planning proposal will seek to insert a Clause 'Active street frontage' of the LLEP 2008 to promote uses that attract pedestrian traffic along certain ground floor street frontages in the B4 Mixed Use zone. The planning proposal will seek the insertion of corresponding Active Street Frontages Map

Active Frontage means street frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings. Frequent building entries that face and open towards the street, transparent street frontages, quality materials and refined details, and mixed land uses will make streets more diverse and attractive for pedestrians and increase the perception of safety and encourage higher levels of pedestrian activity

Awnings

The planning proposal will seek to insert a Clause 'Awnings' in the LLEP 2008 to promote continuous awnings in retail precincts in the B4 Mixed Use zone.

Design Excellence

The existing Clause 7.5 Design Excellence in Liverpool City Centre of the LLEP is to be replaced with a clause that removes the requirement for a design competition on key sites but requires all major planning proposals and master plans, to be referred to the Liverpool Design Excellence Panel (LDEP) in accordance with (SEPP 65) legislation.

RECOMMENDATION

That Council:

1. Endorses in principle the proposal to rezone all existing land zoned B3 Commercial Core in the city centre to B4 Mixed Use.
 2. Endorses in principle the proposal to revise the development standards as detailed in this report.
 3. Delegates to the CEO the authority to approve the final Planning Proposal for submission to the Department of Planning and Environment for Gateway Review.
-

REPORT

Background

Council held a workshop on 29 November 2015. At the workshop, Councillors outlined their vision for the Liverpool CBD as follows:

- The Capital of the great South West.
- A city defined by interesting architecture which is diverse and distinctive.
- A place where people want to work, live and enjoy.
- An 18 hour city characterised by activity and intensity both day and night.
- A true river city.
- A well connected, workable, walkable city.

The workshop agreed this would be delivered by:

- LEP changes;
- Traffic and transport changes (traffic and parking studies);
- Quality architecture and urban design and
- Urban amenity (streetscape, parks etc.)

It was also agreed that there is a need to document a strategy to become Sydney's third capital and an action plan to deliver the infrastructure.

A Councillor briefing was held on 19 February 2015. At this briefing it was agreed that Council officers would report back to Council in March with the proposed changes to the LLEP 2008 based on the presentation at the workshop. These changes include:

- Rezoning the Commercial Core from B3 to B4 Mixed Use,
- Identifying planning precincts,
- Relating planning controls to the precincts, and
- Improving connectivity.

The Planning Proposal will seek to rezone the Liverpool CBD B3 Commercial Core lands to B4 Mixed Use; and vary the development standards in the LLEP 2008 to suit the precincts and building typologies. It is also proposed to make other amendments as necessary to the Development Control Plans [DCP] as detailed below.

The objectives for Liverpool CBD are to:

- Create:
 - a mixed use vibrant 18 hour city centre;
 - a walkable city that offers both living, recreation and work opportunities; and
 - a city focused along the river.

- Define legible character precincts based on ownership pattern; subdivision pattern; street block patterns; and the role of the street and public domain.
- Create an urban form that:
 - responds to the character of the precinct;
 - has different building typologies; and
 - offers different economic opportunities.
- Enable individual owners to develop sites without amalgamation.
- Improve connectivity into and within the CBD.
- De-couple car parking from development where appropriate.
- Develop form based codes within the constraints of the standard LEP instrument.

PROPOSED CHANGES TO ZONING

The area to be rezoned is the existing B3 Commercial Core zone within the Liverpool City Centre. Specifically, this applies to the area shown in Figure 1 below. The CBD B3 zone is generally bounded by Campbell Street to the north, Bathurst Street to the west, Charles Street & Pirie Street to the South, and George Street, Bigge Street & the rail line to the west. The extended CBD site includes the land to the south already zoned B4.

