

2190157
6 May 2020

Tim Moore
Deputy CEO City Economy & Growth
Liverpool City Council
33 Moore Street,
Liverpool, NSW, 2170

Dear Mr Moore,

Attention: Geoff Kwok (Architectus)

**DA/585/2019 - Response to Request for Additional Information
Liverpool Civic Place Concept Development Application
52 Scott Street, Liverpool**

This letter has been prepared for Liverpool City Council (Council) and Architectus as the assessment authority on behalf of Built Development Group (Built). It is prepared in response to Architectus' Request for Additional Information (RFI) dated 31 January 2019 which raised various matters for consideration as part of the assessment of DA/585/2019, being a Concept Proposal for a new mixed use precinct known as Liverpool Civic Place at 52 Scott Street, Liverpool.

This letter sets out the proposed design modifications, provides a summary of the post lodgement discussions between Council and the Applicant, details the design development process undertaken to address Council's and the Design Excellence Panel's advice, and provides a specific response to matters raised within Council's correspondence. It should be read in conjunction with the exhibited DA (DA/585/2019) and the following supporting documentation:

- Detailed Response to Council's request for additional information prepared by Ethos Urban (**Attachment A**);
- Revised Concept Envelope Plans prepared by FJMT (**Attachment B**);
- Revised Reference Design Plans prepared by FJMT (**Attachment C**);
- Supplementary Urban Design Report prepared by FJMT (**Attachment D**);
- Revised Wind Impact Statement prepared by Windtech (**Attachment E**);
- Traffic Impact Cover letter prepared by PTC (**Attachment F**);
- Revised Traffic Impact Assessment prepared by PTC (**Attachment G**);
- Revised Clause 4.6 Variation Request prepared by Ethos Urban (**Attachment H**);
- Historical Archaeological Assessment prepared by Extent (**Attachment I**);
- Aboriginal Heritage Due Diligence Assessment prepared by Extent (**Attachment J**);
- Correspondence from Civil Aviation Safety Authority & Department of Infrastructure, Transport, Regional Development and Communications (**Attachment K**);
- DP1224084B Instrument (**Attachment L**);
- Correspondence from RMS to Council (**Attachment M**);
- Infrastructure Services Report prepared by Warren Smith and Partners (**Attachment N**).

1.0 Design Modifications

Following lodgement of the Concept Proposal, the Applicant met with Architectus, Council and the Design Excellence Panel (DEP) on a number of occasions. Namely, the Concept Proposal was presented to the DEP on 26 November 2019 and again on 17 March 2020. The original DEP feedback reflected in Architectus' RFI noted that the proposed built form concept was supported in principle, however the public domain and vehicle access arrangement needed further design consideration. Pursuant to this feedback, the applicant amended the design to include a number of improvements, including:

- Revised vehicle access strategy;
- Revised ground plane; and
- Amended library envelope and program.

The amended envelope plans and reference scheme illustrating these changes are provided at **Attachment B** and **Attachment C**, respectively. Following the second DEP presentation, the minutes issued identified that:

"Overall, the panel supports the revised scheme and acknowledges that the recommendations made in the previous DEP meeting minutes have been addressed, including changes to the proposed building envelopes, vehicular access routes and landscape concept plans, all of which has resulted in an improved scheme".

While an itemised response to all RFI comments is provided at **Attachment A**, the following subsections include require further discussion and detail. **Table 1** below provides a numeric comparison of the original proposal and the revised proposal.

Table 1 Comparison between the original proposal and the revised proposal

Component	DA/585/2019 lodged	DA/585/2019 proposed	Difference
Concept proposal total			
Site area	9,189.5m ²	9,189.5m ²	Nil
Indicative GFA and FSR of Reference Design (Appendix B)	50,034m ² (5.44:1)	50,702m ² (5.52:1)	+ 668m ² Final GFA/FSR to be determined in subsequent detailed design applications
Maximum height	RL 118.850 (94.7m) to top of building envelope	RL 118.850 (94.7m) to top of building envelope	Nil
Parking spaces (indicative)			
• Car • Motorbike • Bicycle	• 413 spaces (indicative – subject to change with detailed design applications) • To be determined in subsequent detailed design applications • To be determined in subsequent detailed design applications	• 413 spaces (indicative – subject to change with detailed design applications) • To be determined in subsequent detailed design applications • To be determined in subsequent detailed design applications	Nil Final parking provision to be determined in subsequent detailed design applications
Landscaping and public domain of reference design	Approximately 4,100m ² (44%)	4,300m ² – 5,468m ² to surrounding kerbs (including footpaths to Scott Street, Terminus Street, Macquarie Street and George Lane and including Augusta Cullen plaza)	+200m ² – 1,368m ² Final landscaping and public domain % and design to be determined in subsequent detailed design applications

Component	DA/585/2019 lodged	DA/585/2019 proposed	Difference
North western building envelope			
Use	Information and education facility (public library)	Information and education facility (public library)	Nil
Indicative GFA of reference design	5,059m ² Final GFA to be determined in subsequent detailed design applications.	5,010m ²	- 49m ²
Maximum height	RL 43.45	RL 44.45	+1m
Setbacks and separation			
• North • South • East • West	• 0m setback to Scott Street • 8.7m separation from the south western envelope • 20m separation from the eastern envelope • Approximately 23m separation from the School of Arts Building	• 0m setback to Scott Street • 4m separation from the south western envelope • 26m separation from the eastern envelope • Approximately 22m separation from the School of Arts Building	• Nil • 4.7m less separation • +6m separation from the eastern envelope • Approximately the same separation from the School of Arts Building
South western building envelope			
Use(s)	Public administration building and commercial and / or child care uses	Public administration building and commercial and / or child care uses	Nil
Indicative GFA of reference design	17,014m ²	17,748m ²	+ 734m ²
Maximum height			
• Podium • Tower	• RL 56.7 • RL 84.25	• RL 56.7 • RL 84.25	Nil
Podium setbacks and separation			
• North • South • East • West	• 37.2m front setback to Scott Street • 8.7m separation from north western envelope • 0m rear setback to Terminus Street • 12m separation from the eastern envelope • 0m separation to adjacent site	• 37.2m front setback to Scott Street • 4m separation from north western envelope • 0m rear setback to Terminus Street • 12m separation from the eastern envelope • 0m separation to adjacent site	• Nil • - 4.7m • Nil • Nil

