

Statement of Environmental Effects

Amending Development Application

52 Scott Street, Liverpool

Submitted to Liverpool City Council
on behalf of Built Development Group



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'



Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Appendices

Appendix	Author
A. Building Envelope Plans	Scott Carver
B. Reference Scheme	Scott Carver
C. Economic Statement	Ethos Urban
D. Site Survey	Land Surveys
E. Design Report	Scott Carver
F. QS Report	WT
G. Noise Impact Assessment	Acoustic Logic
H. Traffic Impact Assessment	ptc

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Liverpool City Council (Council) on behalf of Built Development Group (Built) in support of an 'amending' Development Application (DA) to modify the approved Concept Development Application (DA-585/2019) relating to Liverpool Civic Place at 52 Scott Street, Liverpool (the site). The DA seeks consent to allow for residential flat buildings and shop top housing uses to be permitted in the Phase B envelope, as well as to slightly extend the Phase B envelope to allow for a future residential development to be accommodated in the envelope. The future residential development will be the subject of a separate and subsequent detailed DA and will comprise either a residential flat building or shop top housing use.

The approved Concept Development Consent (DA-585/2019) comprises various uses and corresponding building envelopes and other elements, including:

- Phase A of Liverpool Civic Place containing two building envelopes comprising:
 - a building envelope with a maximum height of RL 44.45 for the purpose of an information and education facility (public library) use.
 - 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.
 - 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.
- Phase B of Liverpool Civic Place containing one building envelope (**in which the proposed residential use is sought to be incorporated**), including:
 - 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 (forming part of Phase B of Liverpool Civic Place, in which the proposed residential use is sought to be incorporated).
- 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 part of DA-585/2019/A, the basement car park building envelope was partly extended to four levels to adequately accommodate for the car parking needs of the Liverpool Civic Place development.

Since the granting of approval for the Concept Development Consent, there has been a change in market conditions including a reduced appetite for commercial, boarding house, hotel and educational establishment uses, which has coincided with Sydney's ongoing and worsening housing crisis. This Amending DA has been prepared in light of these factors to provide much-needed housing that responds to the Liverpool LGA's anticipated undersupply of 7,774 dwellings by 2036, and its lack of housing diversity, as it currently only comprises 16.3% of apartment dwellings, with much of the housing stock constituting low density dwellings, which account for 73.3% of all dwellings. As such, the proposal will importantly contribute to the provision of much-needed housing diversity by allowing for approximately 300-350 residential apartment dwellings to be accommodated in Phase B of Liverpool Civic Place, while also providing apartment stock which represents a more affordable avenue for people to enter the housing market.

Accordingly, this Amending DA seeks consent for:

- the inclusion of residential flat buildings and shop top housing as permitted uses within the Phase B envelope; and
- minor extensions to the Phase B envelope to facilitate the provision of a future residential building, including a slight increase in the maximum building height at the south western corner by 0.035m.

The abovementioned proposed development will result in corresponding modifications to the Concept Development Consent (DA-585/2019), as detailed in **Section 4.5**.

The delivery of residential uses on the site responds directly to market need and is consistent with the objectives of the relevant strategic planning policies which emphasise the need for more housing in suitable locations close to transport, jobs, services and amenities. Council's local planning controls also call for the need to deliver increased residential density within the Liverpool city centre. As such, the proposal delivers on the intent of strategic planning policies while responding to the strong demand for residential uses.

This application is lodged as an amending DA as the development proposed to be amended will not meet the 'substantially the same development' required to satisfy the specific requirements of section 4.55(2) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). An amending DA allows the existing consent to

be maintained, whilst amending a component of the development consent via a separate consent, pursuant to section 4.17 of the EP&A Act.

This SEE has been prepared by Ethos Urban on behalf of Built, and is based on the Building Envelope Plans provided at **Appendix A** and other supporting technical information appended to the report (see Table of Contents). A Reference Scheme is also provided at **Appendix B** for information purposes, being a build-to-rent (BtR) residential scheme, which has been provided to assist in demonstrating a residential development that could be accommodated within the Phase B envelope. While the Reference Scheme is a BtR residential scheme, the proposal seeks consent for the inclusion of residential flat buildings and shop top housing uses in the Phase B envelope, providing the flexibility for residential development to be pursued in the future through a subsequent detailed DA.

2.0 Background

2.1 Planning Framework

This SEE supports a DA to amend DA-585/2019 which is the Concept Development Consent relating to Liverpool Civic Place (refer to **Section 2.1.1** for detail on DA-585/2019). However, the proposed changes, being most notably the inclusion of residential uses in the approved Phase B envelope and associated amendments to the Phase B envelope to accommodate a residential building as part of a future separate detailed DA, are not substantially the same as the approved development. Therefore, these changes cannot be made under section 4.55(2) of the EP&A Act.

An amending DA is a DA that grants consent to new development while concurrently using the power available under Section 4.17 of the EP&A Act to impose condition(s) that may lawfully modify another existing development consent and development. Subsections 4.17(1)(b) and (c) of the EP&A Act prescribe that a condition of a development consent may be imposed requiring the modification of another development consent relating to the same land and the modification of a development on land, respectively.

Furthermore section 4.17(5) of the EP&A Act provides:

“If a consent authority imposes (as referred to in subsection (1) (b)) a condition requiring the modification or surrender of a consent granted under this Act ... the consent ... may be modified ... subject to and in accordance with the regulations.”

It is therefore requested through that condition(s) be imposed on any consent to the subject amending DA pursuant to Subsection 4.17(1)(b) and (c) of the EP&A Act, requiring the modification of Development Consent DA-585/2019 and the modification of the approved envelope.

2.1.1 Concept DA – DA-585/2019

Clause 7.5A of the *Liverpool Local Environmental Plan 2008* (Liverpool LEP 2008) relates to certain land within the Liverpool City Centre which is provided incentive planning controls (FSR and height) if certain criteria within the clause are met. Pursuant to clause 7.5A(2) of the Liverpool LEP 2008, in order to realise the incentives within the clause, a site must be located within ‘Area 8’ on the Floor Space Ratio (FSR) map, have a lot size exceeding 1,500m² and have two or more street frontages, and at least 20% of the proposed GFA must be used for the purposes of centre-based child care facilities, commercial premises, community facilities, educational establishments, entertainment facilities, functions centres, hotel or motel accommodation, information and education facilities, medical centres or public administration buildings. Clause 7.5A(3) requires that a site-specific development control plan is prepared for development benefitting from the clause.

Section 4.23 of the EP&A Act identifies that if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a Concept DA in respect of that land. A Concept DA made under section 4.22 of the EP&A Act is one that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs.

In accordance with section 4.22 of the EP&A Act and clause 7.5A of the Liverpool LEP 2008, a Concept DA (DA-585/2019) was approved by the Sydney Western City Planning Panel, on 15 September 2020 including the scope outlined in **Section 1.0**. The Concept Development Consent has set the parameters for the future development of the site, including the approved land uses, building envelopes and an expanse of public domain and basement. The Concept DA did not approve any physical works. The full Liverpool Civic Place site, subject to the Concept Development Consent is illustrated at **Figure 1**, with the extent of the approved building envelopes shown in **Figure 2**. This Concept Development Consent established two stages of development, including Phase A (detailed in **Section 2.1.3**) and Phase B (detailed in **Section 2.1.4**). These aforementioned staged DAs and other approvals relating to Liverpool Civic Place are detailed in the following subsections.



Figure 1 Approved concept envelope layout

Source: FJC

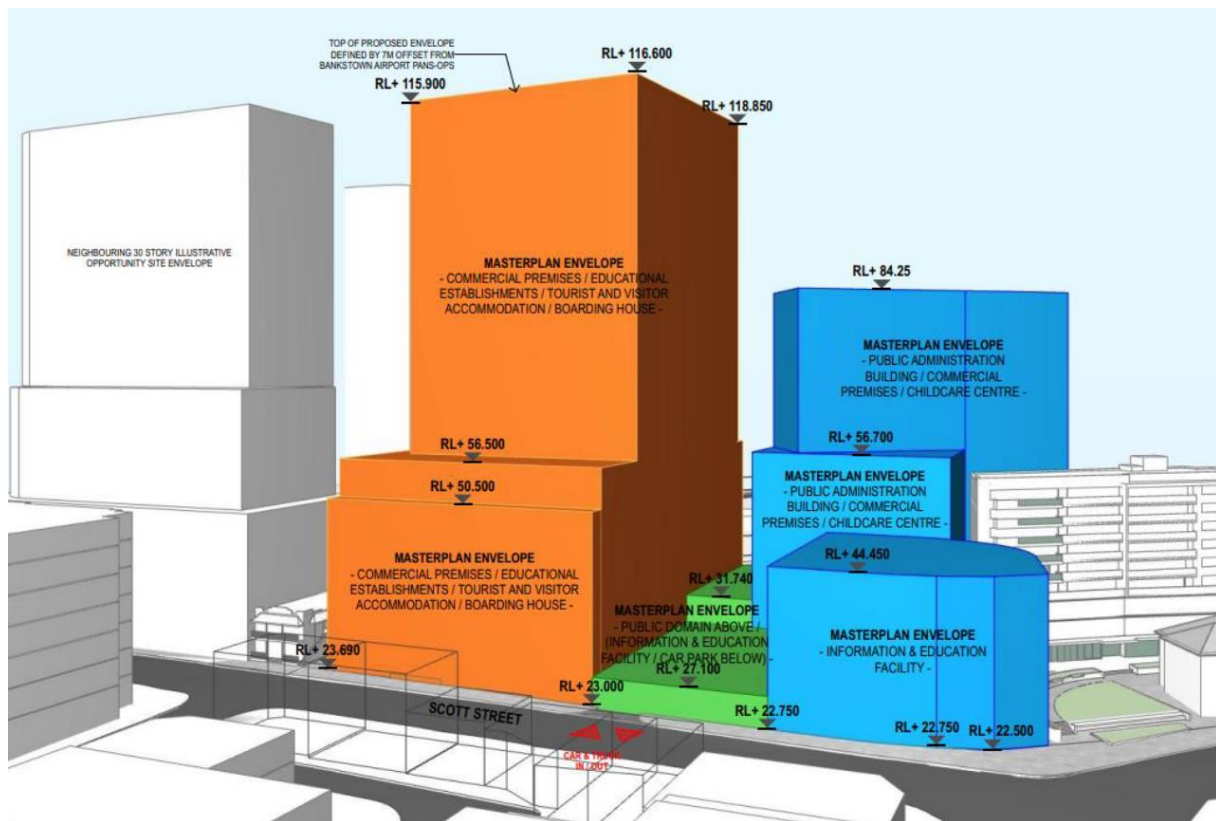


Figure 2 Approved concept envelopes subject to DA-585/2019

Source: FJC

2.1.2 Early works DA – DA-906/2019

DA-906/2019 was approved by the Sydney Western City Planning Panel on 29 June 2020. The determination provided development consent for the following works:

- The demolition of all structures on the broader Liverpool Civic Place site, including:
 - the two storey commercial building fronting Scott Street and the associated above ground car parking structure fronting Terminus Street; and
 - the two storey retail building fronting Scott Street and the associated at grade car park fronting Terminus Street.
- Bulk earthworks involving the excavation of land at 52 Scott Street to a maximum depth of RL 10.35 to accommodate the required basement levels.
- Tree removal and bulk earthworks including shoring through the use of piles.

A modification to DA-906/2019 was approved on 23 December 2021 to modify the approved consent to increase the depth of excavation by 3.6m below the approved level (to RL 6.75), in order to accommodate an additional basement level, given identified demand for increased public car parking in the basement.

The approved early works have been completed for Phase A of Liverpool Civic Place and are yet to commence for Phase B.

2.1.3 Phase A Detailed DA (DA-836/2020)

Development consent DA-836/2020 was granted by the Sydney Western City Planning Panel on 28 August 2021 for a detailed DA for the 'Phase A' part of the overall site. The approval is consistent with the approved Concept DA, and approved:

- Construction and use of a 6 storey information and education facility (public library).
- Construction and use of a fourteen (14) storey mixed use building, comprising a public administration building (to be occupied by Liverpool City Council), commercial office floor space, retail floor space and a child care centre.
- Construction of a five (5) level basement with car parking and end of trip facilities.
- Landscaping and public domain works including a shared road, a plaza and pocket park.

Since the approval of the Phase A Detailed DA, there have been a number of modifications to the development consent, including:

- Section 4.55(1A) modification (DA-836/2020/A) was approved on 25 October 2021 to delete the fifth basement level and reconfigure the basement car parking allocation, involving the removal of 73 car spaces, resulting in a reduction from 344 to 271 car spaces.
- Section 4.55(1A) modification (DA-836/2020/B) was approved on 25 October 2021 to enable staged construction certificates.
- Section 4.55(1A) modification (DA-836/2020/C) was approved on 21 December 2021 to modify the timing of commitments required by certain conditions.
- Section 4.55(1A) modification (DA-836/2020/D) was approved on 14 July 2022 to undertake minor design amendments.
- Section 4.55(1A) modification (DA-836/2020/E) was approved on 21 December 2022 to replace the approved operable glass louvres with fixed glass louvres and the addition of three new wintergardens to level 6 of the mixed use civic building to allow for the achievement of appropriate natural ventilation to the child care centre.

All the abovementioned works have been completed for this development and the buildings received an Occupation Certificate in October 2023.

2.1.4 Phase B/C Detailed DA – DA-1080/2020

Development consent was granted on 5 May 2022 for a detailed development on the Phase B site, including:

- Construction and use of a 22-storey commercial office building, comprising lower ground and upper ground retail floor space and 19 commercial office levels (excluding plant level);
- Construction and use of a 9-storey hotel building, comprising lower ground retail floor space and 8 hotel levels;

- Construction of a 4-level basement, that will accommodate car, bicycle and motorcycle parking as well as loading facilities;
- Landscaping and public domain works; and
- Extension and augmentation of services and infrastructure as required.

This consent has not been activated as none of the abovementioned works have been undertaken.

As outlined in **Section 1.0**, the approved uses under this development consent have been determined to be unviable due to changed market conditions. This matter is further detailed in **Section 5.6**. As such, the proposed Amending DA is submitted to allow for the provision of residential uses in Phase B. Minor extensions to the approved envelope are also required and are proposed as part of this Amending DA to accommodate a residential building. Refer to **Section 4.0** for further detail relating to the scope of the envelope amendments.

2.2 Preliminary engagement with Council

2.2.1 Meeting with the Department of Planning and Environment

Built held a scoping meeting with the Department of Planning and Environment (Department) on Friday, 14 December 2023. The purpose of the discussion was to discuss an intended build-to-rent SSDA for Phase B of Liverpool Civic Place and provide the Department with the required project background on the planning history, the early thinking on the BtR proposal and the intended planning pathway, which includes the amending Concept DA (the subject of this report).