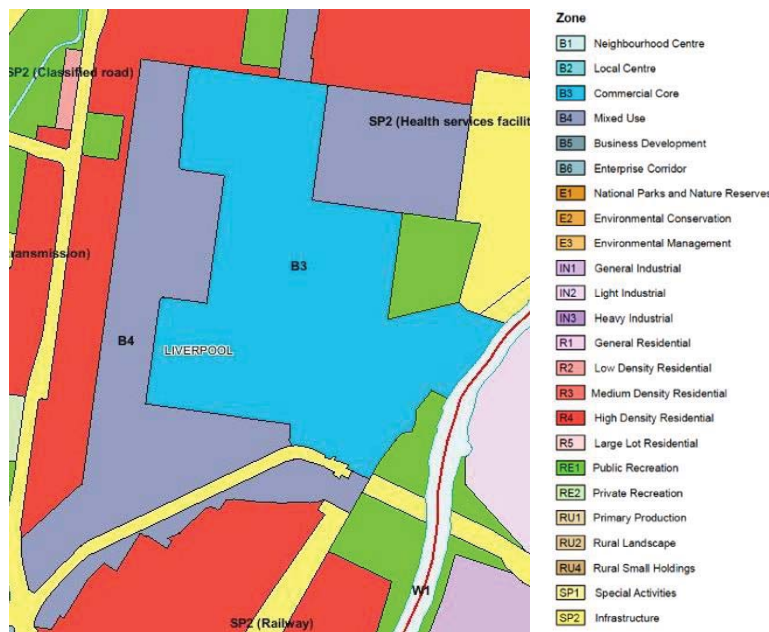


Figure 1| The CBD showing the existing B3 Commercial Core

PROPOSED CHANGES TO DEVELOPMENT STANDARDS

Characteristics

Two main 'precincts' have been identified that reflect existing site characteristics, ownership patterns and subdivision patterns. The precincts are identified as 'Fine grain' areas and 'Mid-rise' areas.

In general a 'block edge' typology, that will define a coherent and continuous street edge, and allow development across the full width of lots is proposed for both the 'fine grain' and 'mid rise' areas. This will optimise development potential without the need to amalgamate, in either the short or medium term.

The existing height controls recognise the importance of maintaining solar access to Macquarie Street north of Scott Street. It is proposed that the current maximum 'street frontage height' be increased to 14m from 12m and that the overall building envelope allow for 6 storeys but with a more generous floor to ceiling height appropriate for retail and office uses.

Conversely, the existing height controls do not recognize the importance of solar access to the south side of Scott Street and Memorial Avenue, nor to the part of Macquarie Street south of Scott. It is proposed that the southern side of Scott Street be widened by setting back buildings to allow for increased pedestrian flows and activation. Similarly, the southern section of Macquarie Street has been identified as an 'eat street' that should also have good solar access. For these reasons, four storey (14metre) street frontage heights are proposed on the northern sides of these streets, notwithstanding that these are classified as 'mid rise' and may have sites that could be categorized as 'key sites'. In this case the built form would need to demonstrate how solar access is to be maintained.

The building envelopes for the development are derived from the subdivision pattern. The building envelopes enable buildings constructed to these profiles to relate to each other and the street and lane network. They also enable a diverse range of uses to occur within the buildings.

Key Sites

Once identified and agreed, key sites may use a 'podium + tower' typology. The podium will ensure the continuity of the street wall, while a greater setback from the street, and setbacks from side boundaries will minimize impacts on adjoining sites. There may be some key sites on which a tower typology without a podium may be the preferred form but this would be derived from the master plan. The Key sites require a master plan. The building envelope and floor space will be derived from the master plan.



Figure 2: Indicative Development Precincts

FINE GRAIN SITES

Characteristics

Fine grain sites are identified on the precinct plan. They are small sites that have a very important role for the pedestrian interface along streets. They are important because of their short frontages to streets, diverse functions but also because the different ownerships provide a diversity of character, uses, shop opening hours and price point for residential.

Fine grain means a small scale, generally lower cost spaces providing for a diverse range of activities and users. The fine grain spaces include small retail tenancies with street access including basement and first floor levels, as well as offices, studio spaces or other activities with access inside arcades, underground connections, through office foyers or other buildings. Fine grain spaces often front or are accessed from smaller streets or lanes, and are within lower grade office or mixed use buildings, generally in the less expensive precincts. The fine grain spaces with their mixed ownership and leasing patterns enable more organic changes to occur throughout the City and support lower cost and start up businesses that contribute to a vibrant and active City.

