

23 August 2016

Ms Catherine Van Laeren
Regional Director Sydney West
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms van Laeren

**Re: Submission of a Planning Proposal – Shepherd Street, Liverpool
Draft Liverpool Local Environmental Plan (Amendment No. 65)**

In accordance with Section 56 of the Environmental Planning and Assessment Act 1979, Council is forwarding the attached Planning Proposal for Draft Liverpool Local Environmental Plan 2008 (Amendment No. 65) seeking Gateway determination. The proposal affects 20-33 Shepherd Street, Liverpool, and seeks to:

- Increase the Height of Buildings to 77m; and
- Increase the Floor Space Ratio to between 3.3:1 and 3.7:1.

At its meeting on 29 June 2016, Council resolved to:

1. *Endorse, in principle the modified planning proposal for 20-33 Shepherd Street Liverpool for increased density on the existing R4 site;*
2. *Delegate to the A/CEO the authority to finalise the planning proposal and submit to the DPE for Gateway approval, subject to the submission of the following:*
 - a) *An urban design analysis;*
 - b) *A transport and mobility study; and*
 - c) *A comprehensive social impact assessment.*
3. *Note that the A/CEO will finalise negotiations regarding the proposed voluntary planning agreement and public benefit offer and any other relevant conditions as required to support the proposal, with a report to be presented to a future Council meeting.*

Council requests Gateway determination for the planning proposal in accordance with Section 56 of the EP&A Act 1979.

The planning proposal is supported by:

- Urban Design Report;
- Flood Impact Report;
- Traffic and Transport Study;
- Ecology/Riparian Corridor Flora and Fauna Report;
- Heritage Report;
- Aboriginal Cultural Heritage Assessment; and
- Social Impact Assessment.

Accordingly, the requirements of the Council resolution referenced above have been satisfied and the proposal can now be forwarded for Gateway approval.

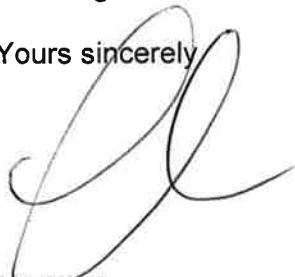
Two detailed reports have been prepared specifically for the precinct including an updated Traffic and Transport report prepared by Inroads and an Integrated Transport Assessment prepared by Smyth Consulting. In combination, these reports address innovative transport solutions to influence mode sharing behaviour in the precinct and demonstrate that the proposed rezoning is acceptable on a technical level. These reports satisfy the Council resolution in terms of progressing to the Department for Gateway determination.

Note that in respect of the transport and mobility study, Council has commissioned a comprehensive traffic study in support of the CBD LEP Amendment 52 as required by Transport for NSW. This traffic modelling will test the technical and professional input that the applicant has provided for the purpose of upgrades for any units above that currently permissible in the precinct under the existing controls. A Voluntary Planning Agreement is being negotiated between the proponent and Council and will be finalised following Gateway. These negotiations will also be informed by the outcomes of the broader traffic studies currently being undertaken. The draft Voluntary Planning Agreement will be exhibited with the planning proposal following Gateway determination.

Details of the outcome of these further traffic studies will be forwarded to the Department upon completion, expected to be mid-September 2016.

Should you require any further information on this matter, please contact Toni Averay Director Planning and Growth on 9821 9242.

Yours sincerely



Michael Cullen
A/Chief Executive Officer

*Attachment:
Amended Planning Proposal for 23-33 Shepherd Street prepared by Mecone dated August 2016
including Appendixes 1-9*