2.2.2 State Design Review Panel meeting for BtR proposal

On 15 November 2023, a State Design Review Panel meeting was held in relation to the intended BtR proposal for the Liverpool Civic Place Phase B site. A positive response to the proposal was received from the panel, providing feedback in relation to a number of matters, including Connecting with Country, site strategy and landscape, the ADG, architecture, sustainability and climate change, and design excellence.

2.2.3 Meeting with Council

Built held preliminary discussions with Council regarding the proposed Amending DA on Wednesday, 6 December 2023. The purpose of the discussions was to present the proposed scope of the Amending DA (as detailed in **Section 4.0**). Council provided preliminary comments on the key areas including traffic generation, urban design, the need for an economic assessment relating to the proposal, and general planning comments. These preliminary comments have been taken onboard and incorporated into the scheme where relevant.

2.3 Sydney's Housing Crisis

Due to the severe housing supply shortage in Australia and lack of delivery and approvals, NSW is experiencing a severe housing affordability crisis. The chronic housing affordability pressures are evidenced through the Demographic International Housing Affordability 2022 Edition, which ranks Sydney as the second least affordable major capital city among a total of 92 surveyed worldwide. This was found to be due to house prices, cost of a deposit, loan serviceability, rental affordability, and the demand for social and affordable housing.

ABS Census Data from 2021 shows that there are almost twice as many people under rental stress than there are under mortgage stress, which is defined as spending more than 30% of household income on rental or mortgage payments. The Liverpool LGA particularly demonstrates this trend, with its annual change in weekly rent rising by 15.8% from December 2022 through to December 2023 (SQM Research). With Liverpool LGA's rental vacancy rate sitting at a low of 0.8% compared to Greater Sydney at 1.4%, the rental prices are not likely to resolve any time soon as demand outweighs availability. Specifically, the Liverpool LGA has an anticipated undersupply of 7,774 dwellings by 2036, as detailed in the Economic Statement at **Appendix C**.

Furthermore, a survey of 1,500 people conducted by the Property Council of Australia (PCA) in November 2022 found that 81% of the people believed that there is a lack of housing that is affordable in their area. The survey revealed data highlighting this problem:

- 52% of respondents rent as they have no other choice and one third of the renters believe they will not be able to purchase a home in the next five years as they cannot overcome the deposit gap.
- 30% of renters enjoy renting as they have financial freedom and flexibility, however, one in five renters are forced to share the rent with other people to be able to afford it.

In addition to the above, there has been a large decline in home ownership across all generations, particularly in younger people. The ABS 2021 data has found that the rate of home ownership among 30–34-year-olds has fallen from 64% in 1971 to 50% in 2021, and among 25–29-year-olds, it fell from 50% to 36% in the same period. Due to these declining home ownership rates, it has forced people into the rental market, with approximately 60% of people aged under 35 renting.

These are alarming statistics that proliferate the pressure to provide diverse housing that enhances housing choice to meet the demands of our population, and greater housing supply to ease the affordability crisis.

Furthermore, as noted in the Economic Statement at **Appendix C**, there is a lack of housing diversity in the Liverpool LGA, with its residential market concentrated with low density dwellings, accounting for 73.3% of all dwellings, compared to a low provision of apartments at only 16.3%. Notably, medium / high density apartments have been identified to be considerably cheaper to rent in Greater Sydney, and property data shows that the average rent for property in September 2022 was \$700 for houses and \$529 for units.

Based on the above statistics, it can be argued that high density residential housing has the potential to breach the accessibility and affordability concerns surrounding sprawling low density development, providing a typology that satisfies the growing demand for housing in locations that are accessible to employment, services, and recreation. Ultimately, high density residential housing has greater public benefit and assists in the achievement of many state government housing objectives across several strategic planning frameworks in NSW. Further discussion on this is provided in **Section 5.3.7** and the Economic Statement provided at **Appendix C**.

3.0 Site Analysis

3.1 Site Location and Context

The site is located at 52 Scott Street, Liverpool within the Liverpool City Council local government area, as illustrated in **Figure 3**. The site is located approximately 300m south west of Liverpool Railway Station and is also in the vicinity of a number of regionally significant land uses and features including Liverpool Hospital, Westfield Liverpool, Western Sydney University Liverpool Campus, the Georges River and Biggie Park public open space as illustrated in **Figure 3**.

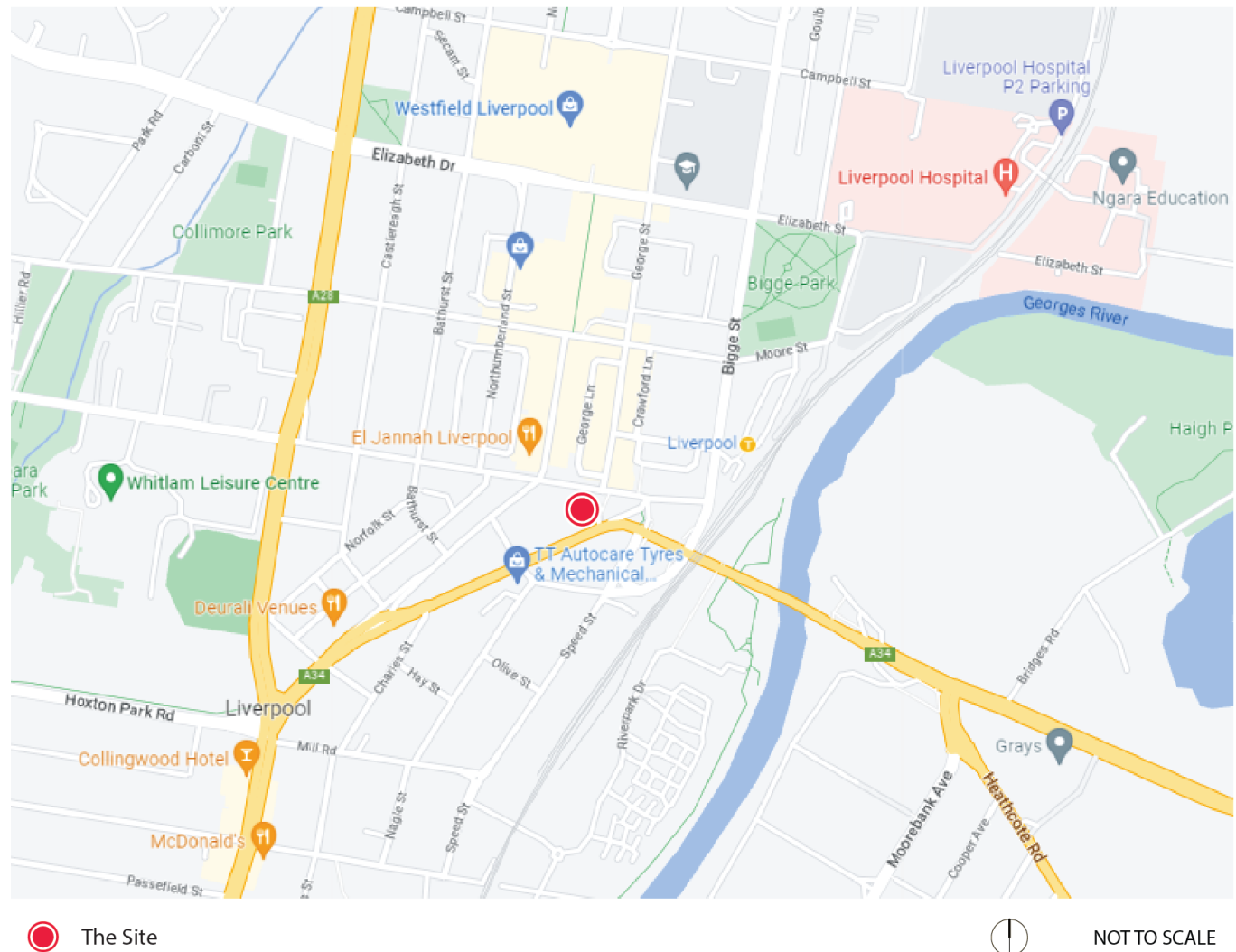


Figure 3 Site context

Source: Google Maps and Ethos Urban

3.2 Site Description

The site is irregular in shape and is comprised of one lot legally described as Lot 1 in DP1293937. The site has a total area of 9,189.5m² and has three primary road frontages including a primary frontage to Scott Street (98m frontage) to the north, George Lane (40m frontage) to the east and Terminus Street (115m frontage) to the south. The site boundary also extends along Macquarie Street. An aerial image of the site is provided at **Figure 4**, which identifies the entire Liverpool Civic Place site and the Phase B component in which the residential use is proposed to be included.

A Site Survey has also been prepared by Land Surveys and is included at **Appendix D**.

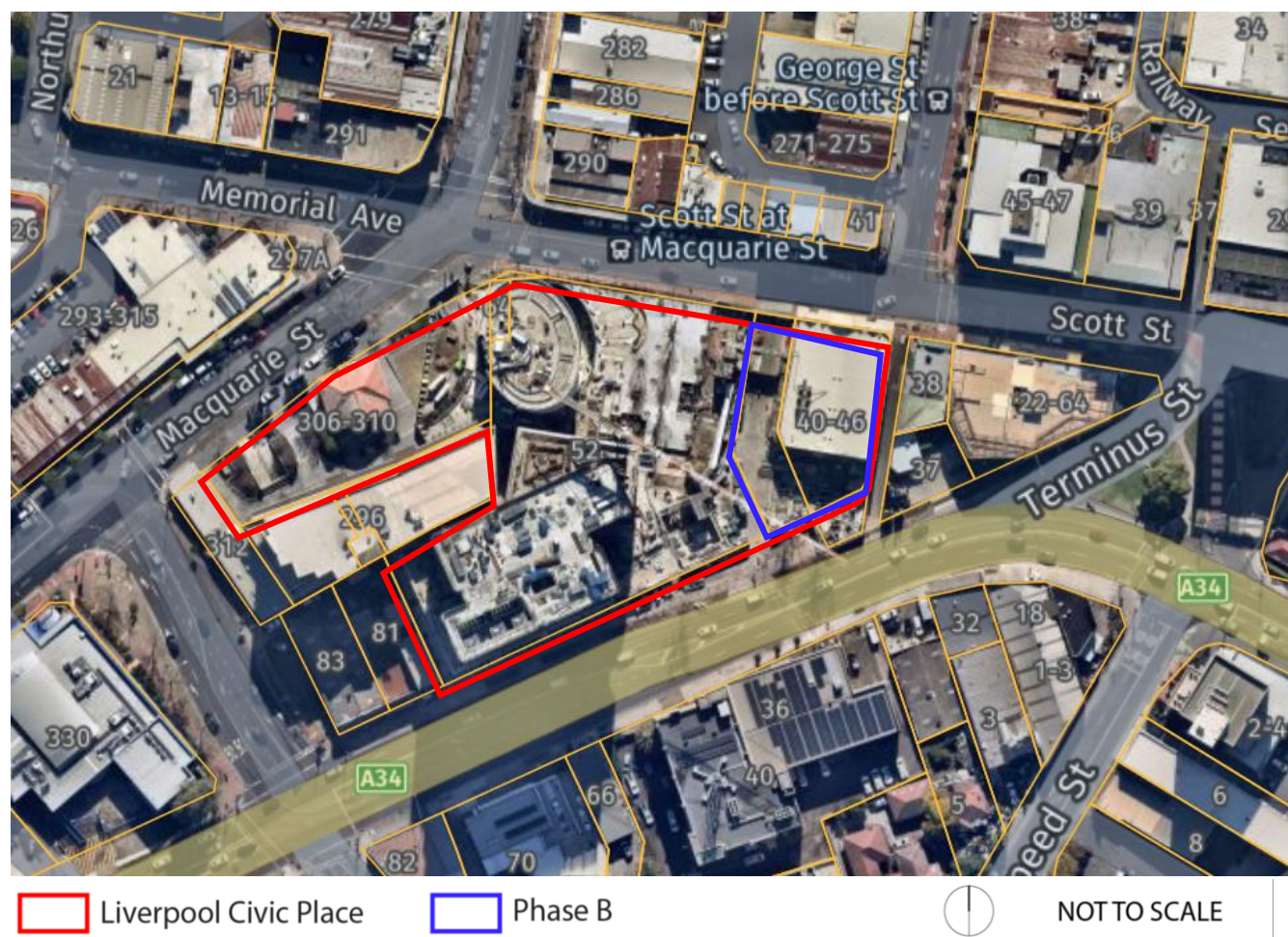


Figure 4 Site aerial

Source: Nearmap and Ethos Urban

3.2.1 Existing development

The site is currently occupied by the completed Phase A development subject to (DA-836/2020), as detailed in **Section 2.1.3** above, comprising a six storey information and education facility (public library) and a 14 storey mixed use building. The library building is shown in Views 1 and 5 of **Figure 5** below. The mixed use civic building is shown in Views 1-4 of **Figure 5**. Phase A and Phase B are divided by a central public domain and landscaped area which runs through the centre of Liverpool Civic Place, and which was approved as part of DA-836/2020.

Despite approval for an early works DA across the entire Liverpool Civic Place site (DA-906/2019), works have not commenced on the Phase B site, which comprises a two storey retail building fronting Scott Street and the associated at grade car park fronting Terminus Street (refer to View 2 of **Figure 5**).



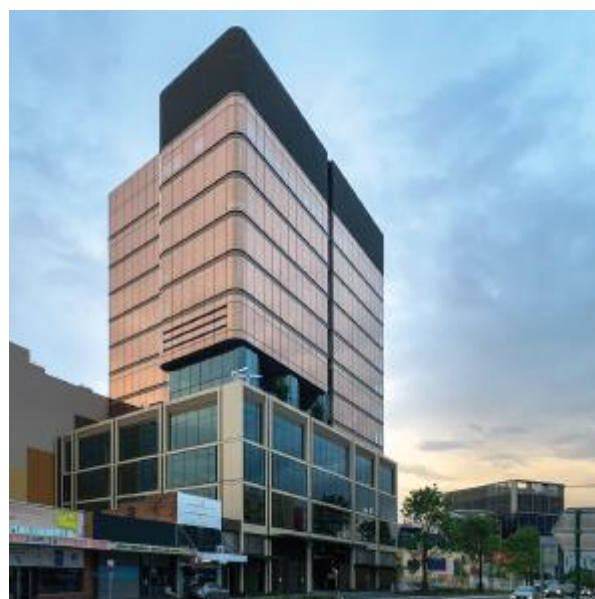
View 1 - The recently completed library building and mixed use civic building in Phase A as viewed from Scott Street in the north east



View 2 – The existing two storey retail building situated on the Phase B component of Liverpool Civic Place, as viewed from Scott Street in the north east



View 3 – The recently completed mixed use civic building as viewed from Terminus Street in the south east



View 4 - View of the recently completed mixed use civic building as viewed from Terminus Street in the south west



View 5 – View of the recently completed library building as viewed from Macquarie Street in the north west

Figure 5 Existing site conditions

Source: Scott Carver

3.2.2 Access and connectivity

Vehicular access and parking

The site includes vehicular access through a shared zone on Scott Street, with vehicular access also provided to a public car park (accommodating 10 childcare spaces) and loading dock via entrance on Terminus Street. One travel lane in each direction for vehicle arrival and departure is provided along Scott Street, with only left turn movements to exit the site via Scott Street provided. Access from Terminus Street is also one travel lane in each direction, in a left in and left out movement, with right turn exits prohibited. There is a limit of 202 vehicles allowed to enter the public car park from Terminus Street at once.