Objectives

The objectives for the development of the fine grain sites are to:

- Provide active street and lane frontages;
- Enable development without amalgamation;

- Form a cohesive related urban form even though sites are developed independently;
- Address solar access/privacy and light within the envelope so that separate studies are not required;
- Allow flexibility of uses within the building envelope [long life / loose fit] that can change over time;
- Enable existing businesses to remain while development takes place; and
- Permit development without car parking on site if desired. Parking is to be located in basements or a maximum of two levels above ground on Levels 1 and 2. Car parks are to be hidden from the public areas by 'sleeving' with other uses or by screening. The solution will depend on the location of the site.

Outcomes

The desired outcome will be achieved by:

- Defining a building envelope [height, footprint and profile] that relates to the existing subdivision and street block pattern; and
- Allowing a range of activities within the building envelope.

Building Envelopes

The objectives for the building envelope controls are to:

- enable buildings to relate to each other along the street, lanes and the party walls;
- relate building heights to the streets and lanes creating a street wall; and
- take account of solar access to the public domain and neighbouring sites.

The fine grain sites have:

- a street wall of four storeys; and
- a street wall to the lane of four storeys.

The height across the lot will vary depending on the proposed uses and the depth of the lot.

Floor Space Ratio

The objectives for the proposed FSR are to:

- facilitate a wider range of development potential; and
- encourage better built form outcomes by relating the floor space ratio to building typology.

The FSR for the fine grain sites will be derived from the building envelope. It will be based on the standard instrument definition but include above ground car parking if provided. Non - permanent enclosure or screening of balconies is permitted where it aids the amenity of the apartments. The FSR will be calculated at 80% of the building envelope for retail commercial and 75% of the building envelope for residential. This enables all building envelopes to be built to their capacity as established by the subdivision plan. On the fine grain sites tested, the FSR varied from 2.4:1 to 3.3:1 depending on uses. The FSR of an all retail/commercial building was 3.6:1.

Uses

As a minimum the ground floor must be used for retail purposes.

MID RISE SITES

Characteristics

Mid Rise sites are identified on the precinct plan. They are those sites that are capable of taking more development than the fine grain. They also have a role for the pedestrian interface. They are important because of their short frontages to streets, and diverse range of uses. The different ownerships also provide a diversity that a single ownership of city buildings does not achieve.

Objectives

The objectives for the development of the mid-rise sites are to:

- Provide active street and lane frontages;
- Enable development without amalgamation;
- Form a cohesive related urban form even though sites are developed independently;
- Address solar access/privacy and light within the envelope so that separate studies are not required;
- Allow flexibility of uses within the building envelope [long life/loose fit] that can change over time; and
- Provide parking for the development on the site. Car parking is permitted in basements and a maximum of two levels above ground on Levels 1 and 2. Car parks are to be hidden from the public areas by 'sleeving' with other uses or by screening. The solution will depend on the location of the site.

Outcomes

The desired outcome will be achieved by:

- Defining a building envelope [height, footprint and profile] that relates to the existing subdivision and street block pattern; and

- Allowing a range of activities within the building envelope

Building Envelopes

The objectives for the building envelope controls are similar to the fine grain sites as follows:

- enable buildings to relate to each other along the street, lanes and the party walls;
- relate building heights to the streets and lanes creating a street wall; and
- take account of solar access to the public domain and neighbouring sites.

The mid-rise sites have a:

- 6 storey height at street frontage; except where the adjoining street is to the south and the building would overshadow the southern side of the street
- 4 storey height is on the north side of a street that is a principal pedestrian street (Scott Street / Memorial Avenue)
- 4 storey height at lane frontage,

The building envelope across the lot will vary depending on the proposed uses and the depth of the lot.