Component	DA/585/2019 lodged	DA/585/2019 proposed	Difference
Tower setbacks and separation - North - South - East - West	- Approximately 41.8m setback to Scott and 49.2m setback to Macquarie Street 2.5m setback from Terminus Street 12m separation from eastern envelope 6m-12m separation from adjacent site	- Approximately 41.8m setback to Scott and 49.2m setback to Macquarie Street 2.5m setback from Terminus Street 12m separation from eastern envelope 6m-12m separation from adjacent site	Nil
Eastern Building Envelope			
Use(s)	Either (or a combination of) commercial premises, educational establishment, tourist and visitor accommodation or boarding house (student accommodation) uses	Either (or a combination of) commercial premises, educational establishment, tourist and visitor accommodation or boarding house (student accommodation) uses	Nil
Indicative GFA of reference design	27,961m ²	27,944m ²	-17m ² Final GFA to be determined in subsequent detailed design applications
Maximum height	RL 118.85	RL 118.85	Nil
Boundary setbacks and separation - North - South - East - West	0m front setback to Scott Street 0m rear setback to Terminus Street 0m side setback to laneway 12m separation from south western envelope and 20m separation from north western envelope	0m front setback to Scott Street 0m rear setback to Terminus Street 0m side setback to laneway 12m separation from south western envelope and 20m separation from north western envelope	Nil
Boundary setbacks and separation - North - South - East - West	15.9m front setback from Scott Street 2.5m rear setback from Terminus Street 4.5m side setback to laneway 12m separation from south western envelope and 20m separation from north western envelope	15.9m front setback from Scott Street 2.5m rear setback from Terminus Street 4.5m side setback to laneway 12m separation from south western envelope and 26m separation from north western envelope	- Nil - Nil - Nil +6m

1.1 Vehicle Access Strategy

Prior to DA lodgement, the Applicant and Council consulted with the RMS to discuss the vehicle access strategy for the proposal. Terminus Street is a classified RMS road including a two-way, two lane road within a 13m carriageway. The site as it operates today is currently provided with two left in/left out private vehicle access points off Terminus Street. During the development of the scheme, it was seen as optimal to retain this vehicle access point to reduce traffic flows on the Scott Street shared way dissecting the site.

The proposed vehicle access strategy was developed to maintain flexibility while discussions with RMS continued, reserving three possible vehicle access points, including one from Terminus Street and two from Scott Street (central and adjacent to George Lane). It was acknowledged at this time, that the optimal urban design outcome would be to have all vehicles accessing the site from Terminus Street, leaving the central lane to be fully prioritised for pedestrians. Notwithstanding this, following lodgement of the DA, the RMS provided written correspondence dated 11 December 2019 noting that:

*“Access from Terminus Street is for one (1) driveway for entry and exit movements; in a forward direction. The access is provided for **servicing requirements only** and it not provided for commercial, retail or residential access. The access is not to be linked within the building to other parts of the underground carpark”.*

Following receipt of this letter, discussions with RMS continued and an in-principle agreement was reached¹. This involved permitting restricted private vehicle (approximately 200 cars TBC) and service vehicle access from Terminus Street, providing that Council could demonstrate accommodation of the RMS proposed six lane configuration along Terminus Street, which was previously submitted to the RMS. As a result, the Applicant has directly responded to Architectus’ request to limit vehicle access from Scott Street to ensure the quality and function of the public domain is not compromised. As stipulated in the Revised Traffic Impact Assessment (**Attachment F**), there is a significant reduction in vehicle use and pressure on the Scott Street shared way (refer to **Figure 1**), specifically:

- An hourly average of 1 vehicle every 43 seconds.
- Vehicle movements more than halved during morning and afternoon peaks.
- 1 car per 6 minutes average through the lunch period when the public domain would be at its busiest.
- The road carries less than 100 vehicles per hour and is considered suitable for use as a Shared Zone (RMS Guidelines have removed traffic rates for shared zones).

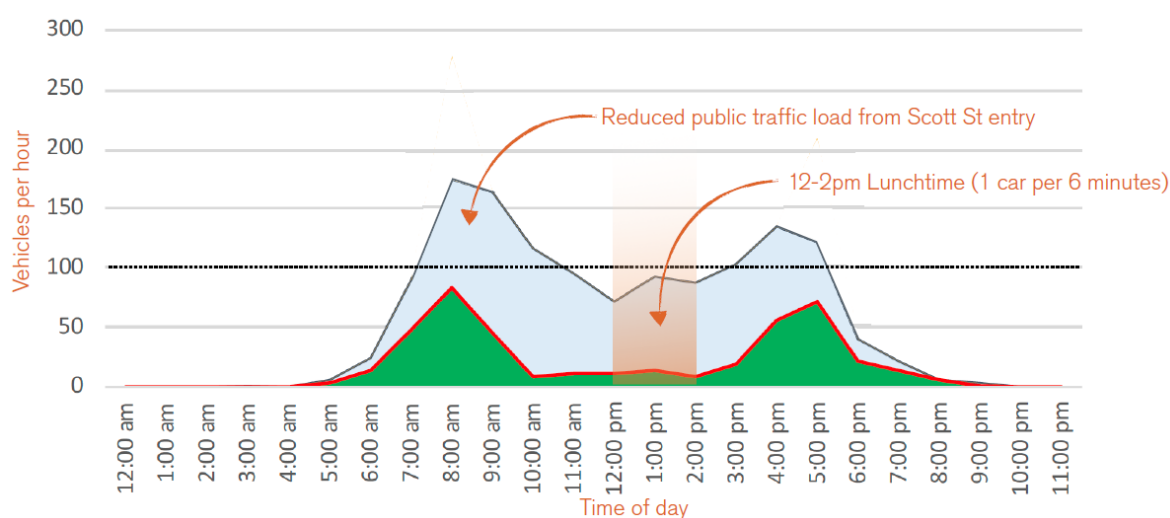


Figure 1 Weekday reduction in Scott Street shared zone traffic (blue zone indicates reduction)

Source: PTC and FJMT

¹ The in-principle agreement reflects verbal advice between RMS and Council in April 2020. The Applicant will provide RMS’ supporting letter prior to the determination of this DA.