Pedestrian access

Scott Street, Terminus Street and Macquarie Street are well-established pedestrian routes, with Liverpool Railway Station and the Liverpool retail precinct to the north being major generators of footfall traffic around the site. The site's eastern boundary fronts the George Street pedestrian access way which links Scott Street to Terminus Street. The recently completed public domain area also provides a north-south pedestrian connection through the site.

Public transport

The site is well serviced by public transport, with Liverpool Railway Station located approximately 300m to the north west of the site. Liverpool Railway Station can be accessed via the T3 Bankstown Line, the T2 Inner West and Leppington Line, and the T5 Cumberland Line.

Bus services are active along George Street to the north of the site. Specifically, George Street is serviced by five bus routes, linking Liverpool to Casula, Moorebank, Holsworthy, Chipping Norton, Burwood.

3.3 Surrounding Development

The following development surrounds the site:

- **North:** Development to the north of the site, on the opposite side of Scott Street includes buildings of two to three storeys, primarily containing retail and commercial uses. To the north-east, the street block contains higher density commercial and serviced apartment uses. Further north, this development transitions into the Liverpool civic and retail centre bounded by Macquarie Street and George Street.
- **East:** Development to the east of the site, on the opposite side of George Lane, is a two storey commercial building. This building is not listed as a heritage significant item. To the east of this building is a larger two storey commercial building, which extends to the Scott Street and Terminus Street intersection. The Georges River and Liverpool Railway Station are a further 300m from the site and effectively mark the eastern boundary of the Liverpool CBD.
- **South:** To the south of the site, and on the opposite side of Terminus Street, is the Telstra Exchange building that has a height of approximately four storeys. As well as this, various retail stores front Terminus Street. Further south of the commercial Terminus Street strip, the area transitions to a residential character with a number of four to five storey residential flat buildings.
- **West:** Immediately to the west is a nine-storey mixed use development at 300 Macquarie Street. The mixed use building presents a partial blank party wall to the site at the rear and contains ground floor retail uses which are set back from the Memorial Arts Building (and Macquarie Street. This adjoins a consolidation of low scale automotive service tenancies to the west.

3.3.1 Heritage

Part of the site (Lot 201 DP 1224084, 306-310 Macquarie Street) contains a heritage item, being the Memorial School of Arts building (I99). However, the site is not located within a heritage conservation area. The site is also proximate to a number of local heritage items as identified at **Figure 6**. The site is in the vicinity of several heritage items identified within the Liverpool LEP 2008. Notable amongst these heritage items includes:

- I109 – Liverpool Fire Station.
- I70 – Light Horse Park.
- I89 – Plan of Town of Liverpool (Early town centre street layout – Hoddle 1827).
- I106 – Inter-war Mediterranean brick dwelling ("Del Rosa"), including interiors.
- I103 – Golden Fleece Hotel.
- I102 – Commercial building (former out-building to former Golden Fleece Hotel and former Eugene's laundry).

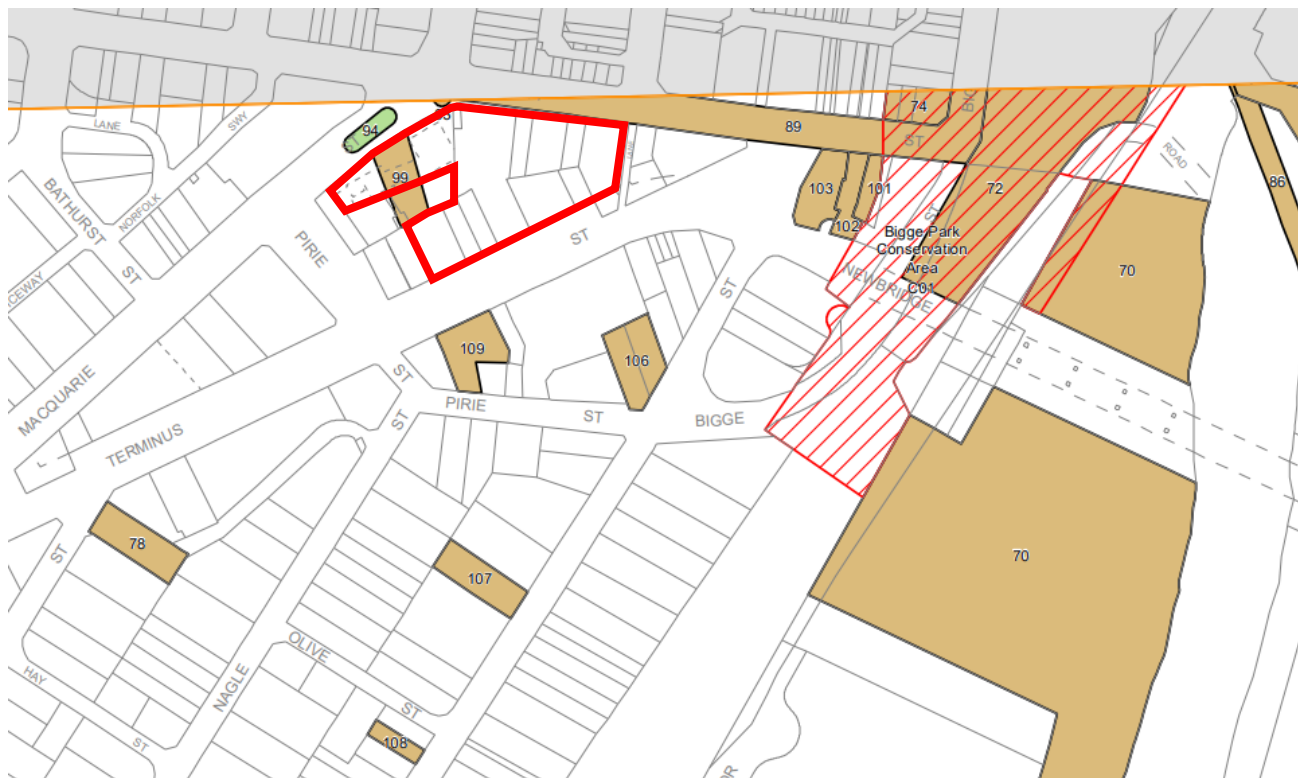


Figure 6 *Heritage items in the vicinity of the site*

Source: Liverpool LEP 2008 with additions

4.0 Description of Proposed Development

This section of the report provides a detailed description of the proposed development, making reference where relevant to the approved development and how this amending DA seeks approval for development which will be implemented through amendments to the approved Concept Development Consent.

This Amending DA seeks approval for the following:

- the inclusion of residential flat buildings and shop top housing as uses within the approved Phase B envelope (as illustrated in **Figure 7**); and
- minor extensions to the Phase B envelope to facilitate the provision of a residential building (as illustrated in the comparison provided in **Figure 8** and **Figure 9**), including a slight increase in the maximum building height at the south western corner by 0.035m and a reduction in height at the north eastern corner by 0.193m (as described in **Section 4.3**).

Building Envelope Plans prepared by Scott Carver which illustrate the amended building envelope for Phase B of Liverpool Civic Place are provided at **Appendix A**, with excerpts from these building envelope drawings provided at **Figure 7** and **Figure 9**. It is proposed that the attached Building Envelope Plans will supersede the approved drawings in DA-585/2019, as detailed in **Section 4.5**.

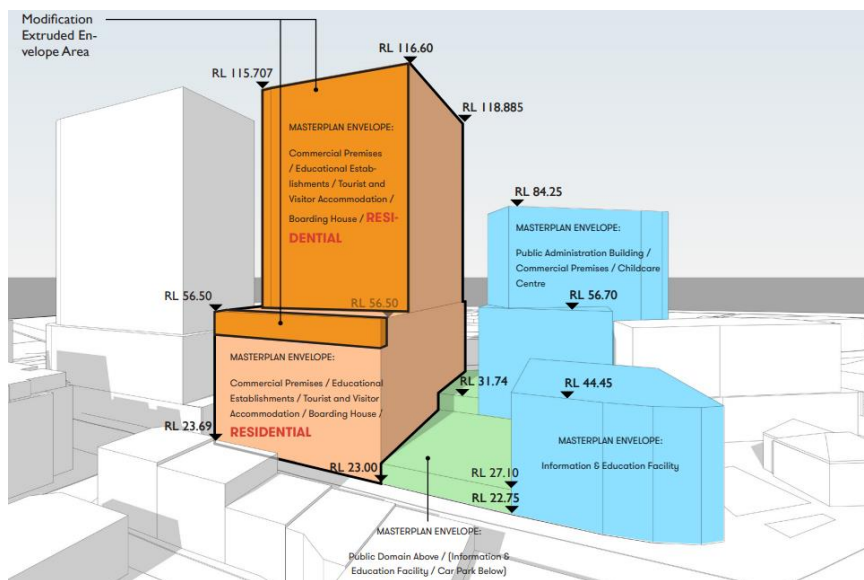


Figure 7 Proposed inclusion of a residential use in the Phase B envelope

Source: Scott Carver

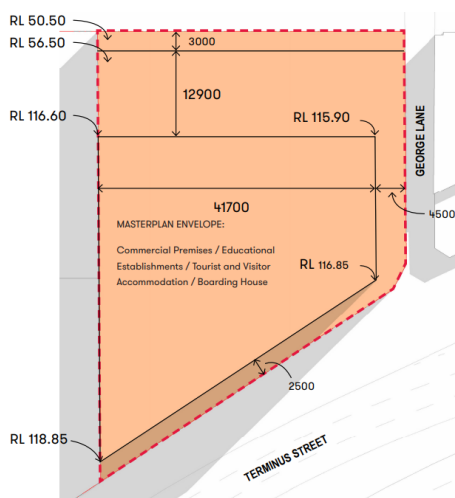


Figure 8 Approved Phase B envelope extent

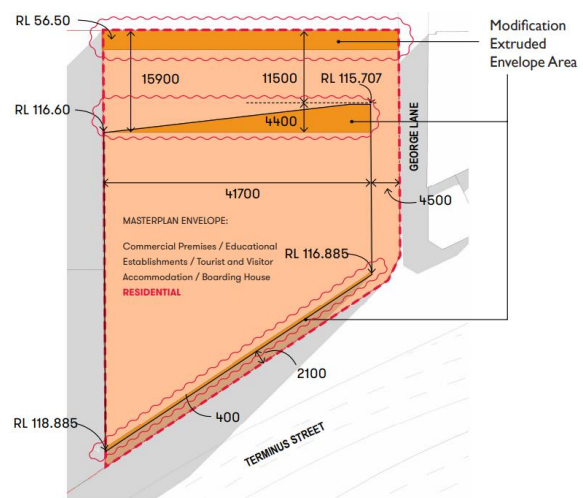


Figure 9 Proposed modified Phase B envelope extent

Source: Scott Carver

4.1 Numerical overview

4.1.1 Key numerical changes

The key numeric development information compared to that of the approved development is summarised in **Table 1**.

Table 1 Key development information

Component	Approved	Proposed	Change
Concept Proposal total			
Site area	9,189.5m ²	9,189.5m ²	Nil
Maximum Height	RL 118.850 (94.7m) to top of building envelope	RL 118.885 (94.735m) to top of building envelope	0.035m increase
Residential apartments	Not relevant.	320 apartments – noting that this is indicative with the actual number of apartments subject to change with the future detailed design application.	The Reference Scheme includes 320 apartments. This is indicative, with the actual number subject to a future detailed DA.
Parking spaces	413 spaces for all of Liverpool Civic Place (indicative – subject to change with detailed design applications)	170 for Phase B (indicative – subject to change with the future detailed design application.	It is noted that this is indicative, with the actual number subject to a future detailed DA.
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, boarding house (student accommodation) or residential uses	Inclusion of residential uses.
Indicative GFA of Reference Design	27,961m ² Final GFA to be determined in subsequent detailed design applications	25,362m ² Final GFA to be determined in subsequent detailed design applications	2,599m ² less GFA. The GFAs identified for the reference scheme are indicative. The final GFA is to be determined in subsequent detailed design applications.
Maximum height	RL 118.850 (94.7m) to top of building envelope	RL 118.885 (94.735m) to top of building envelope	0.035m increase
Boundary setbacks and separation			Nil
<ul style="list-style-type: none"> North South East West 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 	
Tower setbacks and separation			
<ul style="list-style-type: none"> North 	<ul style="list-style-type: none"> 15.9m front setback from Scott Street 	<ul style="list-style-type: none"> 11.5 - 15.9m front setback from Scott Street 	<ul style="list-style-type: none"> 0m – 4.4m reduction in front setback

Component	Approved	Proposed	Change
• South	• 2.5m rear setback from Terminus Street	• 2.1m rear setback from Terminus Street	• 0.4m reduction in rear setback
• East	• 4.5m side setback to laneway	• 4.5m side setback to laneway	• No change
• West	• 12m separation from south western envelope and 20m separation from north western envelope.	• 12m separation from south western envelope and 20m separation from north western envelope.	• No change

Western building envelopes

No changes are proposed to either of the two western building envelopes.

4.1.2 Reference design

The key numeric development information for the reference design is summarised in **Table 2**.

Table 2 Key reference design development information

Component	Proposal
GFA – Total	25,360m²
• Residential	• 25,046m ²
• Retail	• 314m ²
Apartments	Approximately 320
Car parking spaces	Approximately 170
Motorcycle spaces	Approximately 16

4.2 Proposed use

The approved range of uses is proposed to be expanded to allow for a residential use of the building envelope. No change is proposed to the existing range of approved uses, which include: commercial premises, educational establishment, tourist and visitor accommodation, boarding house (student accommodation) or residential uses.

4.3 Building envelope amendments

An amended Phase B envelope is sought to facilitate the future delivery of a residential building on the site. The northern component of the Phase B envelope comprises a lower building form, either in the form of a building podium or a smaller building fronting Scott Street. The northernmost component of the podium is proposed to be slightly extended by approximately two storeys at the Scott Street frontage, from RL 50.50 to RL 56.50. This height aligns with the remainder of the maximum approved podium height at the Scott Street frontage. This increase is illustrated in the comparison provided at **Figure 10** and **Figure 11**.

The tower form is also proposed to be slightly extended northwards towards Scott Street. A comparison of the approved and proposed envelope is provided at **Figure 10** and **Figure 11**. This involves a 4.4m extension at the north-eastern side of the tower, which tapers down to the west.

The Phase B building envelope is also proposed to be expanded to the south of the site, with the tower component of the envelope located closer to Terminus Street by 0.4m. This is demonstrated in the comparison provided at **Figure 8** and **9**.