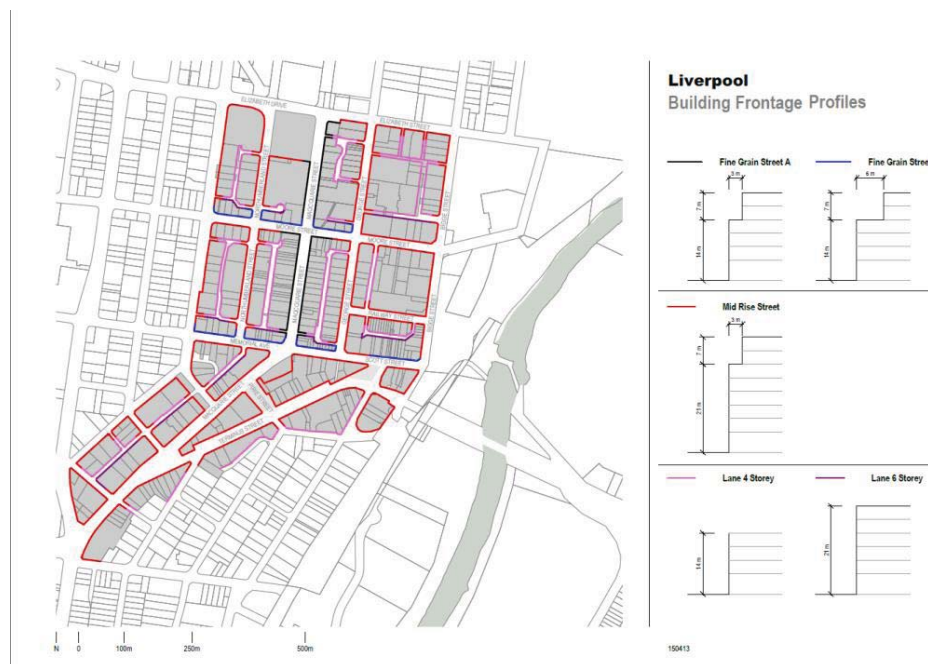


Figure 3| Indicative Street Wall profiles

Floor Space Ratio

The FSR for the mid-rise sites will be derived from the building envelope. It will be based on the standard instrument definition but include above ground car parking if provided. Non-permanent enclosure or screening of balconies is permitted where it aids the amenity of the apartments. The FSR will be calculated at 80% of the building envelope for retail commercial and 75% of the building envelope for residential. This enables all building envelopes to be built to their capacity as established by the subdivision plan. On the mid-rise sites tested the FSR varied from 2.5:1 to 4.0:1 depending on uses. The FSR of an all retail/commercial site was 5.0:1.

Uses

As a minimum the ground floor must be used for retail and first storey for commercial purposes.

KEY SITES

Characteristics

Key sites are those that can accommodate tower development. Towers may or may not have a podium depending on the site characteristics.

Key sites are those that have:

- a large site area (minimum 1500 sqm) in one ownership or the potential to amalgamate;
- multiple street frontages;
- a site shape that can accommodate taller buildings that can be designed to not impact negatively on the adjacent public domain, heritage buildings or neighbouring sites;
- a site shape that can accommodate tower footprints of up to 750 sq metres GFA with the appropriate set backs and separation distances between towers; and / or
- offer the potential to provide some additional car parking located in key locations in the CBD and/ or
- the potential to improve the public domain, extend lanes, provide through-site links

Objectives

The objectives for the development of the key sites are to:

- provide active street and lane frontages;
- enable development with or without amalgamation;
- form a cohesive related urban form even though sites are developed independently;

- allow flexibility of uses within the building envelope [long life/loose fit] that can change over time;
- create a skyline;
- define entrances and edges; and
- provide parking for the development on the site and to allow for public car parking to be dedicated to Council. The amount of additional car parking will be determined by the site characteristics and location. Car parking is permitted in basements and a maximum of two levels above ground on Levels 1 and 2. Car parks are to be hidden from the public areas by 'sleeving' with other uses or by screening. The solution will depend on the location of the site.

Outcomes

The method of achieving the desired outcome is to develop a master plan. This is to ensure an optimum outcome for these large complex sites and the need to ensure that these sites contribute to the overall function of the city. The matters that need to be considered in formulating the master plan are:

- The position of the site in the CBD,
- The existing development on the neighbouring sites,
- The potential development on the neighbouring sites,
- Overshadowing of both the public domain and private lands,
- Heritage,
- The size, shape and area of the site,
- Street width and pavement width,
- The number of street frontages, and
- Parking availability and vehicle entrance.