The revised vehicle access strategy has opened up opportunities for the detailed design of the shared way. Whilst the current design is concept level only, it envisages that the internal road will be a share way and prioritised for pedestrians. As illustrated at **Attachment D** and **Figure 2** below, through the detailed design and treatment of the shared way, it is seen that it can be a true extension of the public domain, offering a hardscaped element that can be repurposed to accommodate large civic and public events, should Council decide to temporarily close it for this purpose. In this regard, the Concept Proposal has future-proofed the design to ensure it establishes the site as a major civic and employment hub in Liverpool City Centre.

As reflected in the revised Traffic Impact Assessment (**Attachment F**), the final Concept Proposal design includes a three-level shared basement car park across the entire site with vehicle access located from Scott Street and Terminus Street in an arrangement whereby only the public car park and Council/Library loading area will be accessible from the Terminus Street access. This has been proposed to retain consistent traffic activity on Terminus Street when compared with the existing public car park, and to reduce the traffic activity on the proposed Scott Street access, which is proposed as a shared zone².

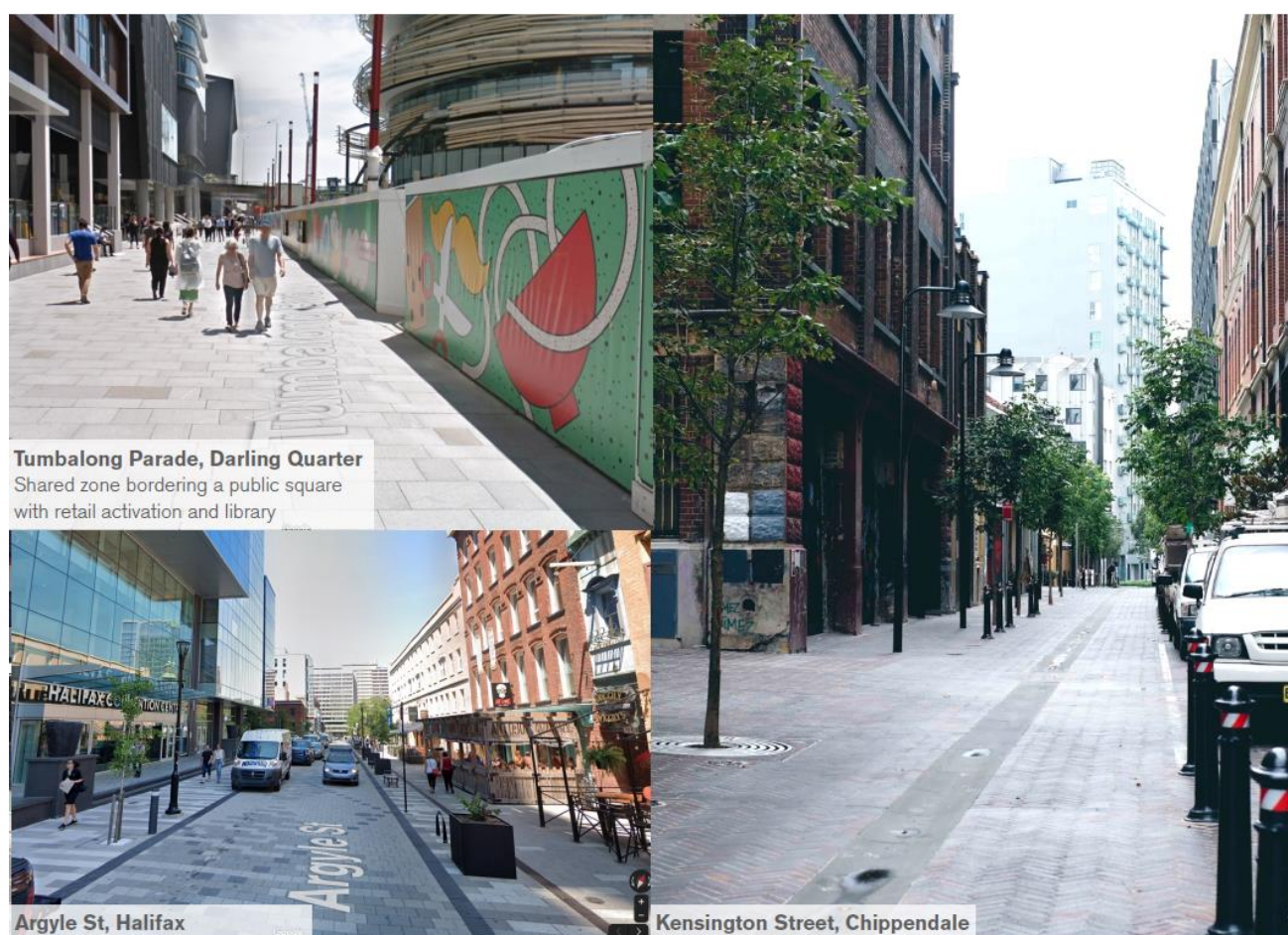


Figure 2 Successful shared way precedents

Source: FJMT

²Reflects verbal advice between RMS and Council in April 2020. The Applicant will provide RMS' supporting letter prior to the determination of this DA. The final vehicle access strategy will reflect the outcome of the RMS letter.