The abovementioned changes to the tower setbacks have resulted in a 0.035m increase in the maximum building height of the Phase B building envelope from RL 118.85 to RL 118.885 at the south western corner. There is also a resultant 0.193m reduction in the height at the north eastern corner of the building envelope from RL 115.90 to RL 115.707. This is illustrated in the comparison provided at **Figure 12** and **Figure 13** below.

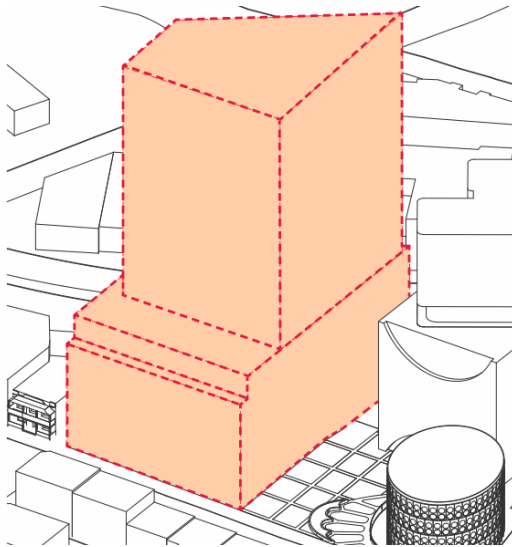


Figure 10 Approved envelope extent

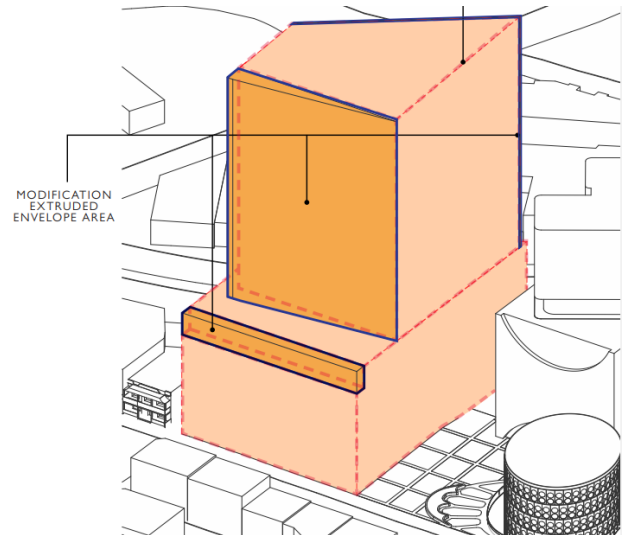


Figure 11 Proposed modified envelope extent

Source: Scott Carver

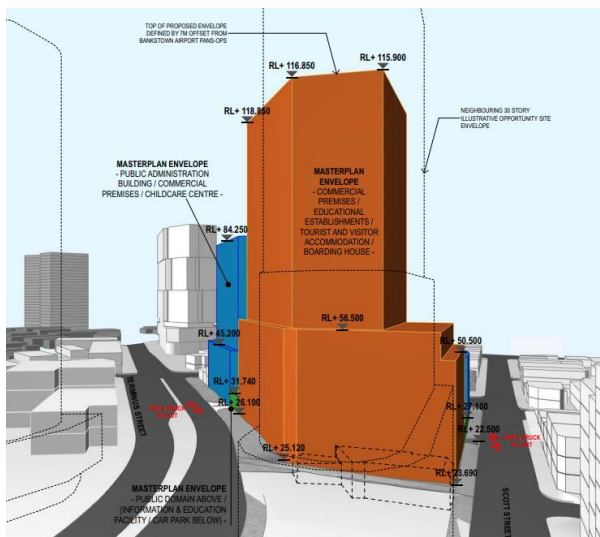


Figure 12 Existing approved eastern envelope perspective showing the approved heights

Source: FJMT

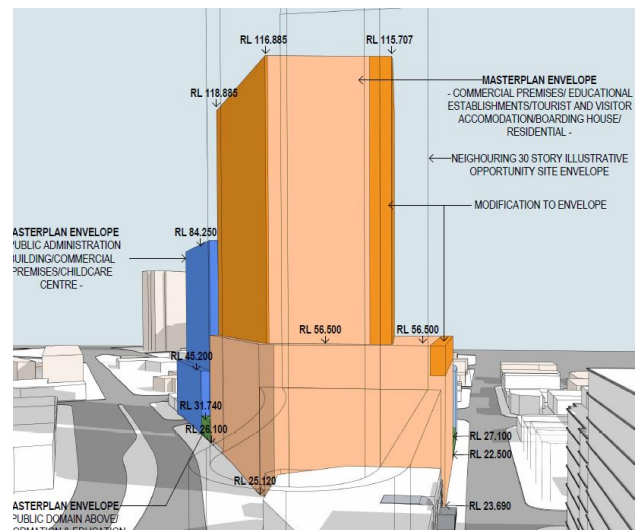


Figure 13 Proposed eastern envelope perspective showing the proposed heights

Source: Scott Carver

4.4 Reference design

A reference design showing an indicative design concept that fits within the Phase B envelope has been prepared by Scott Carver and is provided at **Appendix B**. It demonstrates a potential layout of a residential development within the proposed envelope, in the form of a BtR residential development that comprises ground floor retail and above ground levels of BtR residential uses. This material does not form part of the documentation sought for approval, but rather is provided for information purposes only, to assist in the assessment and determination of the subject DA.

The key elements of the indicative design include:

- Construction and use of a 27 storey BtR residential tower development with ground floor retail uses.
- Four basement levels accessed from the Scott Street shared zone, capable of accommodating 170 car parking spaces, 16 motorcycle spaces, services areas and lift access.
- A loading dock with access provided through the Scott Street shared zone.
- A total GFA of 25,360m², comprising:
 - 25,046m² BtR residential GFA; and
 - 314m² retail GFA.

4.4.1 Land use and floor space

A general description of the indicative land uses and floor by floor breakdown of these uses is provided below. For further information, indicative layout plans illustrating the potential layout of the scheme are provided at **Appendix B**.

Basement

The Reference Design contains a four-level basement, catering to the parking needs of the BtR and retail uses. The basement will accommodate approximately 170 car parking spaces and 22 motorcycle spaces, all of which will be accessed from the Scott Street shared zone which was approved and constructed as part of the Phase A Detailed DA (DA-836/2020).

Build-to-rent housing

The Reference Design includes approximately 320 units with a diversity of typologies. The BtR elements are contained within the above ground levels through to Level 26. The reference scheme includes a lower ground level lobby, with retail and communal space. Communal open space is also provided on the lower ground level, upper ground level, level 9, and roof level.

Level by level use and GFA

An indicative GFA and land use breakdown of the indicative scheme is summarised in **Table 3**.

Table 3 Floor by floor land uses and GFA breakdown

Level	Land use	GFA (m ²)
Basement 4	Car park	-
Basement 3	Car park	-
Basement 2	Car park	-
Basement 1	Car park	-
Lower ground	Residential lobby / retail	646
Upper ground	Communal / residential	941
Level 1	Residential	1077
Level 2	Residential	1077
Level 3	Residential	1077
Level 4	Residential	1077
Level 5	Residential	1077
Level 6	Residential	1125
Level 7	Residential	1125
Level 8	Residential	1125
Level 9	Communal	765
Level 10	Residential	822
Level 11	Residential	822
Level 12	Residential	822
Level 13	Residential	822
Level 14	Residential	822
Level 15	Residential	822

Level	Land use	GFA (m ²)
Level 16	Residential	822
Level 17	Residential	822
Level 18	Residential	822
Level 19	Residential	822
Level 20	Residential	822
Level 21	Residential	822
Level 22	Residential	822
Level 23	Residential	822
Level 24	Residential	822
Level 25	Residential	822
Level 26	Residential	822
Level 27	Communal / roof plant	274
Total		25,360

4.4.2 Site access, parking and loading

Service vehicle access and loading

The Reference Design includes a loading dock accommodating one medium rigid vehicle space and two small rigid vehicle spaces. The loading dock is accessible from Terminus Street.

Pedestrian access

The primary pedestrian access to the residential lobby will be from Scott Street, with the retail tenancies also providing access at Scott Street.

Vehicular access

The Reference Design includes vehicular access exclusively from Scott Street, which continues through to the basement car park. It will accommodate one travel lane in each direction for vehicle arrival and departure. All vehicles will enter and egress from the site in a forward direction. Vehicle movements are illustrated at **Figure 14**.

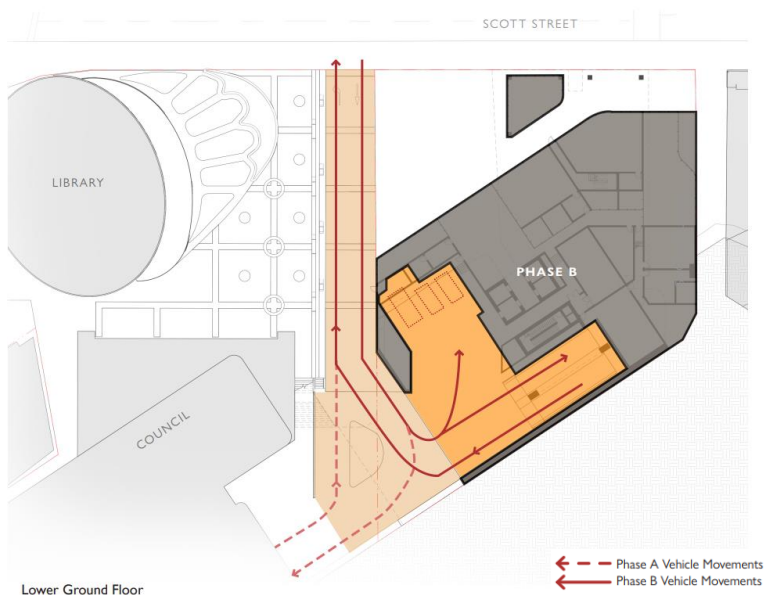


Figure 14 Vehicular access

Source: Scott Carver

4.5 Modifications to Development Consent DA-585/2019

As outlined in **Section 1.0** of this report, it is requested that a condition be imposed on any approval of the subject amending DA pursuant to Section 4.17(1)(b) of the EP&A Act, requiring the modification of Development Consent DA-585/2019.

In particular, it is requested that the following Building Envelope Plans are approved in place of the corresponding plans under Development Consent DA-585/2019. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following approved plans / reports marked as follows, except where modified by the undermentioned conditions.

Plan Name	Plan Number	Date	Prepared by
<i>Proposed Envelope</i> – Basement Envelope Plan	<i>MP-002 DA60_102</i>	2/02/2021 <i>22/12/2023</i>	FJMT <i>Scott Carver</i>
<i>Proposed Envelope</i> – Overall Site Plan	<i>MP-001 DA60_101</i>	16/09/2020 <i>22/12/2023</i>	FJMT <i>Scott Carver</i>
<i>Proposed Envelope</i> – Podium	<i>DA60_111</i>	<i>22/12/2023</i>	<i>Scott Carver</i>
<i>Proposed Envelope</i> – Tower	<i>DA60-112</i>	<i>22/12/2023</i>	<i>Scott Carver</i>
<i>Proposed Envelope</i> Section A	<i>MP-005 DA60_121</i>	2/02/2021 <i>22/12/2023</i>	FJMT <i>Scott Carver</i>
<i>Proposed Envelope</i> Section B & C	<i>MP-006 DA60_122</i>	2/02/2021 <i>22/12/2023</i>	FJMT <i>Scott Carver</i>
<i>Proposed Envelope</i> – 3D North Perspective North	<i>MP-003 DA60_113</i>	16/09/2020 <i>22/12/2023</i>	FJMT <i>Scott Carver</i>
<i>Proposed Envelope</i> – 3D South & East	<i>DA60_114</i>	<i>22/12/2023</i>	<i>Scott Carver</i>
Envelope Perspective South	<i>MP-004</i>	2/05/2020	FJMT
Envelope Perspective East	<i>MP-007</i>	2/05/2020	FJMT

Reason: To ensure that the references to the amended envelope drawings are reflected in the consent.

Specific conditions are also recommended to amend the following conditions under Development Consent DA-585/2019 (words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***):

Land Uses

~~3. This consent does not approve any residential land uses other than boarding houses on the subject site.~~

Reason: The proposed amending DA seeks to amend condition 3 of the Concept Development Consent which does not approve residential uses other than boarding houses. The deletion of this condition will allow for the proposed residential flat building or shop top housing development to be provided in the Phase B envelope through a future detailed DA. This is in light of the significant demand for residential dwellings in Liverpool in the context of the ongoing housing crisis, as discussed in **Section 2.3**.

Public Domain and Landscaping – Design Excellence

4. A Public Domain Design Panel is to be convened and a Public Domain Plan prepared:

- Prior to the determination of any Detailed DA subject to this Concept Approval, a detailed Public Domain and Landscape Plan must be prepared by a suitably qualified AILA Registered Landscape Architect or Urban Designer, in accordance with the requirements of this condition.
- A design review process is to be undertaken for the Public Domain and Landscape Plan with the purpose of achieving design excellence of the public domain in accordance with Clause 7.5 of Liverpool Local Environmental Plan 2008.

- (c) As part of the design review process, a Public Domain Design Panel **or State Design Review Panel** is to be convened, that is to be chaired by the nominated chair of Council's Design Excellence Panel or his or her nominee **or a representative of a person nominated by the Government Architect of NSW**, and whose other members are to include (at least):
- A representative of or person nominated by Government Architect NSW;
 - A suitably qualified landscape architect and urban designer;
 - A representative of Liverpool City Council's City Design and Public Domain team.
- (d) At least two public domain design workshops are to be convened for attendance by members of the Public Domain Design Panel, the Applicant, and other relevant technical officers of Liverpool City Council which may include officers responsible for Heritage, Traffic, Public Art, Community Planning, Indigenous Culture and Heritage, and Community Development.
- (e) At the conclusion of the public domain design workshops, the Public Domain Design Panel **or State Design Review Panel** is to record its recommendations.
- (f) The recommendations of the Public Domain Design Panel **or State Design Review Panel** are to be incorporated into a Public Domain and Landscape Plan to be prepared by the Applicant.
- (g) The Public Domain and Landscape Plan is to be endorsed by the Chair of the Public Domain Design Panel **or State Design Review Panel** as satisfactorily responding to the outcome of the public domain workshops, prior to the determination of any future Detailed DA under this Concept Approval.

Reason: To avoid the duplication of panel meetings with the design to be resolved by the SDRP, while still achieving the intent of Condition 4, allowing for the residential scheme to have an appropriate landscape and public domain design to be developed.

5.0 Planning Assessment

Under Section 4.15(1) of the *Environmental Planning & Assessment Act 1979* (EP&A Act), in determining a DA the consent authority must consider a range of matters relevant to the development. These include the provisions of environmental planning instruments; impacts of the built and natural environment; the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The assessment includes only those matters under Section 4.15(1) that are relevant to the proposal. The planning issues associated with the proposed development are assessed below.