The master plan will show in plan and section the massing and built form including:

- FSR, shadowing, podium, building alignment, set-backs, building footprint, awnings and general layout.
- Pedestrian and car entrances, parking, waste collection and indicative uses.

Building Envelope

The objectives for the building envelope controls are to:

- enable buildings to relate to each other along the street, lanes and the party walls;
- relate building heights to the streets and lanes creating a podium street wall;
- take account of solar access to the public domain and neighbouring sites;
- create a skyline for the CBD;
- define prominent entrances and edges within the city; and

- enable the appropriate separation distances between residential buildings.

The building envelopes for the key sites will vary. They will be derived from the master plan. The maximum height of podiums is 4-6 storeys. The maximum height of party walls is 4-6 storeys.

FSR

The objectives for the proposed FSR are to:

- facilitate a wider range of development potential; and
- encourage better built form outcomes by relating floor space ratio to building typology and public domain outcomes.

The FSR for the key sites will be derived from the building envelope/s as agreed in the masterplan. It will be based on the standard instrument definition and will include above ground car parking if provided. Non-permanent enclosure or screening of balconies is permitted where it aids the amenity of the apartments. The area balconies treated in this way will not be included in the FSR. The FSR will be calculated at 80% of the building envelope for retail commercial and 75% of the building envelope for residential.

The floor space ratios are determined by a formula as a percentage of the building envelope and related to the proposed uses as defined by the master plan. This enables all master planned sites to be built to their capacity having considered all issues associated with the site. On the key sites tested the FSR varied from 5.0:1 - 10.0:1 depending on uses and site conditions.

Uses

As a minimum the ground floor must be used for retail and the first storey for commercial purposes.

Long Term Civic Sites

Characteristics

Two long term civic sites are identified They are the Liverpool Public School and Court House Site in the block bounded by Moore Street, Bigge Street, Railway Street and Crawford Serviceway and the Bus Interchange and Rail Station site bounded by Moore Street, the heavy rail line and Bigge Street

Objectives

The objectives for the development of the civic sites are to:

- provide opportunities for cultural, education ,civic ,transport , commercial and residential places and uses
- integrate the current civic uses , heritage buildings and places into the CBD
- integrate transport infrastructure into the CBD
- link the CBD to the Georges River and Light Horse Park
- link Bigge Park to the Rail Station
- define the edge of the CBD to the river
- create and / enhance the heritage forecourts and places
- and
- provide for public car parking as required by Council

Outcomes

The method of achieving the desired outcome is to develop a master plan. This is to ensure that these sites contribute to the overall function of the city. The matters that need to be considered in formulating the master plan are:

- introducing new circulation networks on the Bus Interchange site to reconnect the site to the CBD
- reinforcing the heritage ,civic and transport role of the sites in the CBD
- enhancing the Court House and the Railway Station and its entrance plaza
- improving connections within the CBD and to the river
- the impact on existing and potential development on the neighbouring sites,,
- overshadowing of both the public domain and private lands,
- the size, shape, topography and area of the site relative to new building typologies ,
- street and pavement widths,,
- the views across the river to the CBD . and
- parking availability and vehicle entrance.

The master plan will show in plan and section the massing and built form including:

- circulation and movement patterns
- FSR, shadowing, building alignment, building envelopes, set-backs, building footprint, awnings levels and general layout.
- pedestrian and car entrances, parking, waste collection and indicative uses.

Building Envelopes

The building envelopes will be derived from the master plan. The objectives for the building form in the long term civic sites are to:

- enable new buildings and proposed street networks to relate to and enhance the heritage buildings

- enable new buildings and proposed street networks to relate to the existing buildings, streets and open space
- take account of solar access to the public domain and neighbouring sites;
- define the site edges related to the river and the streets network
- and
- enable the appropriate separation distances between buildings.