1.2 Public Domain

Throughout the assessment of the Concept Proposal, Architectus and the DEP maintained concerns with the public domain design, in particular the folded ground plane. Specifically, the following was noted:

Architectus:

“The proposed public domain envelope as provided in the Concept DA provides for only the internal street, and the incidental space between buildings to be provided as public space. As previously advised, this does not appear to create a great space for activities, gathering or planting”.

Design Excellence Panel:

“The new public plaza should be located at street level on Macquarie and Scott Streets and provide an appropriately designed termination to Macquarie Street. Secondary public places at the upper, entry level to the council office tower should be of a scale suited to a civic building and provide opportunities for passive and active use during peak times. The plaza should be large enough for major public gatherings, events and civic occasions (1200-1500m²)”.

In response to this, the Applicant worked closely with FJMT and Ethos Urban to develop an alternative that could capitalise on the opportunities generated by the amended vehicle access strategy detailed at **Section 1.1**. The result is an at grade expanse of public domain with a combined area of approximately 5,400m² or 59% of the total site area (refer to **Figure 3**). The public domain strategy considers varied experiences and landscaped features for components of the public domain, as detailed over the page.

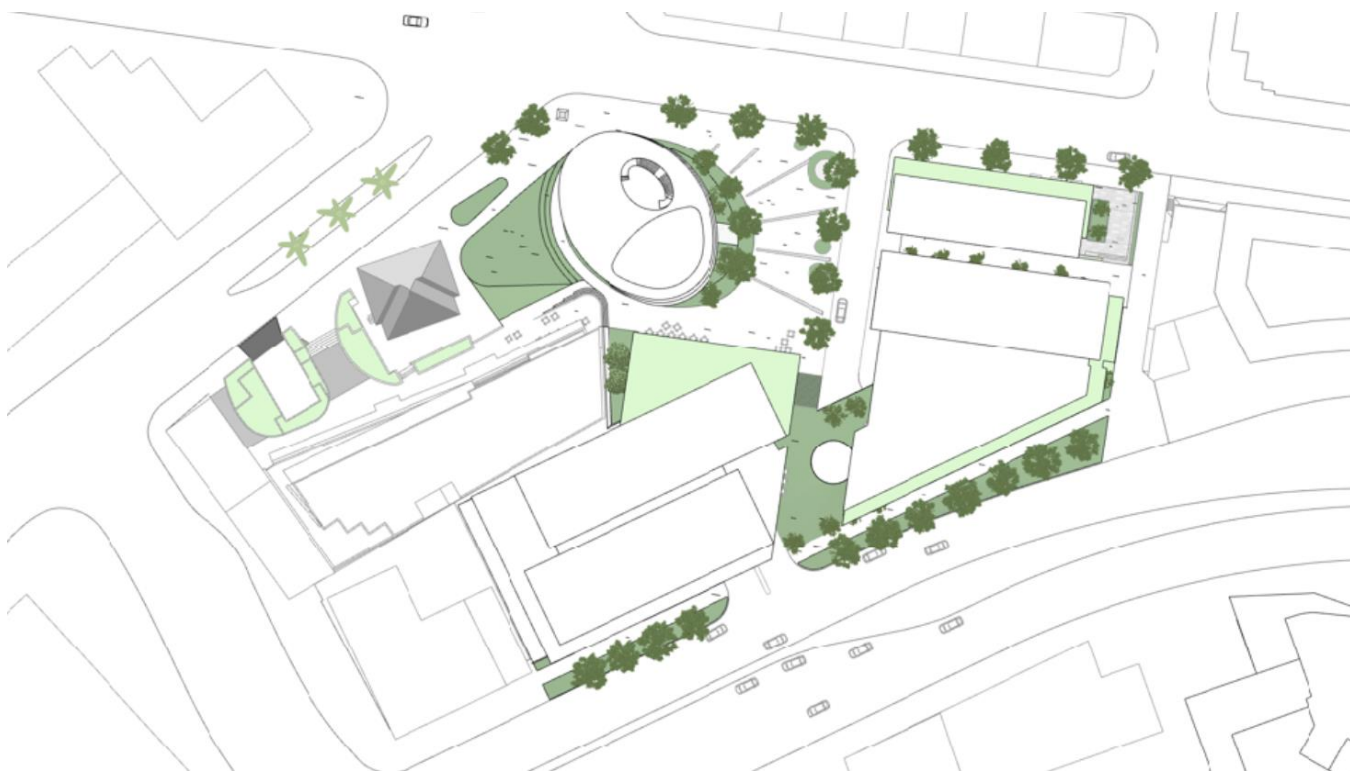


Figure 3 Revised Concept proposal public domain layout

Source FJMT

Civic Square: an activated hardscape comprising approximately 1,200m² (1,600m² with temporarily closed shared way) at grade, improving its useability and connectivity to surroundings. This area will be self-activated by pedestrians and landscape features and will be an optimal area to accommodate public and civic events, in accordance with Council fixtures. This area is the gateway to the site and is further activated by ground floor civic and retail uses with a direct interface to the square.