Importantly, the planning assessment in the following section is limited to matters affected by the introduction of the residential use and building envelope changes. Therefore, the following issues are not addressed, as they are not proposed to change, and have already been thoroughly assessed and deemed appropriate under Development Consent DA-585/2019:

- Views.
- Heritage.
- Geotechnical.
- Stormwater management and flooding.
- Impacts on adjoining properties.
- Wind impact.
- Aeronautical impact.
- Contamination.
- Crime and public safety.

5.1 Strategies and environmental planning instruments

The DA's consistency and compliance with the relevant strategic plans, environmental planning instruments and policies is considered in **Table 4**. Variations to, and non-compliances with the key standards and guidelines highlighted in the table are discussed in the following sections of this environmental assessment.

Table 4 Summary of consistency with strategies and environmental planning instruments

Plan	Comments
Strategic plans and instruments	
The Greater Sydney Region Plan 'A Metropolis of Three Cities'	<p>The Greater Sydney Region Plan was adopted in March 2018, identifying the site as part of the Western Parkland City, which is focused on capitalising on new city-shaping transport and infrastructure to support housing and employment growth. The proposal is consistent with this strategic direction for Liverpool, providing residential dwellings in close proximity to employment opportunities, health and education facilities, and public transport connections.</p> <p>The proposed redevelopment will support the vision of boosting Greater Sydney's liveability, productivity and sustainability. The proposal will closely align with the key directions of the Region Plan by:</p> <ul style="list-style-type: none"> • providing housing in a walkable location within a close proximity to public transport services; • increasing housing supply and providing housing that is diverse and provides housing choice; • providing housing where there are links to walking and cycling connections to assist in the promotion of a healthier lifestyle; and • integrating housing amongst local health, education, transport, recreation, social facilities and services.
Western City District Plan	<p>The vision for Greater Sydney envisages Sydney as a metropolis of three cities, including the Western Parkland City, the Central River City, and the Eastern Harbour City, comprising five more refined districts. Of these, the proposal is located within the Western City District. The proposal supports the objectives of the Western City District in that it:</p> <ul style="list-style-type: none"> • provides greater housing supply and choice with access to jobs, services and public transport. • provides housing where there are links to walking and cycling connections to assist in the promotion of a healthier lifestyle. • allows for the provision of diverse housing types that meet housing needs.
'Connected Liverpool 2040' Liverpool's Local	Council's LSPS identifies an expected demand for 43,452 additional dwellings between 2016 and 2036 and sets out that its preference is for any increase in density to be focused in the Liverpool City

Plan	Comments
Strategic Planning Statement (LSPS)	Centre and centres well serviced by public transport, as detailed in Local Planning Priority 7. The proposal seeks to allow for the provision of residential uses in the Phase B component of Liverpool Civic Place, which is located in the Liverpool City Centre. Accordingly, the proposal aligns with the intent of this planning priority set out in Council's LSPS.
State Environmental Planning Policies	
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	A consent authority must not consent to the carrying out of any development on land unless it has considered whether land is contaminated and if the land is contaminated, it is satisfied that the land is/can be suitable for the proposed development. A Preliminary Site Investigation (PSI) prepared by Douglas Partners accompanied the original Concept DA (DA-585/2019) and considered that the site is/can be made suitable for the proposed residential use, as noted within Section 8 which identifies that it factored in the provision of a residential use. This is consistent with the requirements of the Resilience and Hazards SEPP.
<i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i>	Given the proposed introduction of the residential land use, an assessment against the relevant provisions of the Apartment Design Guide is provided in the Design Report prepared by Scott Carver at Appendix E . Further detail is provided in Section 5.3.4 .
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	The proposed development falls under Schedule 3 of the SEPP. However, this amending DA does not result in any changes to access and parking arrangements. Further, the original application DA-585/2019 was referred to TfNSW, and therefore this application does not need to be referred again.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	As the proposal is a class of development described in Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> , being a Council related development that has a capital investment value (CIV) over \$5 million (see Appendix F), Part 2.4 of the Planning Systems SEPP applies to the DA. Under Part 2.4 of the Planning Systems SEPP, the Council's consent function is exercised by the Sydney Western City Planning Panel.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	The site falls within the Georges River Catchment. Chapter 6 of the Biodiversity and Conservation SEPP includes provisions that guide developments and land use activities within the Georges River Catchment. The Biodiversity and Conservation SEPP sets out a series of principles developed to protect the environmental sustainability and natural processes associated with the catchment areas from impacts arising from new developments. The proposal does not seek approval for any physical works. The Stormwater Management Plan submitted with the original Concept DA (DA-585/2019) illustrated the typical arrangements to be adopted across the site, to ensure the future development does not adversely impact upon the health, quality and sustainability of the river and its tributaries and ecosystems. Any future detailed DA will include further consideration of appropriate stormwater measures.
<i>State Environmental Planning Policy (Housing) 2021</i>	The Reference Design at Appendix B involves a BtR development. Any future detailed DA that is pursued for a BtR development will be prepared in accordance with Chapter 3, Part 4 of the Housing SEPP.
<i>State Environmental Planning Policy (Sustainable Buildings) 2021</i>	Section 2.1 of the Sustainable Buildings SEPP requires that the embodied emissions attributable to the development has been quantified. The proposed development does not seek approval for any works. The embodied emissions will be quantified as part of a future detailed DA.
Liverpool Local Environmental Plan 2008	
Clause 2.3 <i>Land use zones</i>	<p>The site is zoned MU1 Mixed Use under the Liverpool LEP 2008. The Amending DA proposes to include residential flat buildings and shop top housing as permissible uses within the Phase B envelope. Residential flat buildings and shop top housing are permissible with consent in the MU1 zone. The proposed inclusion of a residential flat building and shop top housing use is consistent with the objectives of the MU1 zone as this:</p> <ul style="list-style-type: none"> allows for the provision of residential land uses that will complement and not conflict with other land uses that are approved within Liverpool Civic Place. does not preclude the provision of business, retail, community and other non-residential land uses on the ground floor of future buildings that will subject to separate detailed development applications; and allows for the provision of residential dwellings in the Liverpool city centre, while also allowing for the maintenance of active retail, business or other non-residential uses at street level.

Plan	Comments
Clause 4.3 <i>Height of buildings</i>	The maximum building height for the site under the height of buildings map is 28m. However, this is superseded by clause 7.5A which allows the maximum height for 'opportunity sites' to exceed the mapped maximum building height (with no maximum height limit set under the clause). The proposal involves a slight increase of 0.035m to the approved maximum building envelope height of RL 118.85, which is compliant with Clause 7.5A and remains below the OLS, consistent with the findings of the Preliminary Aeronautical Impact Assessment submitted with the approved Concept DA (DA-585/2019).
Clause 4.4 <i>Floor space ratio</i>	<p>The maximum permissible FSR for the site under the FSR map is 3:1. However, similar to the above, clause 7.5A increases the maximum permissible FSR for 'opportunity sites' to 10:1, subject to meeting the requirements of the Clause.</p> <p>The Amending DA does not seek approval for a specific quantum of floor space. However, the reference scheme in Appendix B demonstrates that the building for Phase B is capable of accommodating a future proposal of approximately 25,362m², which constitutes an indicative FSR of 5.11:1 when combined with the remainder of the approved (and constructed) buildings in Phase A of Liverpool Civic Place which have a total approved GFA of 21,606m². Accordingly, future detailed proposals are capable of complying with the incentive FSR controls established under Clause 7.5A.</p>
Clause 7.1 <i>Objectives for development in Liverpool city centre</i>	<p>The Amending DA is consistent with the objectives for development in the Liverpool city centre as it will facilitate a future development which:</p> <ul style="list-style-type: none"> • preserves the existing street layout and provides a consistent building layout to the approved buildings in Phase A of Liverpool Civic Place and those located north east of the site; • modulates the envelope massing to ensure sunlight reaches the future buildings and areas of high pedestrian activity; • includes residential dwellings in an accessible location near Liverpool railway station and interchange, reinforcing its role as a major passenger transport facility; and • does not diminish significant view lines to the natural river foreshore and places of heritage significance.
Clause 7.2 <i>Sun access in Liverpool city centre</i>	The proposal does not create additional overshadowing to any of the areas nominated under this clause.
Clause 7.3 <i>Car parking in Liverpool city centre</i>	The car parking provisions in this part of the Liverpool DCP 2008 do not affect the proposed addition of a residential use, as these car parking rates do not apply to residential uses.
Clause 7.4 <i>Building separation in Liverpool city centre</i>	The proposal does not impact the building separation achieved as part of the approved Concept DA (DA-585/2019).
Clause 7.5 <i>Design excellence in Liverpool city centre</i>	While no physical works or detailed design are proposed under this application, the proposed Amending DA will slightly modify the existing building envelope in Phase B of Liverpool Civic Place, and in doing so will continue to provide a framework for the delivery of development which is capable of achieving the highest standard of architectural, urban, landscape, and environmental design, and therefore design excellence. A more detailed assessment is provided in Section 5.1.1 .
Clause 7.5A <i>Additional provisions relating to certain land at Liverpool city centre</i>	The Amending DA will not impact the development's compliance with Clause 7.5A of the Liverpool LEP 2008. Further detail in this regard is provided in Section 5.1.2 .

5.1.1 Design excellence

Clause 7.5 of the Liverpool LEP 2008 requires that the consent authority consider whether a proposed development exhibits design excellence. Built is committed to working with Council's Design Excellence Advisory Panel or the State Design Review Panel in relation to a future detailed DA for residential development to ensure all buildings and public domain elements exhibit design excellence.

Table 5 provides an itemised assessment of the proposed development against the design excellence provisions contained in clause 7.5 of the Liverpool LEP 2008, with a further detailed assessment to be provided with the subsequent detailed DA.

Table 5 Compliance with the Liverpool LEP 2008 design excellence provisions

Controls	Comments
<i>In considering whether development exhibits design excellence, the consent authority must have regard to the following matters—</i>	These matters are addressed below.
<i>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i>	This matter will be addressed in a future detailed DA. The Amending DA does not preclude a detailed design from achieving a high standard of architectural design. As noted above, Built is committed to working with Council's Design Excellence Advisory Panel or State Design Review Panel (as per Condition 4 as proposed to be modified in Section 4.5) so that the future detailed building and public domain elements exhibit design excellence.
<i>(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,</i>	The proposed amendments to the building envelope will not impact the quality and amenity of the public domain. The central public domain area that separates Phase A and Phase B of Liverpool Civic Place has been delivered as part of DA-836/2020. Furthermore, the proposed minor amendments to the Phase B envelope allow for future detailed DAs to make a quality contribution to improve the amenity of the public domain. This public domain area can be developed further as part of a detailed DA through the process established in Condition 4 of DA-585/2019 (as proposed to be modified in Section 4.5).
<i>(c) whether the proposed development detrimentally impacts on view corridors,</i>	No significant view corridors from surrounding buildings or public places have been identified that would be impacted by the slight amendments to the approved Phase B envelope. The Amending DA 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.
<i>(d) 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),</i>	The proposal will not overshadow any of these sites as illustrated in the Overshadowing Diagrams included as part of the Design Report prepared by Scott Carver at Appendix E and discussed at Section 5.3.2 .
<i>(e) any relevant requirements of applicable development control plans,</i>	The applicable current and draft provisions contained within the Liverpool DCP 2008 are addressed at Section 5.2 .
<i>(f) How the proposed development addresses the following matters:</i>	
<i>(i) the suitability of the site for development,</i>	This is addressed in Section 5.7 .
<i>(ii) existing and proposed uses and use mix,</i>	The Amending DA seeks to modify the Concept Approval for Liverpool Civic Place (DA-585/2019) to allow for a residential use to be provided in the Phase B envelope. The exact scope of the development that will be provided on the Phase B component of Liverpool Civic Place will be determined as part of a future detailed DA.
<i>(iii) heritage issues and streetscape constraints,</i>	The proposed inclusion of a residential use in the Phase B envelope and the associated minor additions to the envelope will not have any impacts on nearby heritage items. Further consideration of heritage impacts will be provided as part of any future detailed DA.
<i>(iv) 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,</i>	The Amending DA seeks to slightly modify the Phase B tower envelope to allow for a future detailed DA to accommodate a residential building in this location. Further discussion regarding the proposed building separation, setbacks, amenity and urban form is provided in Section 5.3 .
<i>(v) bulk, massing and modulation of buildings,</i>	The Amending DA does not include any major change to the existing approved bulk and massing of the approved building envelopes. Further discussion in this regard is provided in Section 5.3.1 .
<i>(vi) street frontage heights,</i>	Refer to Section 5.3.1 .

Controls	Comments
(vii) environmental impacts such as sustainable design, waste and recycling infrastructure, overshadowing, wind and reflectivity,	The Amending DA does not impact any of these matters. Consideration of overshadowing impacts is provided in Section 5.3.2 . There will be further consideration of these matters as part of the future detailed DA.
(viii) the achievement of the principles of ecologically sustainable development,	The Amending DA does not preclude any future detailed DA from achieving the principles of ecologically sustainable development.
(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,	The Amending DA does not involve any changes to pedestrian, cycle, vehicular and service access, circulation and requirements. These matters will be determined as part of the future detailed DA relating to Phase B of Liverpool Civic Place.
(x) the impact on, and any proposed improvements to, the public domain.	The DA will allow for a residential use to be provided in Phase B of Liverpool Civic Place, in which the intention is to provide activated ground level retail uses that will provide a positive contribution to the public domain. Any detailed DA that seeks to include a residential development in the Phase B envelope will undergo the process set out in Condition 4 of DA-585/2019 (as proposed to be modified in Section 4.5) to develop a Public Domain and Landscape Plan to ensure further positive improvements to the public domain.

5.1.2 Additional provisions relating to certain land at Liverpool city centre

Clause 7.5A of the Liverpool LEP 2008 relates to certain land within the Liverpool City Centre which is provided incentive planning controls if certain criteria within the clause are met. These sites are herein referred to as 'opportunity sites'. **Table 6** sets out the amended Concept Proposal's compliance with the clause.