FSR

The objectives for the FSR are to:

- facilitate a wide range of development potential; and
- encourage better built form outcomes by relating floor space ratio to building typology and public domain outcomes.

The FSR for the civic sites will be derived from the building envelope/s as agreed in the masterplan and they will be determined by a formula as a percentage of the building envelope and related to the proposed uses.

Uses

These will be determined in the Masterplan

Connectivity and Active Street Frontages

Objectives

The objectives to assist in creating a vibrant city centre are to:

- improve connectivity;
- activate the lanes and so create a different spatial and economic experience;
- create generous pavements between key destinations;
- facilitate passive surveillance of the streets and lanes; and
- create the opportunity for spill out uses on the pavement eg outdoor dining etc.

Characteristics

Vibrant urban centres have a spatial hierarchy of interconnected streets. In Liverpool the spatial hierarchy comprises the Macquarie Street Mall, the gridded street pattern and the serviceways, the forecourts and some wide footpaths.

Outcomes

The method of achieving the desired outcome is to:

- Extend laneways through to streets so that there are clear sight lines;
- Create arcades and cross block links;
- Promote active uses at ground floor on the lanes and serviceways;
- Create setbacks on the long lanes / service ways parallel to George Street, Bathurst Street Macquarie Street to ensure that there is adequate separation between buildings to allow for residential on the upper levels on both sides of the lane; and
- Set back buildings on the south side of Elizabeth Street and Scott Street to maintain and/or create wide footpaths.



Figure 4|Indicative Serviceways and Arcades

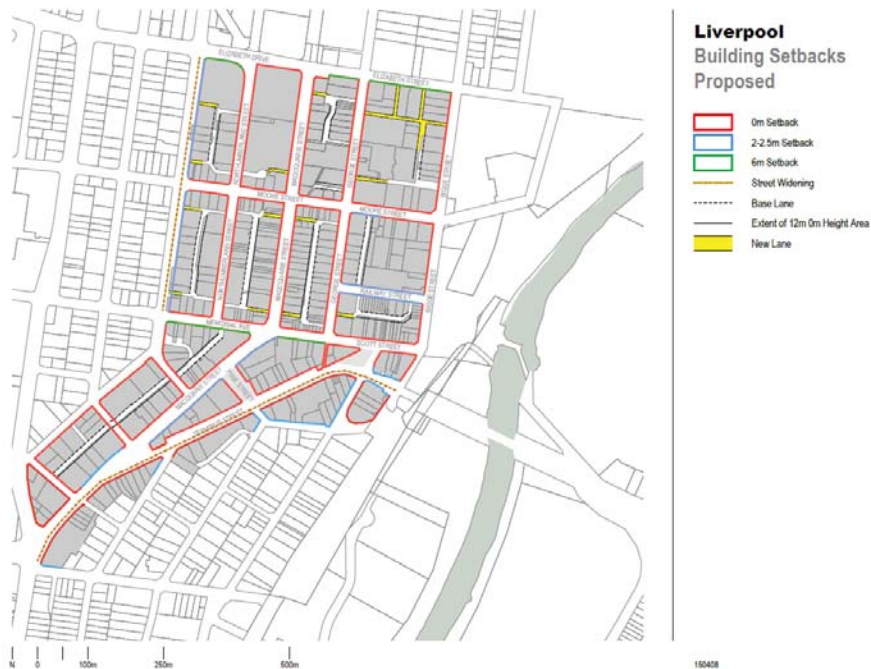


Figure 5 | Indicative Building Set Backs

Design Excellence

Liverpool City Council Design Excellence Panel

A Liverpool City Council Design Excellence Panel was endorsed by Council at its meeting of 24th March 2015. The Panel would be convened by the Minister under SEPP 65 legislation.

Objectives

The objectives for creating the Liverpool Design Excellence Panel (LDEP) are to:

- Improve the design quality of development in Liverpool;
- Facilitate independent design input from highly skilled designers and architects; and
- Provide advice to applicants and their consultants on options to improve the quality of their designs.

Outcomes

The LDEP will provide design advice for major development in the Liverpool CBD as set out under the Liverpool Design Excellence Panel Charter.

