

3 November 2021

2200620

Mr Tony Reeves
Chief Executive Officer
Liverpool City Council
Shop R1, 33 Moore Street
Liverpool NSW 2170

Attention: Boris Santana (Senior Planner, Architectus)

Dear Boris,

Change of Use

Liverpool Civic Place Phase B/C Detailed DA (DA-1080/2020) – 44 Scott Street, Liverpool

This letter has been prepared on behalf of Built Development Group (Built) detailing an amendment to the Liverpool Phase B/C Detailed DA that is currently under assessment. Specifically, this amendment involves changing the use of the originally proposed co-living building (boarding house use) to a hotel building (tourist and visitor accommodation use). It is noted that tourist and visitor accommodation is an approved use in Phase B/C of Liverpool Civic Place under the Concept DA consent (DA-585/2019), as outlined in detail in **Section 1.1**. The amended plans reflecting the hotel use are submitted to Architectus in accordance with clause 55 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regs).

This letter outlines the relevant planning approval history and the originally proposed scope of the Phase B/C Detailed DA (DA-1080/2020). In addition, the proposed tourist and visitor accommodation use is assessed against the relevant Liverpool Development Control Plan 2008 (Liverpool DCP 2008) provisions that relate to hotel uses.

This letter should be read in conjunction with the Statement of Environmental Effects prepared by Ethos Urban that supported the Phase B/C Detailed DA, the amended Architectural Plans prepared by FJMT (**Attachment A**) and the amended Hotel Plan of Management (**Attachment B**).

1.0 Background

1.1 Concept DA (DA/585/2019)

In accordance with section 4.22 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and clause 7.5A of the Liverpool LEP 2008, a Concept DA (DA-585/2019) was prepared by Built and approved by the Sydney Western City Planning Panel (SWCPP) on 31 August 2020. The Concept DA consent set parameters for the future development of the site, including the approved land uses, building envelopes and an expanse of public domain and basement. Specifically, the Concept DA consent approved the following (***our emphasis in bold italics***):

- A building envelope with a maximum height of RL 44.45 for the purpose of an information and education facility (public library) use; and
- A building envelope with a maximum height of RL 84.25 for the purpose of a public administration building use, and either (or a combination of) commercial premises or child-care centre uses; and
- *A building envelope with a maximum height of RL 118.85 which will accommodate either (or a combination of) commercial premises, educational establishments, **tourist and visitor accommodation** or boarding house (student accommodation) uses; and*
- A landscaping and public domain concept including the provision of a public through-site link running north to south through the site, connecting Scott Street to the north through to Terminus Street to the south; and
- A building envelope for a three-level shared basement car park across the entire site to accommodate parking for all future uses and accommodating a public car park to be owned by Council.

As identified above, a tourist and visitor accommodation use is approved for the site as part of the Concept DA development consent (DA-585/2019). **Figure 1** below identifies that this land use was approved as part of the Phase B/C component of Liverpool Civic Place. As such, the proposed amendment to the Phase B/C Detailed DA (currently under assessment), to replace the existing proposed boarding house use with a tourist and visitor accommodation use (hotel) pursuant to clause 55 of the EP&A Regulation, does not contravene the Concept DA consent.