Table 6 Assessment of the amended Concept Proposal against Clause 7.5A of the Liverpool LEP 2008

Control	Comments
<p>(1) This clause applies to land development on land that—</p> <p>(a) is identified as "Area 8", "Area 9" or "Area 10" on the Floor Space Ratio Map, and</p> <p>(b) has a lot size exceeding 1500m², and</p> <p>(c) has 2 or more street frontages.</p>	<p>The site is mapped as 'Area 8' on the FSR map, has a combined lot size exceeding 1,500m² (9,189.5m²) and has at least two road frontages. Accordingly, Clause 7.5A applies to the site.</p>
<p>(2) Despite clauses 4.3 and 4.4, if at least 20% of the gross floor area of a development is used for the purpose of centre-based child care facilities, commercial premises, community facilities, educational establishments, entertainment facilities, functions centres, hotel or motel accommodation, information and education facilities, medical centres or public administration buildings—</p> <p>(a) the height of the building may exceed the maximum height shown for the land on the Height of Buildings Map, and</p> <p>(b) the maximum floor space ratio of the building may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map but must not exceed—</p> <p>(i) in relation to a building on land identified as "Area 8" or "Area 10" on the map—10:1, or</p> <p>(ii) in relation to a building on land identified as "Area 9" on the map—7:1.</p>	<p>The Amending DA seeks to modify the Concept Approval (DA-585/2019) to allow for residential uses to be provided in the Phase B envelope (refer to Section 4.0). It does not seek approval for a specific quantum of floor space. However, for information purposes a Reference Design is provided at Appendix B which demonstrates that the Phase B building envelope is capable of accommodating a future residential proposal of approximately 25,362m².</p> <p>When combined with the approved (and constructed) Phase A development subject to DA-836/2020 which has a total GFA of 21,606m², the Liverpool Civic Place development would have a GFA of 46,968m², of which the Phase A components constitute 46% and are all listed in Clause 7.5A(2), therefore satisfying the 20% trigger for the bonuses in Clause 7.5A. Accordingly, the Amending DA can continue to exceed the maximum height shown for the land on the Height of Buildings Map, and exceed the maximum FSR shown on the FSR map, instead applying a maximum of 10:1.</p>
<p>(3) Development consent must not be granted under this clause unless—</p> <p>(a) a development control plan that provides for the matters specified in subclause (4) has been prepared for the land, and</p>	<p>Clause 7.5A(3) requires the preparation of a site-specific DCP. This is satisfied by the approved Concept DA (DA-585/2019), pursuant to Section 4.23 of the EP&A Act. Furthermore, the Concept Approval includes information and education facilities (public library), a through site link and a public car park, all of</p>

Control	Comments
<i>(b) the site on which the building is located also includes recreation areas, recreation facilities (indoor), community facilities, information and education facilities, through site links or public car parks.</i>	which have been constructed and are operational, subject to DA-836/2020.
<i>(4) The development control plan must include provision for how proposed development is to address the following matters—</i>	These matters are addressed below.
<i>(a) the impact on conservation areas,</i>	The site is not located within or immediately adjacent to a heritage conservation area.
<i>(b) encouraging sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network and car parking provision, including integrated options to reduce car use,</i>	The proposed amending DA will not impact the development's encouragement of sustainable transport, road access and the circulation network and car parking provision. Further detail in this regard is provided in Section 5.5 .
<i>(c) achieving appropriate interface at ground level between buildings and the public domain,</i>	The proposal does not impact the interface at ground level between buildings and the public domain. It solely relates to the inclusion of a residential use within the Phase B envelope.
<i>(d) the excellence and integration of landscape design,</i>	The Amending DA will not impact the relationship with the central public domain area that extends between Phase A and Phase B of Liverpool Civic Place. As part of any future detailed development application for a residential development within Phase B of Liverpool Civic Place, a landscape and public domain plan will be developed in accordance with Condition 4 (as proposed to be modified in Section 4.5). This will ensure that any future residential development includes a landscape design that exhibits excellence and also seamlessly integrates with the development.
<i>(e) the matters specified in clause 7.5(3)(f)(i)–(viii) and (x).</i>	These matters are addressed in Table 5 .

5.2 Liverpool Development Control Plan 2008

A complete assessment of the proposed amendments to the approved development against the relevant provisions of the Liverpool Development Control Plan 2008 (Liverpool DCP 2008) is provided at **Table 7**. Under Section 4.15(3A) of the EP&A Act, a consent authority is required to apply DCP provisions flexibly and allow reasonable alternative solutions that achieve the objects of those standards. Where alternate solutions to the provisions are proposed, they are identified in **Table 7** and discussed in the following sections of this environmental assessment.

Table 7 Compliance with Liverpool DCP 2008

DCP Section	Control	Comments
Part 4 – Development in Liverpool city centre		
4.2.1 Building form	<i>Perimeter block typology is to be adopted as the site is located in the Midrise precinct. This is with the exception of those Midrise sites developed pursuant to clause 7.5A of LLEP 2008 (which may also be developed with a tower on podium typology).</i>	The site qualifies as an Opportunity Site pursuant to the Liverpool DCP 2008. Therefore, the podium tower-built form provisions outlined below are applicable.
4.2.5 Controls for sites that require submission of a site specific DCP or concept DA	<i>Sites that require the submission of a DCP are to be developed pursuant to the adopted site specific DCP or a concept development application consistent with Division 4.4 of the EP&A Act 1979 and clause 7.5A of LLEP 2008.</i>	This Amending DA relates to the approved Concept DA that applies to Liverpool Civic Place (DA-585/2019).
	<i>Clause 7.5A(3)(b) of LLEP 2008 specifies that any proposed development which seeks to utilise the additional provisions relating to certain land in Liverpool city centre must yield a</i>	Clause 7.5A(3) requires the preparation of a site-specific DCP. This is satisfied by virtue of the approved Concept DA (DA-585/2019), pursuant to Section 4.23 of the EP&A Act. Furthermore, the

DCP Section	Control	Comments
	<p><i>public benefit, in that the site on which the building is to be located must also include one or more of the following uses (NB: in order to provide the required public benefit, these uses must be publicly accessible):</i></p> <ul style="list-style-type: none"> - recreation areas; - recreation facilities (indoor); - community facilities; - information and education facilities; - through site links; or - public car parks. 	Concept Approval includes information and education facilities (public library), a through site link and a public car park, all of which have been constructed and are operational.
	<i>The concept development application lodged pursuant to clause 7.5A of LLEP 2008, must demonstrate how the proposal addresses all matters described in 7.5A(4)(a-m).</i>	Refer to the assessment in Table 5 and Table 6 .
	<i>Locate non-residential uses at ground level that address all street frontages (and laneway/service way frontages, where possible).</i>	The future detailed DAs are capable of complying.
	<i>Develop a maximum of two levels of above-ground car parking, provided it is sleeved by other uses on street frontages and appropriately screened or sleeved by other uses on lane/serviceway frontages. Aboveground parking must achieve minimum floor to ceiling heights that would permit adaption for another use (e.g. commercial/retail or residential).</i>	This will be addressed as part of a future detailed DA.
4.2.6 Building floor plates	<i>Provide a maximum GFA of 700m² per level for residential towers with maximum length of elevation of 45m</i>	Any future detailed DAs for a residential use will be designed with regard to these controls.
4.2.7 Street alignments and street setbacks	<p><i>Buildings to comply with the front setbacks:</i></p> <ul style="list-style-type: none"> • 3m Scott Street; • 2.5m Terminus Street; and • Upper level frontages to a lane/serviceway must be setback 6 metres from the centre line of the lane/serviceway. 	The approved Concept DA (DA-585/2019) prepared pursuant to Section 4.2.5 of the DCP provides an alternative solution to setbacks. The proposed Amending DA includes minor alterations to the approved envelope, as discussed in Section 5.3.1 .
4.2.8 Side and rear boundary setbacks	<i>All residential and commercial buildings to comply with the separation distances in SEPP 65 and the ADG unless otherwise agreed with Council in an approved concept development application</i>	Noted. The future detailed DA relating to the Phase B envelope will be designed in accordance with the ADG. Further detail is provided in Section 5.3.4
4.2.9 Minimum floor to ceiling heights	<p><i>The minimum floor to ceiling heights are:</i></p> <ol style="list-style-type: none"> 1. Ground floor: 3.6m. 2. Above ground level: <ol style="list-style-type: none"> a) Commercial office 3.3m. b) Capable of adaptation to commercial uses 3.3m. c) Residential 2.7m. d) Active public uses, such as retail and restaurants 3.6m. 3. Car Parks: Sufficient to cater to the needs of all vehicles that will access the car park and, if aboveground, adaptable to another use, as above. 	A future detailed DA is capable of complying.
4.2.11 Deep soil zones and site cover	<p><i>The maximum permitted site coverage for development:</i></p> <ol style="list-style-type: none"> a) Commercial Core, Fine Grain and Mid Rise: Up to 100% 	The Amending DA does not involve any changes to these elements.
4.2.12 Public open space and	<i>2. Dedicate open space to Council, where required, as part of an approved concept development application if the space meets the requirements of Council in terms of:</i>	To be resolved as part of a future detailed proposal through the process set out in Condition 4 of DA-

DCP Section	Control	Comments
	<i>Design of vehicle entry points must be of high quality and relate to the architecture of the building, including being constructed of high quality materials and finishes.</i>	
4.4.2 On-site parking	<p><i>All required car parking is to be provided on site in an underground (basement) carpark except to the extent provided below:</i></p> <p><i>a) On Fine Grain and Midrise sites, a maximum of one level of surface (at grade) parking may be provided where it is fully integrated into the building design; and</i></p> <p><i>b) On sites requiring the lodgement of a concept DA, a maximum of one level of surface (at grade) and one additional level of above ground parking may be provided where it is fully integrated into the building design.</i></p> <hr/> <p><u><i>Service and delivery vehicle parking</i></u></p> <p><i>Sufficient service and delivery vehicle parking adequate to provide for the needs of the development.</i></p> <hr/> <p><u><i>Motorcycle parking for all development</i></u></p> <p><i>Provision is to be made for motorcycle parking at the rate of 1 motorcycle space per 20 car spaces.</i></p> <hr/> <p><u><i>Disabled off-street car parking</i></u></p> <p><i>No less than 2% of the total parking demand generated by development shall be accessible parking spaces, designed and appropriately signposted for use by persons with a disability.</i></p>	Future detailed DAs are capable of complying. Refer to Section 5.5.2 .

5.3 Key Assessment Matters

5.3.1 Built form

The proposal involves slight additions to the Phase B envelope, which are summarised in **Section 4.3**, and described in greater detail within the Design Report prepared by Scott Carver included at **Appendix E**. The following subsections address the new street wall height along Scott Street, the change to the tower setbacks fronting Scott and Terminus Streets, and the minor changes in the building height of the Phase B envelope.

Scott Street setback and street frontage height

The proposal increases the street frontage height along Scott Street by 6m from RL 50.50 to RL 56.50 and includes a considerable setback of 15.9m in the east which tapers down to 11.5m in the west. This street wall height and tower setback is a conscious design move to create the gradation of scale from the local heritage Memorial School of Arts building, and to form a relationship with the datum of the existing building at 300 Macquarie Street. As illustrated in **Figure 15**, the proposal has taken cues from the existing and emerging development on Scott Street to facilitate street presentation with height and status to reflect its important southern gateway intent.

The proposed street frontage height and tower setback have been selected having regard to current and emerging height datums along Macquarie and Scott Streets. 7-12 storeys generally typifies the established street frontage height in this regard. Peaking in height toward the train station and the Bigge Street intersection, the emerging street wall of Scott Street is set first by the approved 21 Scott street at 12 commercial storeys.

Continuing west along Scott street, the Quest hotel is a 10 storey building, and 45-47 Scott Street comprises seven commercial levels. Lastly, 300 Macquarie Street, whilst not fronting Macquarie Street, does not include a setback and rises directly from Augusta Cullen Plaza to nine storeys. This is illustrated in **Figure 16**.

Additionally, the tapered tower setback improves the Phase B envelope's relationship with the remainder of the buildings in Liverpool Civic Place, particularly through aligning the envelope with the dominant Master Plan building angle achieved by the completed mixed use civic building in Phase A of Liverpool Civic Place (refer to **Figure 17**).

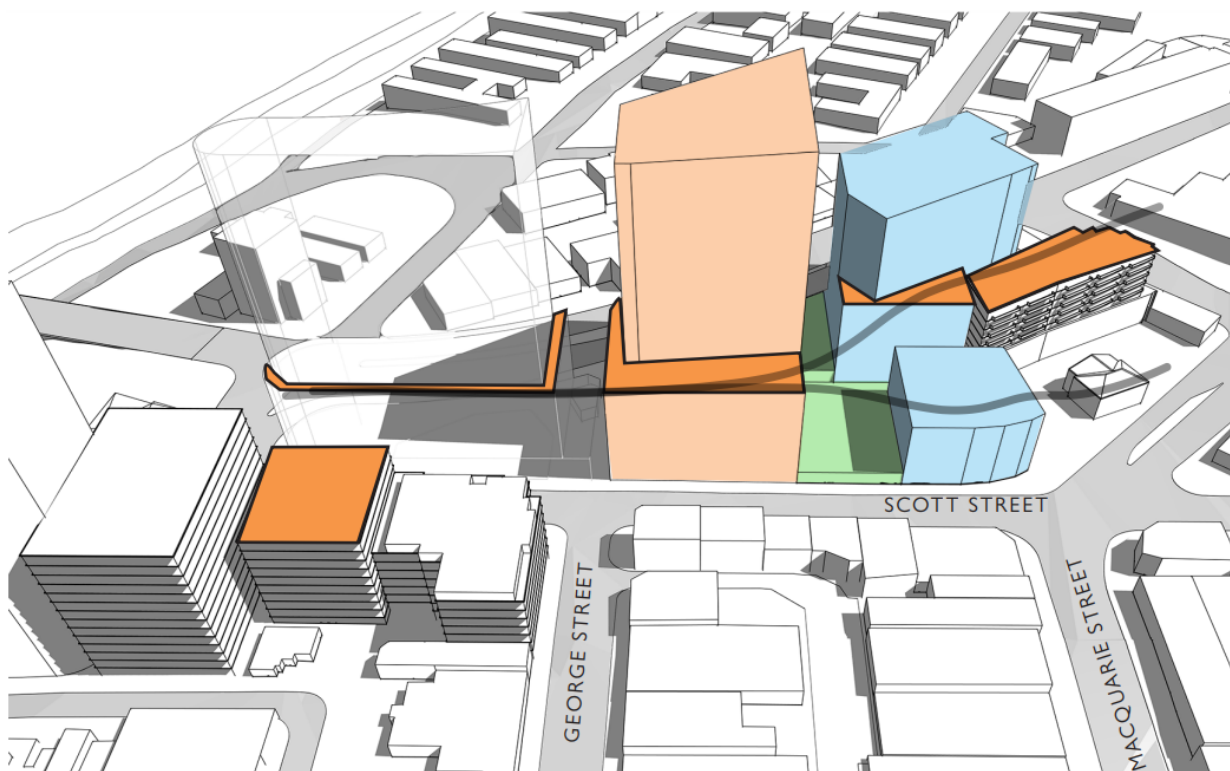


Figure 15 Scott Street frontage height datum (including indicative future surrounding development)