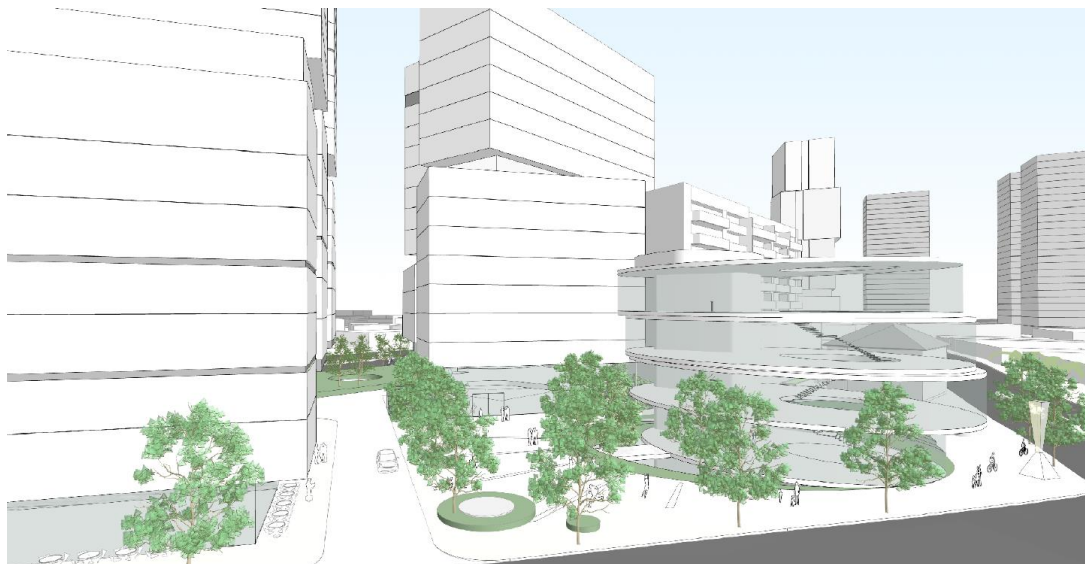


Figure 4 Civic Square concept proposal

Source: FJMT

Civic Green: A quieter softscape setting comprising approximately 1,000m² which can be embellished with complementary landscape features, should an agreement be reached with the adjoining landowner with regarding easement conditions over Augusta Cullen Plaza. The Civic Green is read as an extension of the library ground plane and offers a protected area for passive recreation.

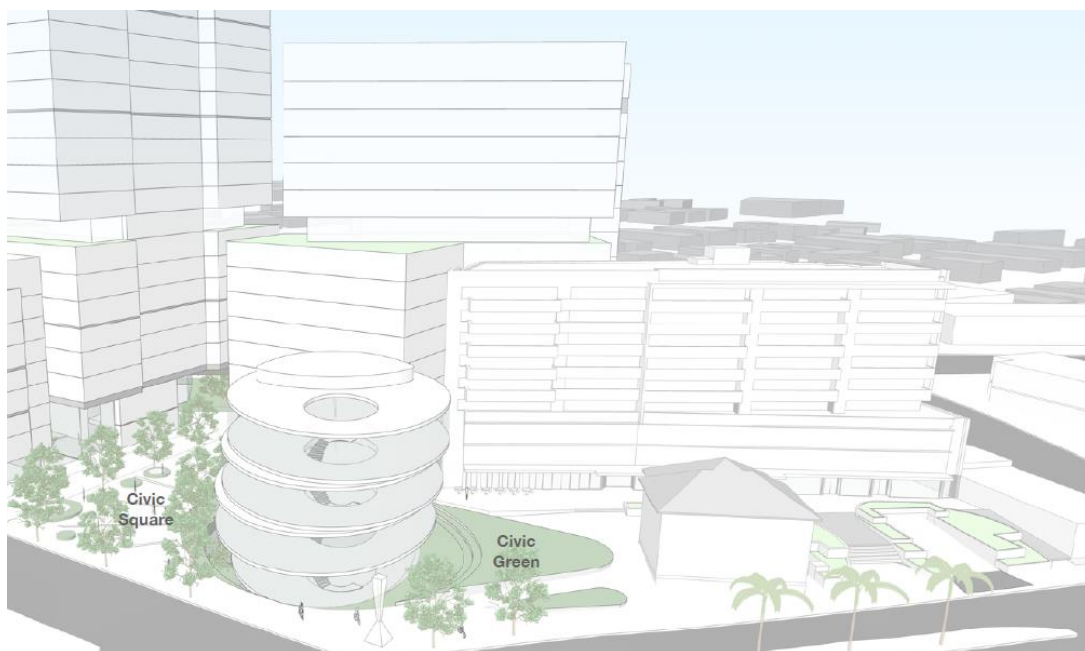


Figure 5 Civic Green concept proposal

Source: FJMT

Scott Street pocket park: a gateway to George Lane designed to enhance the pedestrian experience and soften the built form edge. It offers a supplementary experience to the main civic square and civic green. The pocket park breaks up the built form and offers breathing space to a future development to the east. The pocket park is seen as an integral component of the public domain strategy, and it will provide a unique pedestrian experience when approaching the site from the east along Scott Street. It is also a focal point of the site when approached from George Street.

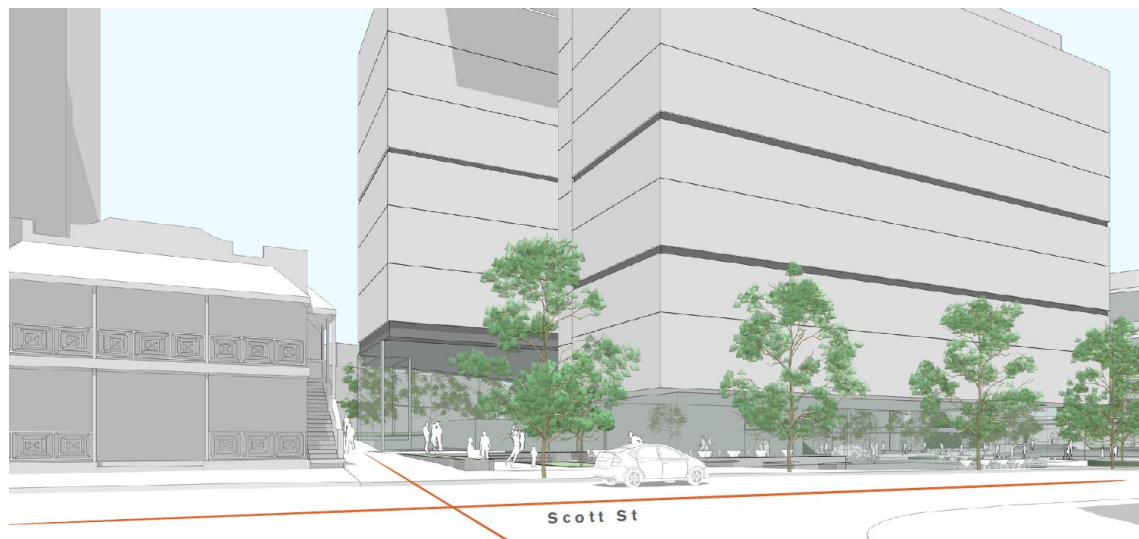


Figure 6 Scott Street pocket park concept proposal

Source: FJMT

Terminus Street pocket park: A supplementary public open space that is level with Terminus Street, offering views back to Macquarie Street and over the central public plaza. This pocket park is designed to add an anchor to the through-site link and contribute to the activation of the Terminus Street frontage. The Terminus Street pocket park ensures that there is a clear and legible expanse of public domain running right through the site.