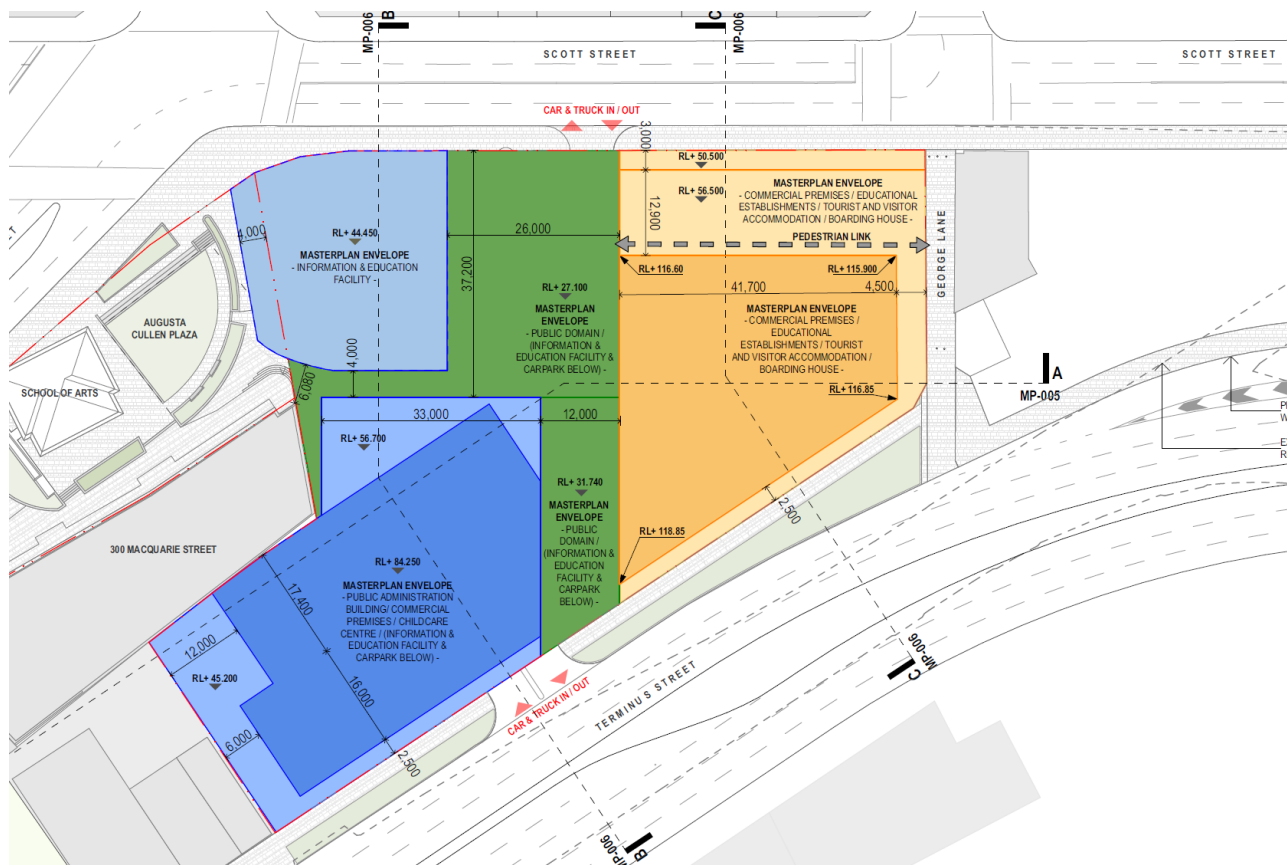


Figure 1 Liverpool Civic Place approved Concept DA

Source: FJMT

2.0 Amendment to the proposed Phase B/C development

The Phase B/C Detailed DA sought consent for the development set out below. The changes proposed to the development pursuant to clause 55 of the EP&A Regulation are identified below, with deletions shown in ~~red strikethrough~~ and additions in *blue italics*.

- Construction and use of a 22 storey commercial office building, comprising:
 - lower ground and upper ground retail floor space; and
 - 19 commercial office levels.
- Construction and use of a 9 storey *hotel co-living* building, comprising:
 - lower ground level retail floor space; and
 - 8 *hotel co-living* levels.
- Construction of a 4 level basement, including:
 - 150 parking spaces;
 - motorcycle, bicycle parking spaces and end of trip facilities; and
 - loading dock facilities;
- Landscaping and public domain works including:
 - a pocket park fronting Scott Street; and
 - an east west through site link connecting George Lane to the central public plaza.
- Extension and augmentation of services and infrastructure as required.

The above description of the development highlights the minimal change to the proposed development description. A further detailed breakdown comparing the key numeric development information of the originally proposed development with that of the amended proposal is provided in **Table 1** below.

Table 1 Comparison of originally proposed development with the amended proposal

Component	Original proposal	Amended proposal	Difference
Proposed GFA total	25,162m²	25,162m²	Nil
<ul style="list-style-type: none"> • Boarding house (co-living building)/<i>hotel building</i> 	<ul style="list-style-type: none"> • 2,960m² 	<ul style="list-style-type: none"> • 2,960m² 	Nil
FSR	2.69:1 ¹	2.69:1	Nil
Co-living/ <i>hotel</i> rooms	84	84	Nil
Height in storeys	9	9	Nil
Maximum building height	RL 54.20	RL 54.20	Nil
Building setbacks and separation <ul style="list-style-type: none"> • North • South • East • West 	<ul style="list-style-type: none"> • Nil setback to Scott Street • 4.5m – 6.8m separation from commercial office building • 7.1m setback to George Lane • 31.7m separation from library building in Phase A 	<ul style="list-style-type: none"> • Nil setback to Scott Street • 4.5m – 6.8m separation from commercial office building • 7.1m setback to George Lane • 31.7m separation from library building in Phase A 	Nil

¹ Site area for the purposes of calculating FSR in accordance with clause 4.5 of the Liverpool LEP 2008 is 9,348m².