Source: Scott Carver

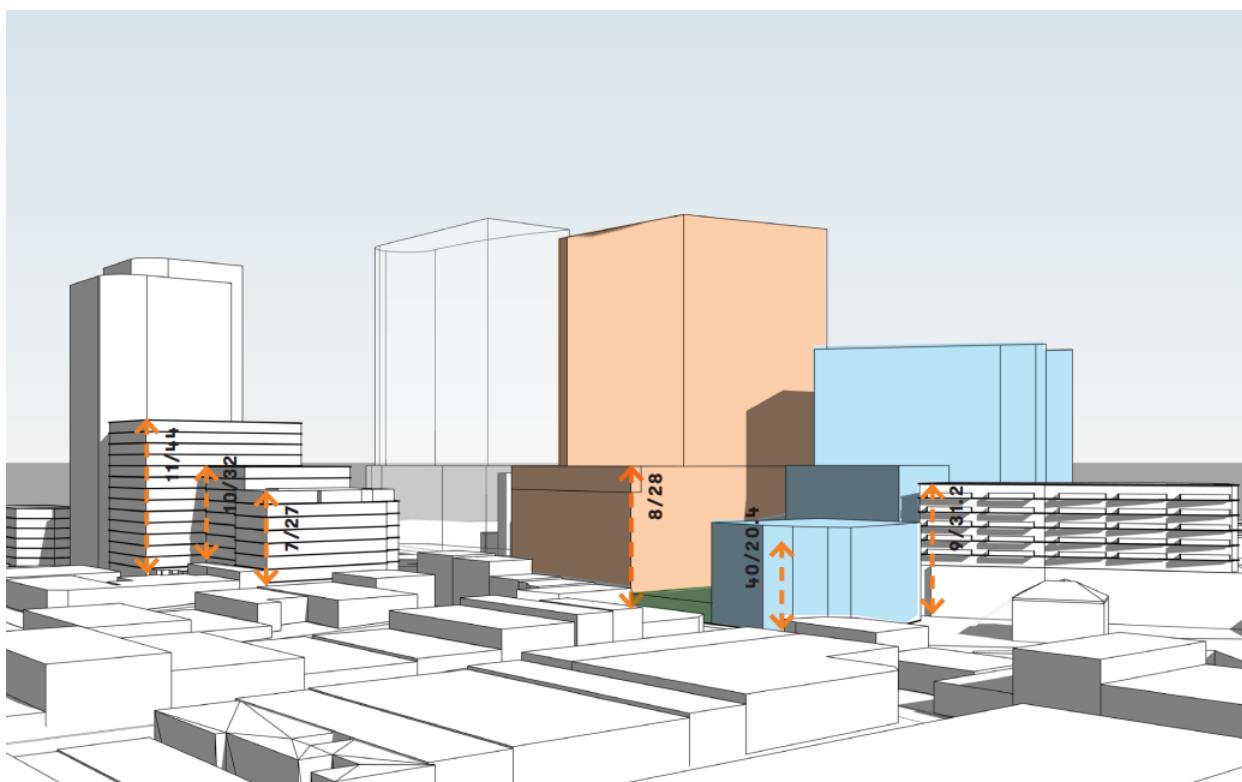


Figure 16 Scott Street frontage heights (including indicative future surrounding development)

Source: Scott Carver

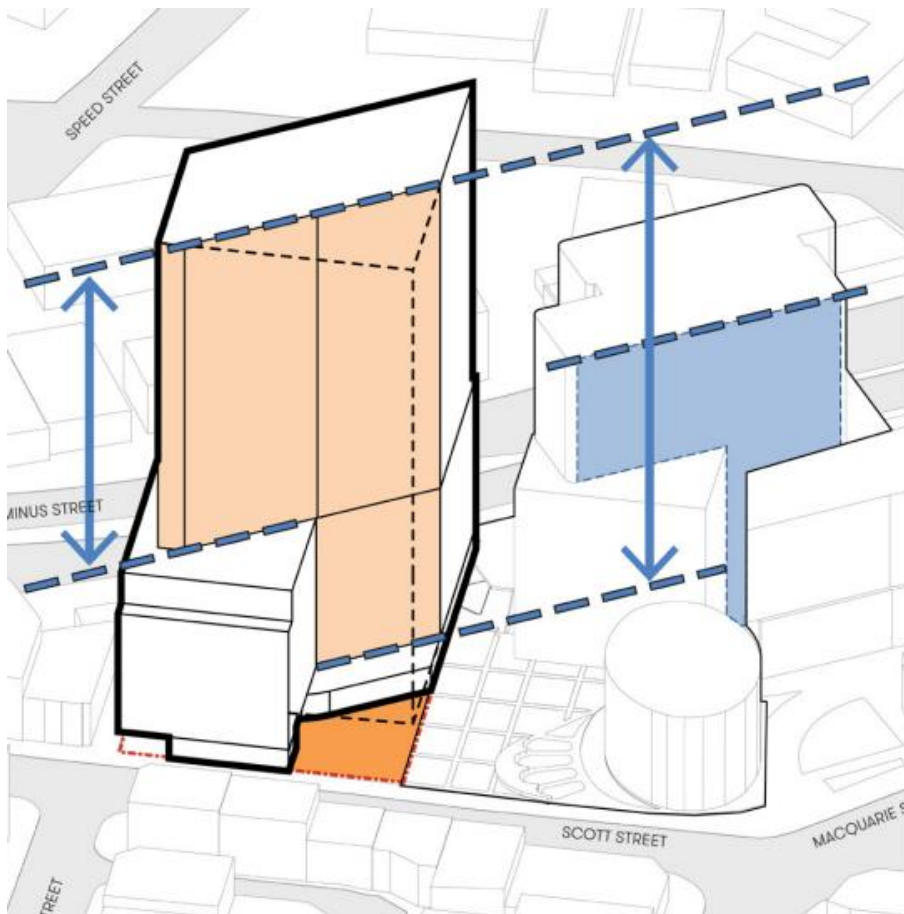


Figure 17 Alignment with the building angle of the Phase A mixed use civic building

Source: Scott Carver

Terminus Street tower setback

The proposal includes a minor reduction to the Terminus Street tower setback of 0.4m, as illustrated in **Figure 18**. The reduced tower setback to Terminus Street is appropriate as this frontage is provided with a large setback from the Terminus Street kerb line which accommodates a pedestrian path and landscape buffering. There is also significant building separation across to the south and a setback ground level façade with awning provision for wind amelioration and pedestrian comfort as part of future building entries. Accordingly, the proposed changes to the building envelope are appropriate and will facilitate a positive outcome, being considerably minor in the context of the overall envelope.

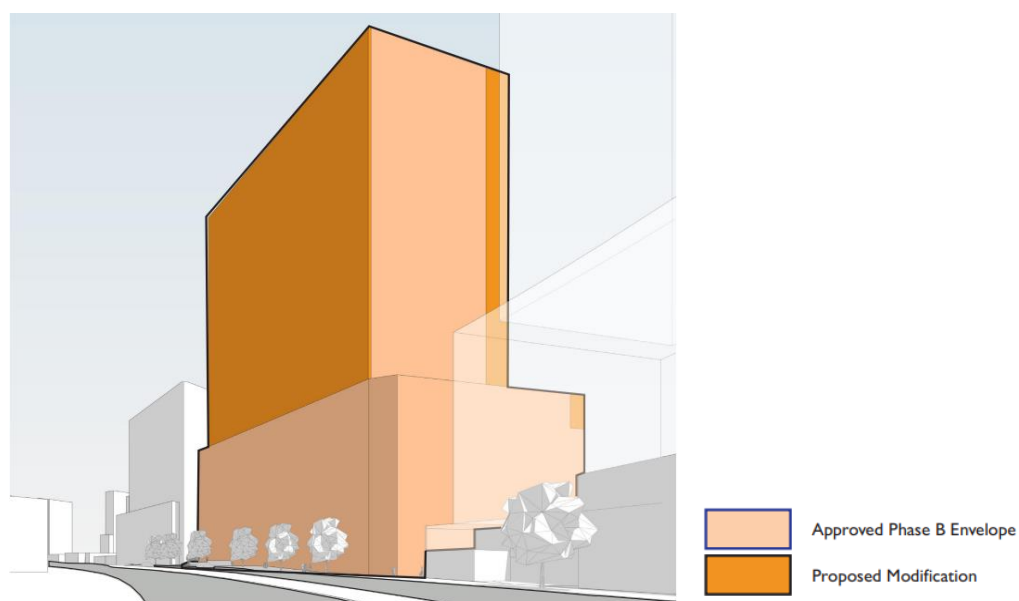


Figure 18 Proposed addition to the tower envelope along Terminus Street

Source: Scott Carver

Minor increase to the Phase B building envelope height

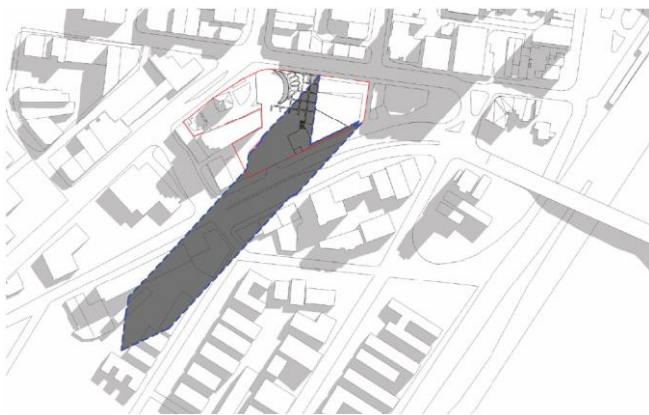
As detailed in **Section 4.3**, the alterations to the tower setbacks have resulted in changes to the building height of the Phase B building, including a 0.035m increase to the approved maximum building height. Importantly, the minor height increase of 0.035m remains compliant with Clause 7.5A of the Liverpool LEP 2008, which sets no height limit for the site given that it forms part of 'Area 8', as detailed in **Table 6**. Further, the increased height remains below the OLS, consistent with the findings of the Preliminary Aeronautical Impact Assessment submitted with the approved Concept DA (DA-585/2019). As detailed in **Section 5.3.2** below, there are minimal overshadowing impacts caused by the additional building height.

5.3.2 Overshadowing

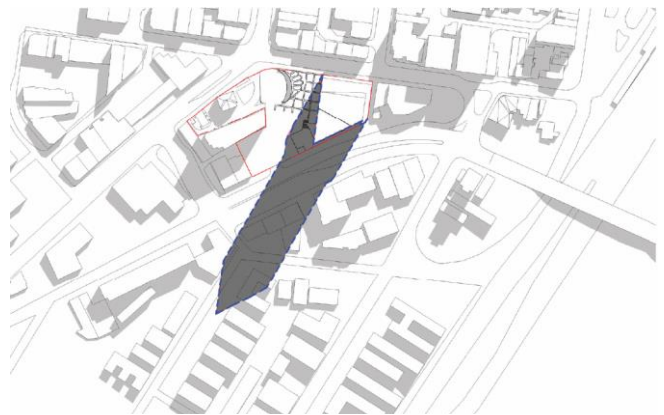
This Amending DA is supported by Shadow Diagrams prepared by Scott Carver that identify the additional shadow resulting from the proposed building envelope amendments (refer to **Appendix E**). The shadow analysis illustrates the shadow cast by the approved envelope and proposed envelope additions, on the winter solstice at hourly intervals between 9am and 3pm. As such, this analysis presents a 'worst-case' scenario.

The Shadow Diagrams demonstrate that the proposed envelope will result in minimal overshadowing, with minimal additional shadow cast between 9am and 12pm, and a minor increase in a slither of shadow between 1pm and 3pm, as illustrated below at **Figure 19**. The minor increased shadow is cast over Terminus Street, the commercial zone to the south and on the railway line, avoiding existing residences.

Considering the site's CBD context and the absence of additional overshadowing to significant public places or residential uses, the amended Phase B envelope is appropriate from an overshadowing perspective. Further, it is emphasised that the proposed envelope constitutes the maximum possible impact and detailed design will result in less of an overshadowing impact as the building is articulated within the Phase B envelope.



9am



10am



11am



12pm



Figure 19 Overshadowing diagrams (winter solstice)

Source: Scott Carver

5.3.3 Building separation and privacy

The proposed amendments to the approved Phase B envelope will not result in any privacy impacts on the adjoining site to the east, nor to the completed mixed use civic building in Phase A of Liverpool Civic Place. Further discussion in this regard is provided under the following subheadings.

Eastern separation

The potential opportunity site to the east of the site is separated from the site by George Lane (approximately 4.5m wide) connecting Scott Street and Terminus Street. The eastern site currently contains three lots.

The development analysis in the Design Report (refer to **Appendix E**) has contemplated a development scenario on this eastern site where it is amalgamated with the two smaller lots adjoining George Lane (refer to **Figure 18**). The development analysis in **Appendix E** assumes that all sites to the east are amalgamated, and residential use emerge on this site, in which SEPP 65 and the Apartment Design Guide (ADG) will dictate building separations.

Specifically, the ADG under Design Criteria 3F requires the following minimum building separations:

- up to 25m in height (5-8 storeys): 9m separation for habitable rooms and balconies and 4.5m separation to non-habitable rooms.
- over 25m in height (9+ storeys): 12m separation for habitable rooms and balconies and 6m separation to non-habitable rooms.

Indicative urban design testing on this site has demonstrated that the Phase B podium would be separated a minimum of 18.55m from a potential residential development on the adjacent site, in accordance with the ADG. This would extend to 21m at the tower levels should the corner site be developed as an opportunity site in isolation, with the site extent illustrated in **Figure 20**.

In any case, the physical separation created from the two towers combined with any screening and primary orientation of apartments to the north and south will ensure sufficient privacy is achieved. This is demonstrated in the Reference Design at **Appendix B** as an example of how this can be achieved in detailed design. **Figure 20** illustrates how this separation would be achieved from the potential opportunity site to the east.