Figure 7 Terminus Street pocket park concept proposal

Source: FJMT

DA/585/2019 lodged



DA/585/2019 Proposed



Figure 8 Lodged and amended ground plane as viewed from the north

Source: FJMT

1.3 Library Envelope and Program

The reconfiguration of the public domain has resulted in opportunities to enhance the design of the future library building. As reflected in the DEP's feedback, key to this redesign was ensuring that both the public domain and landmark library building shared a strong presence at the terminus of Macquarie Street. In addition, it was recognised that the library building should maintain a sympathetic relationship with the neighbouring heritage listed School of Arts building.

In this regard, the library envelope axis has been rotated as an urban design gesture to the School of Arts Building as illustrated at **Figure 9**. This design move also frees up area to the east and west of the library envelope to embellish the civic square and civic green public domain elements. As such, when the site is viewed from Macquarie Street, the library maintains presence at the top of Macquarie Street as the City's civic anchor, surrounded by strong heritage and public domain features (refer to **Figure 10**).

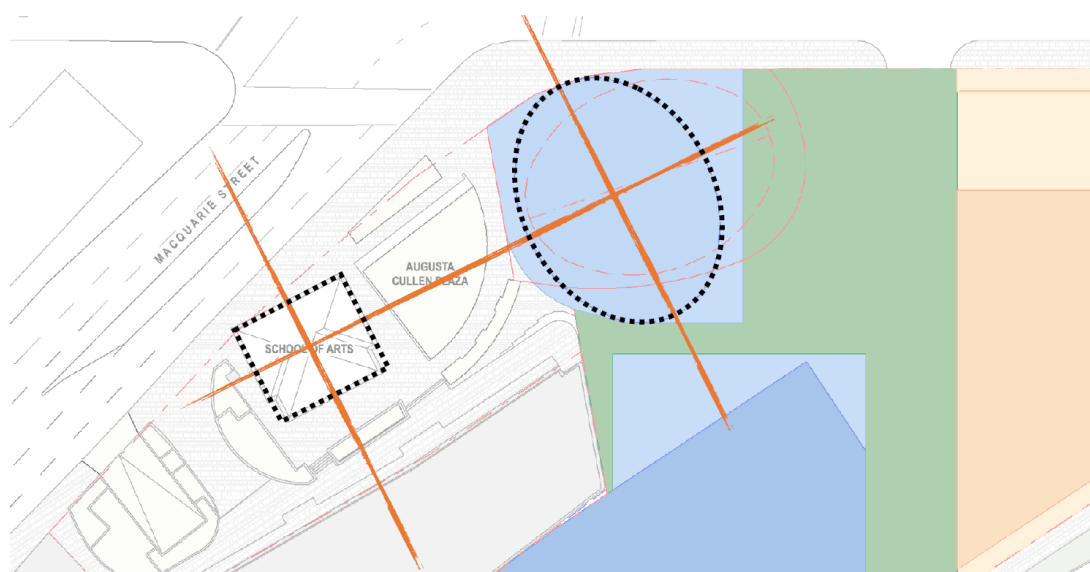


Figure 9 Library envelope axis rotation

Source: FJMT

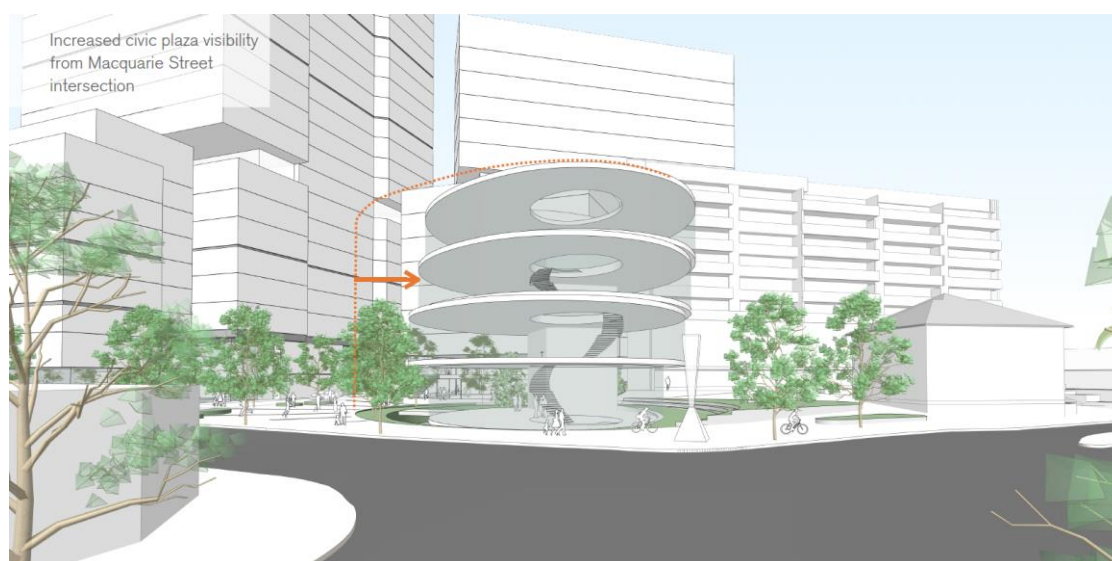


Figure 10 Library, public domain and School of Arts at the visual terminus of Macquarie Street

Source: FJMT

The requirement to accommodate an at grade civic square, had implications on the library configuration and program. As illustrated at **Figure 11**, the subterranean library levels have been reconfigured whilst generally maintaining the height of the above ground library envelope. This redesign was undertaken following close consultation with current Council's library staff to ensure it not only responded to Architectus and the DEP's feedback, but it could also meet the library staff's functional requirements.