Table 1 above confirms that there is numeric consistency between the original co-living use and the proposed hotel use. The change of use has triggered some minor internal design changes as illustrated at **Attachment A**, however this does not change the GFA or the external design of the proposal. The Plan of Management has been updated to reflect the hotel use and this is provided at **Attachment B**. The Plan of Management will be a responsive document, as the future operator will embellish the Plan of Management consistent with their specific operations prior to occupation.

Ultimately, the provision of a hotel use will support Liverpool as a growing strategic centre in Greater Western Sydney, and significantly enhance place activation within the new Liverpool Civic Place precinct. We reiterate that the hotel use was assessed and approved as part of the Concept DA consent and the environmental impacts have not materially changed from the co-living use, as such all environmental and design related assessment under DA-1080/2020 remains relevant to the finalisation of this application.

3.0 Liverpool DCP 2008 assessment

The amendment to the proposed development does not impact the proposal's compliance with the majority of the Liverpool DCP 2008 provisions. Notwithstanding this, the amendment of the proposal to replace the co-living building with a hotel building requires an assessment against the relevant provisions of the Liverpool DCP 2008 relating to tourist and visitor accommodation uses. While there is no specific part of the Liverpool DCP 2008 relating to tourist and visitor accommodation uses, there are certain relevant provisions that require further assessment. An assessment against these provisions is provided in **Table 2** below.

Table 2 Assessment against relevant Liverpool DCP 2008 provisions

DCP section	Control	Comments
Part 1 – General controls for all development		
20.3 On-site car parking provision and service facilities by land use	<p><u>Bicycle parking and cycling facilities</u></p> <p><u>Office premises</u></p> <ul style="list-style-type: none"> • 1 staff space per 200m² GFA. • 1 visitor space per 750m² GFA. <p><u>Tourist and visitor accommodation</u></p> <ul style="list-style-type: none"> • 1 per 10 staff. • 1 per 20 bedrooms. 	This development proposes a total of 147 bicycle parking spaces. Accordingly, the proposed development remains compliant with the minimum required rates outlined, as the change from a boarding house to a tourist and visitor accommodation use requires the provision of fewer bicycle parking spaces.
Part 4 – Development in Liverpool City Centre		
4.4.1 Vehicular access and manoeuvring areas	<p>All weather access:</p> <ol style="list-style-type: none"> Locate and design porte cochere (for hotels only) to address urban design, streetscape, heritage and pedestrian amenity considerations. Design porte cochere to be internal to the building, where practical, with one combined vehicle entry and exit point, or one entry and one exit point on two different frontages of the development. In exceptional circumstances for buildings with one street frontage only, an indented porte cochere with separate entry and exit points across the footpath may be permitted, as long as it is constructed entirely at the footpath level and provides an active frontage at its perimeter. 	<p>Through the Concept DA assessment, there was a recognised need to minimise vehicle crossovers along Scott Street. In this regard, a porte cochere has not been proposed, but this will not result in unacceptable accessibility to the hotel use for workers and guests.</p> <p>All drop off and pick up arrangements can be managed via the internal share way, adjoining the hotel to the west. The hotel only contains 84 rooms, as such it is small in scale and inherently will not result in a large volume of pick up and drop off vehicles.</p>

4.0 Conclusion

We trust the contents of this letter and its attachments provide sufficient information to communicate the proposed amendment to the Phase B/C Detailed DA, pursuant to clause 55 of the EP&A Regulation, involving the replacement of the original co-living building with a hotel building. As demonstrated through this letter, the proposed change does not impact the nature, scale, and architectural design of the proposal. Should you have any queries regarding the content contained within this letter, please do not hesitate to contact the undersigned to discuss.

Yours sincerely,



Costa Dimitriadis
Urbanist, Planning
0424 445 345
cdimitriadis@ethosurban.com



Luke Feltis
Principal
0413 307 898
lfeltis@ethosurban.com