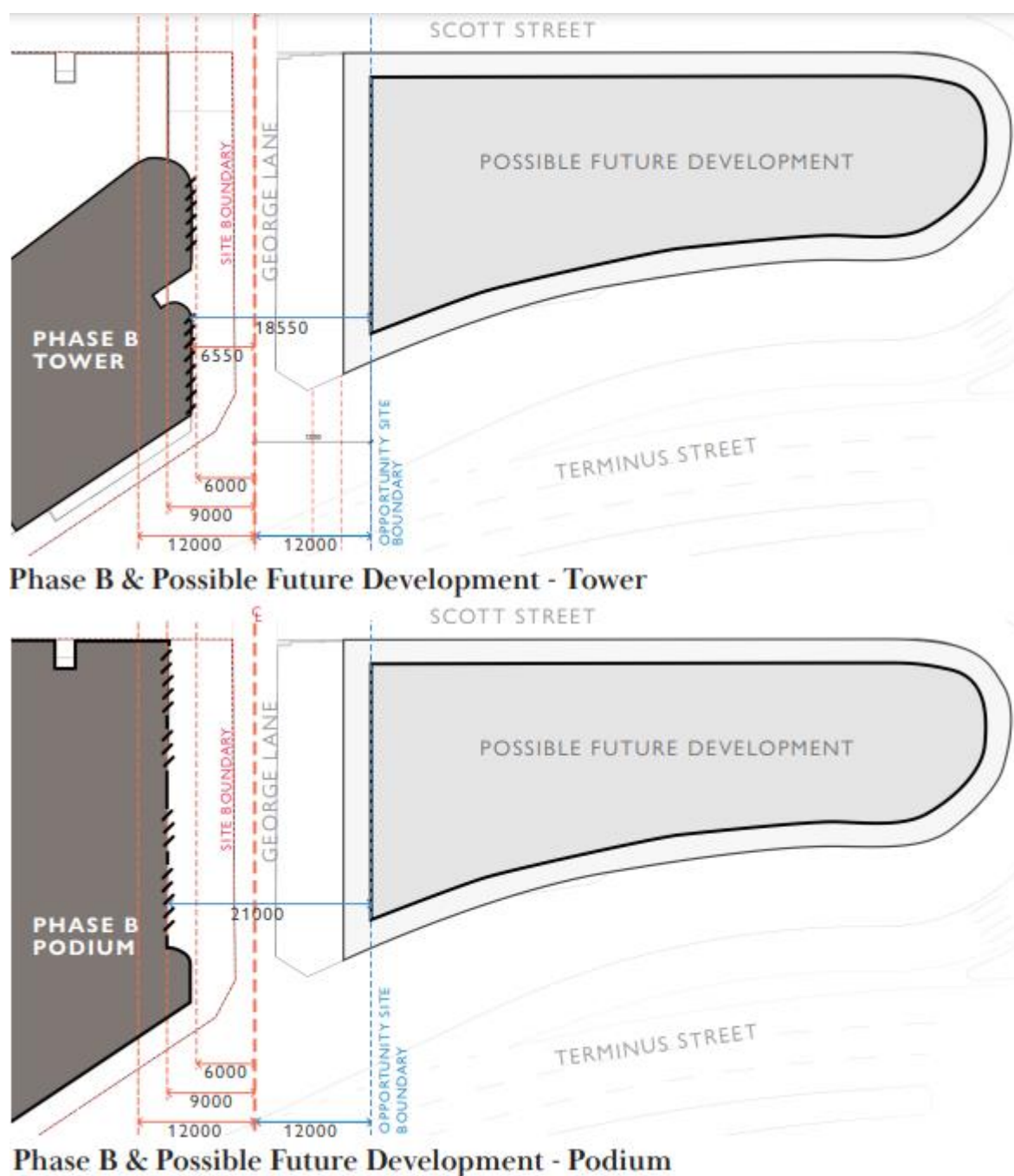


Figure 20 Separation from possible future development to the east at both the tower and podium levels

Source: Scott Carver

Western separation

While the proposal includes 12m building separation from the approved mixed use civic building and involves a residential use, the intention is for the detailed design of the building and apartments to be oriented to ensure sufficient privacy is achieved for residents from the adjacent mixed use civic building. This combined with the use of integrated privacy screens will ensure consistency with ADG Guidelines and enhance overall amenity. Further discussion with regard to the proposal's consistency with the ADG is provided in **Section 5.3.4** below.

5.3.4 Residential amenity

The proposal includes the addition of residential flat building and shop top housing uses within the Phase B envelope to allow for a future detailed DA to deliver either type of residential use. An indicative Reference Design (refer to **Appendix B**) has been prepared by Scott Carver for a BtR development that fits within the Phase B envelope. This reference scheme design has been provided for information purposes to demonstrate a residential development that could be accommodated within the Phase B envelope, noting that the detailed design of the residential development on the site will be the subject of a future detailed DA.

The indicative Reference Design seeks to provide a high standard of residential amenity within each of the dwellings, consistent with Built's vision to deliver a high-quality, contemporary BtR living model that embodies a quality residential product.

While the reference scheme generally satisfies the relevant guidelines, it is emphasised that Section 75 of the Housing SEPP states that certain elements of the ADG should be applied flexibly in BtR housing to reflect the community-oriented nature of such developments.

An assessment of the reference scheme's consistency with the key objectives and design criteria of the ADG is provided in the ADG Compliance Review contained within the Design Report at **Appendix E**.

5.3.5 Acoustic

A Noise Impact Assessment has been prepared by Acoustic Logic (refer to **Appendix G**) to address the inclusion of a residential use within the Phase B building envelope and the potential acoustic amenity considerations for a residential development in this location. The report provides criteria, in-principle treatment and design requirements which aim to achieve relevant statutory criteria. In terms of noise impacts, the report provides criteria for the following acoustic considerations:

- Liverpool DCP 2008;
- Transport and Infrastructure SEPP 2021;
- Development near Rail Corridors or Busy Roads – Interim Guideline; and
- NSW Environmental Protection Authority's Noise Policy for Industry.

Acoustic Logic conclude that the proposal complies with the relevant noise criteria subject to the implementation of the following recommended acoustic treatment measures:

- Recommended glazing thicknesses for all façades of the building and for each level of the façades.
- Minimum R_w rating of the glazing fitted into openable frames and fixed into the building openings¹. Where nominated, this will require the use of acoustic seals around the full perimeter of openable frames and the frame will need to be sealed into the building opening using a flexible sealant.
- Where acoustic systems other than brick, concrete or masonry are proposed for the external roof, wall and ceiling construction, it must be reviewed and approved by a suitably qualified acoustic consultant. For external walls, if any penetrations are required through any of the external lining, all gaps should be filled with acoustic sealant to ensure compliance with internal noise level requirements.
- Allowance for a 10dB(A) increase in noise levels when windows are open, in accordance with the Development near Busy Roads and Rail Corridors – Interim Guideline.

Further detail in relation to acoustic impacts and the associated recommendations to achieve the required noise criteria is provided in the Noise Impact Assessment prepared by Acoustic Logic included at **Appendix G**.

5.3.6 Traffic

A Traffic Impact Assessment has been prepared by ptc and is included at **Appendix H**. The assessment involves consideration of the traffic and parking impacts related to the inclusion of a residential use within the approved Phase B building envelope. Each of these matters is addressed under the relevant subheadings below.

Traffic impacts

Ptc have undertaken an analysis comparing the anticipated traffic generation of the residential Reference Design with the previously approved Phase B/C Detailed DA (DA-1080/2020) which comprised commercial office and boarding house uses. The comparison utilises the trip generation rates set out in the Roads and Maritime

¹ R_w refers to 'weighted sound reduction'. It is a number used to rate the effectiveness of the glass as a noise insulator and is measured in decibels. It also takes into consideration a correction factor for the response of the human ear.

Guide to Traffic Generating Developments technical direction TDT2013/04a (2013). The results of the analysis demonstrate that the residential scheme with ground floor retail uses involve a reduced level of traffic activity compared with the Phase B/C approval, being a reduction of 14 trips in the morning peak and 9 trips in the evening peak.

Further to the above, a SIDRA analysis has been undertaken and indicates that the Scott and Terminus Street accesses to Liverpool Civic Place will operate in similar level of delay and queuing as the existing conditions.

While the average delay and queuing for the eastern leg of the Macquarie Street/ Memorial Avenue/ Scott Street intersection will increase during the post-development scenario, it will continue to have an acceptable Level of Service.

Parking

Car parking

The proposal does not seek consent for a number of car spaces. The specific yield of car parking spaces will be determined in a future separate detailed DA, which will be designed to accommodate the required car parking spaces within the approved basement envelope.

Service vehicle parking

The approved basement envelope is capable of providing one medium rigid vehicle space and two small rigid vehicle spaces, which is anticipated to be sufficient to accommodate both components of the proposed development.

5.3.7 Economic Analysis

An Economic Statement has been prepared by Ethos Urban and is provided at **Appendix C**. The Economic Statement includes an economic justification for the inclusion of residential uses within the Phase B envelope in accordance with a request from Council in the pre-DA meeting that took place on 6 December 2023. The Economic Statement analyses the context of the commercial office market in Greater Sydney relative to Liverpool and highlights the demand for residential dwellings. This is discussed in the following subsections.

Commercial office market

The analysis undertaken in the Economic Statement finds that while the Liverpool CBD supports a mixture of land uses, including commercial office, the Liverpool CBD does not function as a core commercial precinct, particularly within the context of Greater Sydney. Liverpool's commercial office market is considerably smaller than other key commercial office markets in Sydney, is considerably smaller as highlighted in **Figure 21**.

Further, Liverpool competes with much more high profile and desirable markets that are anchored by larger multinational tenants, are better located and connected in the context of Greater Sydney, and support more prime grade office floorspace that is considered more desirable for modern occupiers. Of significance, many of these competitive markets have high levels of existing vacancy, and as such, prospective commercial office tenants would be more likely to consider these other locations compared to Liverpool all else being equal.

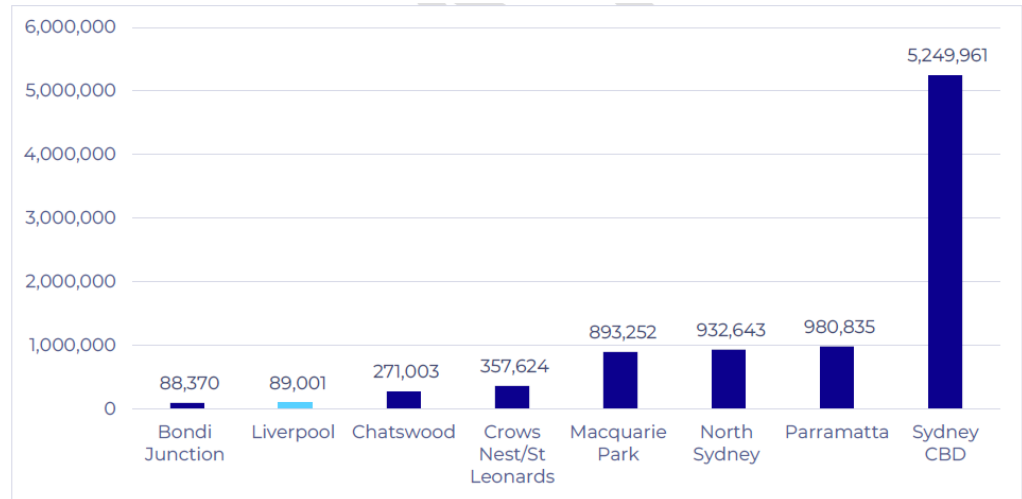


Figure 21 Commercial office floorspace – Sydney markets

Source: PCA Office Market Report (July 2023)

Demand for residential dwellings

The review of the residential market undertaken by Ethos Urban in the Economic Statement highlights that there is an implied undersupply of 7,774 dwellings in the Liverpool LGA by 2036. When excluding the residential subdivision lots proposed, this undersupply is even higher at 15,702 dwellings. The review also made the following key findings in relation to the housing market in the Liverpool LGA:

- There is a lack of housing diversity and choice within the Liverpool LGA, with the provision of apartments being only at 16.3%.
- The provision of diverse household sizes is limited.
- There is a low residential vacancy rate for dwellings of 0.8% compared to Greater Sydney of 1.4%.
- Housing prices have increased considerably by +28% in the past five years.
- Housing affordability is a significant challenge in the Liverpool LGA.

Based on the abovementioned key findings, the Economic Statement concludes that the provision of residential apartment dwellings in this location within the Liverpool city centre will be successful and provide a number of benefits, including:

- The proposed development aligns with local council and state government strategic policy objectives. This includes delivering additional housing supply in suitable locations close to transport, jobs and services.
- The site is located within an established community precinct, including the Liverpool Innovation Precinct. Located close to major educational facilities including the Western Sydney University Campus, health facilities including Liverpool Hospital, open space including Bigge Park, as well as a number of schools and other community amenities.
- The existing workforce in the local area is highly skilled with 67.7% of the local population employed in white collar occupations, such as professionals, managers and clerical and administrative workers. There is also a high share of healthcare and social assistance workers. This population would associate strongly with the offer proposed at the site, including with proximity and access to jobs and services.
- The suburb of Liverpool and the Liverpool LGA are both characterised by a declining share of family households and increasing share of couples without children and lone persons, as well as a high share of renter households and residents attending education. This population would align strongly with the residential offer proposed which may include high amenity, low maintenance apartment stock.
- The provision of up to 350 dwellings at the Subject Site could support approximately 1,110 residents based on the average household size of 3.2 for the Liverpool LGA, accounting for around 1.9% of projected growth in the Liverpool LGA between 2023 and 2036.
- These residents will support additional retail expenditure, benefiting businesses in the local and regional area.
- The provision of 1,110 residents at the site will contribute to increased and continued activation of Liverpool CBD both day and night, and on weekends, enhancing the vibrancy and amenity of the area.
- The development will align with the provision of uses within the surrounding area, including complementing major uses such as health and education, by providing housing that could align with the needs of students, key workers and other professionals.
- It will increase the supply of housing in the local area, providing improved housing choice and diversity for the community, while supporting better housing affordability overall through increased supply.

Further detail in this regard is provided in the Economic Statement at **Appendix C**.

5.4 Site suitability and public interest

In accordance with Section 4.15(1)(c) of the EP&A Act, the proposed development is suitable for the site and in the public interest for the following reasons:

- the site is zoned to accommodate residential flat building and shop top housing uses;
- it will contribute to the supply of housing in the context of the ongoing housing crisis, within an area that has an undersupply of housing and is lacking higher density apartment dwelling stock;
- the size and dimensions of the site are appropriate for accommodating the proposed residential use;
- the proposal includes an envelope that has been designed to provide a high level of residential amenity to occupants, as well as surrounding buildings through general alignment with the objectives of the ADG;
- the scheme provides a building envelope that will positively respond to the streetscape and built form context;

- it will contribute towards the safety and security of the area by providing improved passive surveillance within this key site in the Liverpool CBD;
- it will contribute to the ongoing development of a diverse mixed use precinct through the provision of a living component that is lacking in Liverpool Civic Place, and which will be integral to its activation;
- it provides residential accommodation in a location which is well serviced by existing and emerging public transport and other services and facilities; and
- demonstrates high-quality urban design that is capable of producing design excellence with respect to a future detailed development application.

6.0 Conclusion

The proposed development seeks approval for:

- residential flat buildings and shop top housing as permitted uses within the Phase B envelope; and
- minor extensions to the Phase B envelope to facilitate the provision of a future residential building, including a slight increase in the maximum building height at the south western corner by 0.035m.

While the reference scheme shows a BtR proposal, the proposed DA seeks consent for residential flat buildings and shop top housing uses, with either of these uses to be pursued in the Phase B component of Liverpool Civic Place through a subsequent detailed DA.

This SEE has provided a detailed assessment of the proposal against the relevant matters under Section 4.15(1) of the EP&A Act. The application is recommended for approval given the following reasons:

- The scale, massing and height of the building is appropriate for the site and its context, respecting and enhancing Liverpool Civic Place.
- The proposal will offer the opportunity to revitalise a significantly underutilised site within Liverpool which will provide much-needed residential dwellings and improved housing diversity.
- The building envelopes will allow for appropriately sized and configured floor plates for a residential development to be provided as part of a future detailed DA.
- It will increase the quality and quantum of residential units in Sydney, directly contributing to increasing the supply of housing in the context of the ongoing housing crisis.
- It does not give rise to any significant adverse environmental impacts in respect to built form and urban design, noise, traffic and economics.
- The proposed development is suitable for the site and is in the public interest.

In light of the merits of the proposed development and in the absence of any significant environmental impacts, it is without hesitation that we respectfully recommend this application for development consent.