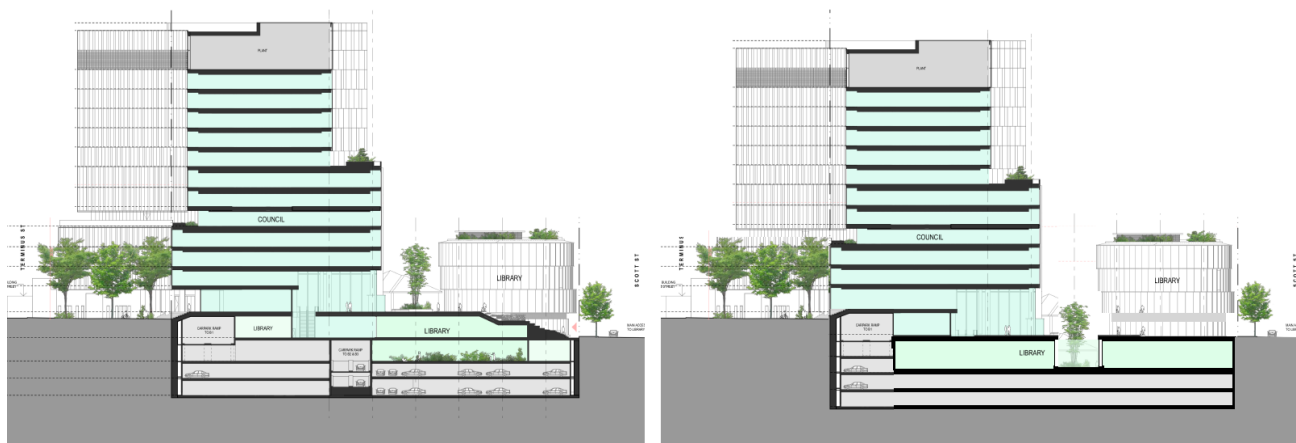


Figure 11 Lodged (left) and amended (right) library envelope

Source: FJMT

As illustrated at **Figure 12** the proposed library now contains a single contiguous lower ground level, that is enhanced from a functional and amenity perspective. The design intent is for the library to truly constitute an extension of the public domain. Through skilful design, this has been achieved, with the concept integrating sunken gardens and trafficable skylights to further activate the civic square. At **Attachment D**, FJMT has prepared a case study analysis of large public libraries, that successfully incorporate large subterranean elements whilst still achieving high levels of solar access and amenity.

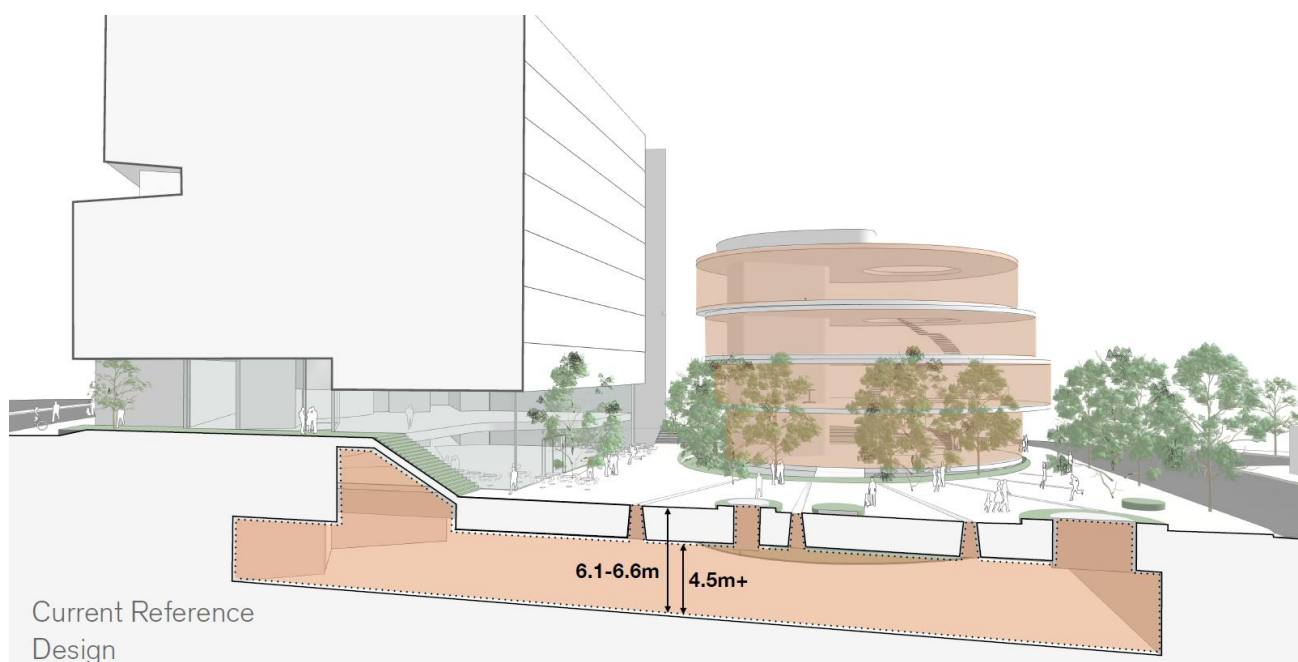


Figure 12 Proposed Library program

Source: FJMT

1.4 Design Excellence

In response to the RFI, further assessment of the Concept Proposal against the design excellence provisions of Clause 7.5 of the Liverpool LEP 2008 has been provided at **Table 2**. It is important to note that the Concept Proposal has been presented to Council's Design Excellence Panel on three occasions, with a mandate to ensure the proposal can achieve design excellence. In the DEP's final feedback dated 17 March 2020, the following was noted:

"Overall, the panel supports the revised scheme and acknowledges that the recommendations made in the previous DEP meeting minutes have been addressed, including changes to the proposed building envelopes, vehicular access routes and landscape concept plans, all of which has resulted in an improved scheme."

