

Record of Preliminary Briefing Sydney Western City Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSSWC-397 – Liverpool – DA-72/2024 – 52 Scott Street, Liverpool
APPLICANT / OWNER	Applicant: Ethos Urban/Built Development Group Pty Ltd Owner: Liverpool City Council
APPLICATION TYPE	The Amending Concept Application seeks to modify the approved Concept Development Application (DA-585/2019) by change of use to allow for Residential Flat Buildings and Shop Top Housing in the Phase B building envelope and to modify and extend the approved Building Envelope of Phase B building for Liverpool Civic Place.
REGIONALLY SIGNIFICANT CRITERIA	CIV > \$5M - Council interest
CIV	\$138,481,468 (excluding GST)
BRIEFING DATE	6 May 2024

ATTENDEES

APPLICANT	Daniel Brabant, Costa Dimitriadis
PANEL	Justin Doyle (Chair), David Kitto, Louise Camenzuli, Daryl Hawker, Ellie Robertson
COUNCIL OFFICER	Nabil Alaeddine, Patch Planning (Council's planning consultant)
CASE MANAGER	Renah Givney
PLANNING PANELS SECRETARIAT	Kim Holt, Tim Mahoney

DA LODGED: 19 February 2024

DAYS SINCE LODGEMENT: 91 days

TENTATIVE PANEL BRIEFING DATE: Further briefing not anticipated.

TENTATIVE PANEL DETERMINATION DATE: 15 July 2024

Chair reviewed attendance and introduced Preliminary Briefing purpose and process.

Applicant

- The Applicant provided a presentation, which included a description of proposed development involving the change of use to allow for Residential Flat Buildings and Shop Top Housing in the Phase B building envelope and to modify and extend the approved Building Envelope of Phase B building for Liverpool Civic Place.
- The Applicant advised that the submitted application is an amending DA, which seeks to amend the Concept Approval approved under DA-585/2019.
- The Applicant outlined the scope of the changes proposed under the amending application, to include:
 - A minor extension to the building envelope will allow for the accommodation of a residential built form, as part of a future detailed development application.
 - The urban design principles remain unchanged from the original Concept Approval. The proposed change of use/addition of use seeks to strengthen and build upon on these principles through the introduction of a living component to the masterplan. Specifically, this involves the addition of a 'residential' use within the Phase B Envelope.
 - Due to the minor modifications to the extent of the envelope in plan, the RL's of the very top of the envelope have slightly adjusted. These adjustments are due to the slope of the top plane of the envelope in relation to the Pan Ops offset. As the envelope moves out to the north the RL slightly decreases (0.193m reduction). As the envelope moves to the south the RL slightly increases (0.035m increase).
- The Applicant clarified compliance with accessibility requirements and drew the Panel's attention to certain parts of the development which incorporate lefts etc.
- The Applicant explained the changes made to the built form previously presented to the Panel and the intention to improve the relationship to a more open public square.

Council

- Council advised that Patch Planning is undertaking an independent assessment of the application, given that the land is owned by Council.
- Council advised that it is generally supportive of the proposal but is waiting on minutes from a meeting of the Design Excellence Panel (DEP). Once these are received, they will be provided to the Applicant for their review and response.
- Patch Planning understands that the main issues that were raised by the DEP relate primarily to the public realm, quality of public spaces
- Council indicated that they anticipate that the assessment can be finalised by the start of July. Council agreed to a final briefing on the 15th of July 2024.

Panel

- The panel drew the Applicant's and Council's attention to the reasons for its earlier determination of the Concept development application through PPSSWC-30 – DA-585/2019 which include:

“... , adjacent to the central thoroughfare between Scott Street and Terminus Street, separation between the proposed south-western tower envelope and the eastern tower envelope is 12m above 45m in height, whereas the minimum separation required at this height by Clause 7.4(2)(e) strictly applied is 28m. The proposed variation to this development standard ranges from around 7m (25%) to 16m (57%).

Again however, the panel is satisfied that the aims of achieving a superior outcome in terms of visual appearance, privacy and solar access can be achieved without strict compliance provided that the final DA design responds to the pinch point between the two built forms with strong articulation and a creative approach to the final facades. That process has been begun with the rotation of the above podium tower on the western side of the thoroughfare. The issue of wind velocity between the two building elements will require further attention at detailed DA stage and potentially will require modelling of the final proposals to ensure a satisfactory result. Shadow modelling has been supplied to demonstrate that adequate compliance can be achieved in future detailed designs.

The Panel was particularly persuaded by the information included with the concept proposal to the effect that the envelopes for which approval is sought have been “deliberately designed as a ‘loose fit’ with sufficient excess volume to allow for design excellence to be achieved through the detailed building design and articulation”. The Panel will look to see that commitment carried through to the final design, and anticipates that it will be a strong theme in future consultation with Council's Design Excellence Advisory Panel.”

And

“As has already been acknowledged with the approval of the preparatory and early works for the Liverpool Civic Place redevelopment, the project offers the potential to drive the rejuvenation of the core of the City of Liverpool as the heart of the Town Centre development strategy. As such it will form a key component of the establishment of Liverpool CBD as a vibrant source of employment and civic life, completion of the Liverpool Civic Place will assist in the progress of the Western City District generally.

To achieve those goals it is vital that innovative and sophisticated urban design is employed to deliver an engaging relationship between the public domain spaces, the civic buildings and the adjacent commercial and residential towers. The Panel is satisfied that his concept proposal does this.

Notably, a condition is included in the development consent which implements a requirement for a Public Domain and Landscape Plan to be developed in close consultation with a Public Domain Design Panel through workshops involving the various areas of expertise within the Council. That condition is reflective of the key importance of the public domain elements of this proposal to the success of the project in adding life to this part of Liverpool's Centre.

While the Panel considered the Applicant's suggestion that a plan for the different elements of the public domain be developed 'prior to the determination of the relevant Detailed DA', the Panel were of the view that the public domain should be considered holistically at the outset, to better allow the buildings interacting responsively to it, rather than the public domain being left to respond to buildings that have already been conceived to an advanced stage. A set of design principles have been incorporated into the conditions which the Public Domain and Landscape Plan is to respond to. The extent to which resolved details of different parts of the public domain can be deferred will be a matter to be considered by the Public Domain Design Panel.

That process is one way of ensuring the final design achieves strong street level activation (including at the Terminus and Terminus Street Plaza building frontages)."

- The Panel asked if it is possible to for the design to incorporate more greenery and more mature plantings.
- The Panel asked about accessibility, particularly in relation to the through site link between Scott Street and Terminus Street.
- The Panel encouraged Council and the Applicant to take a collaborative approach to the resolution of the issues identified by the DEP.
- The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment.

Note:

Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within.