OVERVIEW OF THE ASSESSMENT OF THE PROPOSED CHANGES TO THE LLEP 2008

An initial assessment of the proposed changes to the LLEP was undertaken by Council officers. This was informed by a number of studies and work done as part of the Building Our New City initiative.

Following this review, a planning proposal detailing the changes sought to the Liverpool LEP 2008 is being prepared by Council officers for submission to the Department of Planning and Environment (DP&E) for Gateway Review.

The proposed rezoning from B3 Commercial Core and B4 Mixed Use is considered appropriate for the Liverpool CBD. This zoning change would provide for a more flexible range of uses, including residential accommodation in the form of shop top housing as part of mixed use development. This will facilitate an increased population in the city centre and contribute toward Council's vision to increase activity and vibrancy within the CBD.

To address the potential loss of commercial floor space which may arise from permitting residential on the currently zoned B3 land, Council officers note that B4 Mixed Use still facilitates commercial uses without compromising the high yields and demand associated with residential uses. This zoning provides a more flexible approach to revitalise the city centre and has been done successfully in other areas, such as Burwood.

Ministerial Directions

Subject to Council's approval of this report, Council officers will finalise the CBD planning proposal for approval by the CEO before 30 April. The planning proposal will then be submitted to the DP&E for Gateway Review.

The planning proposal must address S117 Ministerial Directions. Ministerial Direction 7 (4) requires that, "Planning Proposals shall be consistent with:

"(a) the NSW Government's A Plan for Growing Sydney published in December 2014."

It is to be noted that the Sydney's South West Subregion chapter of the Plan for Sydney states with regard to Liverpool:

"Work with council to retain a commercial core in Liverpool, as required, for long term employment growth".

The rezoning of all land zoned B3 Commercial Core located within the Liverpool City Centre to B4 Mixed Use would appear to be inconsistent with the Sydney's South West Subregion chapter, and therefore inconsistent with the Ministerial Direction 7 Metropolitan Planning. However as detailed in this report and as discussed in the Councillor workshop in November and the February briefing session, the existing B3 zoning has not generated the employment

outcomes envisaged. It is clear that a new approach is required. One of the objectives of this planning proposal is to general the residential density in the city centre to create demand for new business opportunities and jobs. The proposal will incentivise commercial development and activate the CBD centre vibrancy to assist in the further investment interest.

Council's planning proposal will also address the drift of knowledge jobs to the Sydney CBD and the need for Liverpool to reinvent itself as a mixed use urban centre focused along the Georges River. The planning proposal will also acknowledge the potential long term changes to the area given the development of Badgerys Creek airport and changed transport systems. These changes provide the opportunity for commercial and mixed use development across the river on the land currently zoned industrial but where already there are proposals for a mix of uses.

Next Steps

Subject to Council's approval, the planning proposal will be finalised for the CEO's delegated approval before 29th May 2015 for submission to the Department of Planning and Environment for Gateway Review. It is anticipated that the rezoning process will be complete by late 2015.

As Councillors would be aware, following a Gateway Determination for a planning proposal there is a process of State agency consultation, public exhibition, and a further report to Council before proceeding with the making of any changes to the LEP. An estimated timeframe for the amendment process is attached to this report.

Conclusion

It is recommended that Council endorse in principle the proposal to rezone the Liverpool City Centre from B3 Commercial Core to B4 Mixed Use and make associated amendments to the LLEP, as detailed in this report; and that the CEO be delegated to approve the planning proposal prior to submission to the NSW Department of Planning and Environment for Gateway determination.

CONSIDERATIONS

Economic and Financial	Facilitate economic development. Further develop a commercial centre that accommodates a variety of employment opportunities (in the City Centre).
Environmental and Sustainability	There are no environmental and sustainability considerations. Improve sustainability by strengthening a walkable centre and minimising car journeys

Social and Cultural	Preserve and maintain heritage, both landscape and cultural as urban development takes place. Regulate for a mix of housing types that responds to different population groups such as young families and older people.
Civic Leadership and Governance	There are no civic leadership and governance considerations.

ATTACHMENTS

Nil