Accordingly, and with reference to the assessment within **Table 2**, it is clear that the proposal exhibits design excellence, and that it provides the framework for further detailed design considerations will be explored as part of subsequent DAs.

Table 2 Design excellence in Liverpool city centre

Provision	Assessment
<i>In considering whether development exhibits design excellence, the consent authority must have regard to the following matters:</i>	
whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	The Concept Proposal seeks consent for building envelopes only, with the architecture and detailed building expressions to be developed and submitted for assessment in subsequent DAs. Notwithstanding this, the reference scheme demonstrates that the proposed envelopes can accommodate a detailed design that is of high standard of architectural design, with materials, detailing and articulation that are appropriate to the building type and location. The materials and the treatment of the buildings and public domain will significantly improve the current site situation and contribute to the beautification and activation of the southern portion of the Liverpool City Centre.
whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain	The existing site is significantly underutilised and contains ageing buildings that do not invite the public into the site or activate the southern portion of the City Centre. The Concept Proposal employs a balanced mix of built form elements integrated with an expanse of high-quality public domain to ensure the site is an active and vibrant civic hub. The proposed location of the buildings and uses is designed to create active edges fronting the public domain, and the proposed density of development is commensurate with Liverpool's strategic status within Greater Western Sydney.
whether the proposed development detrimentally impacts on view corridors	No view corridors from surrounding buildings or public places have been identified that would be impacted by the proposal. The Concept Proposal facilitates a high-quality urban environment and does not unreasonably impede on views from the public domain to highly utilised parks or public parks in the vicinity of the site. The proposed urban design and massing ensures the site is immediately recognised as a southern gateway marker. The Concept Proposal contributes landmark buildings expressing high urban design merit and will have a positive impact on the Liverpool City Centre skyline.
whether the proposed development detrimentally overshadows Bigge Park, Liverpool Pioneers' Memorial Park, Apex Park, St Luke's Church Grounds and Macquarie Street Mall (between Elizabeth Street and Memorial Avenue)	The Concept Proposal will not overshadow any of these sites as illustrated in the revised shadow diagrams.
any relevant requirements of applicable development control plans	Clause 7.5A(3) requires the preparation of a site-specific DCP. This is satisfied by virtue of this Concept Development Application and Concept Proposal, pursuant to Section 4.23 of the EP&A Act. A full assessment of the proposal against the relevant provisions of the Liverpool LEP was included in the original SEE.

Provision	Assessment
how the proposed development addresses the following matters:	
- the suitability of the site for development	Refer to Section 5.14 of the SEE.
- existing and proposed uses and use mix	The Concept Proposal creates a true mixed-use destination, accommodating civic, commercial, retail and short-term accommodation uses. The proposed uses are appropriately located forming the southern civic anchor of the City Centre. The proposed mix of uses and development density are appropriate for a highly underutilised site, in a strategic location within Greater Western Sydney.
- heritage issues and streetscape constraints	Refer to Section 5.5 of the SEE. A Heritage Impact Statement (HIS) has been prepared by NBRS and is provided at Appendix L of the SEE. The HIS concludes that the level of detail in the indicative concept is appropriate to demonstrate the suitability for redevelopment in the Concept DA process and identifies that more specific details are to be addressed in the Stage 2 detailed design including fenestration design, materiality and colour palettes.
- the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form	Refer to Section 5.3.3 of the SEE, 'Proposed Towers'.
- bulk, massing and modulation of buildings	Refer to Section 5.3.1 of the SEE, 'Building Envelope Massing / Design'
- street frontage heights	Refer to Section 5.3.2 of the SEE, 'Street Frontage Height and Setbacks'
- environmental impacts such as sustainable design, overshadowing, wind and reflectivity	Refer to the following Sections of the SEE: - Section 5.4, 'Impact on Adjoining Properties' - Section 5.7, 'Wind Impact'
- the achievement of the principles of ecologically sustainable development	Sustainable design and reflectivity are matters that will be addressed in subsequent detailed design development applications. As encouraged by the DEP, sustainability and regenerative design will be integrated into the final detailed design.
- pedestrian, cycle, vehicular and service access, circulation and requirements	The Concept Proposal has had to balance RMS vehicle access requirements, with the desire to maximise pedestrian priority. As outlined at Section 1.1 of this letter, this has manifested in a balanced vehicle access strategy, where restricted vehicle access has been supported from Terminus Street which will reduce pressure on the internal shared way, thereby enhancing the pedestrian experience. Bicycle parking provision and End of Trip facilities will be developed as part of the detailed design. The proposed concept is capable of complying with the relevant Liverpool DCP 2008 rates.
- the impact on, and any proposed improvements to, the public domain	Refer to Section 1.2 of this letter. The amended Concept Proposal presents an at grade expanse of public domain with a combined area of approximately 5,400m ² or 59% of the total site area. The public domain strategy considers varied experiences and landscaped features for components of the public domain. The Concept Proposal is a substantial improvement on the current inactivated landscape and will ensure the site becomes the civic heart of the Liverpool City Centre.

2.0 Conclusion

While the revised development still retains the general built form and essence as a mixed-use development as originally submitted, it is evident that changes have been made to progress the design and ensure it appropriately responds to Architectus', Council's and the DEP's recommendations, where possible.

We trust the contents of this letter and its attachments satisfactorily address the items raised by Council. We also trust it will assist Council in finalising their assessment of the DA as early as may be possible. Please do not hesitate to contact me on 9956 6962 or lfeltis@ethosurban.com should you have any further queries.

Yours sincerely,



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