

Attachment B – Tables of Compliance

Environmental Planning Policies & Development Control Plans

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ENVIRONMENTAL ASSESSMENT

Statutory Framework

Environmental Planning and Assessment Act 1979

This Statement has been prepared in accordance with the provisions of the Environmental Planning and Assessment Act 1979. The proposed development has been considered having regard to the requirements of Part 4 of the Act.

Liverpool Local Environmental Plan 2008

The Liverpool LEP contains controls relating to development standards, miscellaneous provisions and local provisions. The controls that are a relevant consideration in relation to the subject application DA-585/2019/C are considered in the table below.

Control	Provision	Comment	Comply
Part 4 Principal development standards			
4.3 Height of buildings	28 m	The Concept DA Consent 585/2019 was approved under the bonus height and FSR controls in Section 7.5A of the LEP below which continue to apply.	N/A
4.3 Floor space ratio (FSR)	3:1		
Part 5 Miscellaneous provisions			
5.10 Heritage conservation	Development in the vicinity of a heritage item may need a heritage impact statement.	The site is located within the vicinity of two heritage items including Scott Street on the northern boundary of the site, and the 'Memorial School of Arts' to the west of the Phase A development on the site. The proposed extension to the Phase B tower building footprint on its eastern and southern sides will not have a significant impact on the heritage significance of these two nearby heritage items.	Y
Part 7 Additional local provisions			
7.1 Objectives for development in Liverpool City Centre	(a) to preserve the existing street layout and reinforce the street character through consistent building alignments,	The proposed modification is consistent with the objectives for development in the Liverpool City Centre subject to the recommended condition of consent for an urban design study to be	Y

	<p>(b) to allow sunlight to reach buildings and areas of high pedestrian activity,</p> <p>(c) to reduce the potential for pedestrian and traffic conflicts on the Hume Highway,</p> <p>(d) to improve the quality of public spaces in the city centre,</p> <p>(e) to reinforce Liverpool railway station and interchange as a major passenger transport facility, including by the visual enhancement of the surrounding environment and the development of a public plaza at the station entry,</p> <p>(f) to enhance the natural river foreshore and places of heritage significance,</p> <p>(g) to provide direct, convenient and safe pedestrian links between the city centre (west of the rail line) and the Georges River foreshore.</p>	<p>prepared to address matters identified in Section 4.3 of this report as part of a DA for the detailed design of the Phase B development.</p>	
7.4 Building separation in Liverpool City Centre	<p>(2) Development consent must not be granted to development for the purposes of a building on land in Liverpool city centre unless the separation distance from neighbouring buildings and between separate towers, or other separate raised parts, of the same building is at least –</p> <p>d) 12 metres for parts of buildings between 25 metres and 45 metres above ground level (finished) on land in Zone E2 Commercial</p>	<p>.</p> <p>The proposed modification is to extend the approved building envelope 2.1m to the south and 1.952m to the east. There are currently no neighbouring buildings to the south or the east which are over 25 metres in height to which the building separation standards in Section 7.4 of the LEP would apply.</p> <p>There is, however, potential for future building development on the land to the south and east above 25 metres in height which,</p>	Y

	<p>Centre or MU1 Mixed Use, and</p> <p>(e) 28 metres for parts of buildings 45 metres or more above ground level (finished) on land in Zone E2 Commercial Centre or MU1 Mixed Use.</p>	<p>although not subject to Section 7.4, should be taken into consideration in terms of planning and urban design merit.</p> <p>Section 4.3 of this report below provides an assessment of the potential for building separation distances in Section 7.4 of the LEP to be achieved between the proposed modified Phase B building envelope and future high-rise development on the neighbouring sites to the south and east.</p>	
7.5 Design excellence	(3) In considering whether development exhibits design excellence, the consent authority must have regard to the following matters –		Y
	(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	These detailed design aspects are not part of the Concept DA and are subject to a future separate DA for detailed design.	N/A
	(b) whether the form and external appearance of the proposed development will improve quality and amenity of the public domain	Refer to the assessment of public domain considerations in Section 4.3 of this report below.	Y
	(c) whether the proposed development detrimentally impacts on view corridors	<p>The proposed modification is to extend the Phase B tower footprint on its southern side fronting Terminus Street and on its eastern side fronting George Lane.</p> <p>The visual size of the proposed extensions to the tower building envelope (ie. 2.1m to the south and</p>	Y

		<p>1.9m to the east) relative to the approved size of the tower building envelope (25m x 40m x 50m) is considered relatively minor.</p> <p>There is no residential building located nearby the site that has significant views across the site frontage on Terminus Street or George Lane at the height of the proposed modifications to the tower envelope or that would be significantly impacted by the proposed modifications.</p> <p>There is also no public park or area of public domain near the site (other than the affected streetscapes) that has significant views across the site frontages on Terminus Street or George Lane.</p> <p>The impact of the proposed modification on the view corridor along the streetscapes of Terminus Street and George Lane will depend on the detailed design of the Phase B building in a future DA. A condition of consent is recommended for the detailed DA for the Phase B building design to be the subject of an urban design study that, amongst other matters, addresses the streetscapes along Terminus Street and George Lane in the detailed design.</p>	
	<p>(d) whether the proposed development detrimentally overshadows Bigge Park, Liverpool Pioneers' Memorial Park, Apex Park, St Luke's Church Grounds and Macquarie Street</p>	<p>These public parks and public domain areas are in the city centre further to the north of the site in locations which are not impacted by shadows from the approved development concept or proposed modification.</p>	Y

	Mall (between Elizabeth Street and Memorial Avenue)		
	(e) any relevant requirements of applicable development control plans	Compliance with the Liverpool DCP 2008 is discussed in Part 4.2(c) of this report.	Y
	(f)(i) the suitability of the site for development	The site is considered suitable for the proposed modification as there are no prohibitive constraints on or around the site.	Y
	(f)(ii) existing and proposed uses and use mix	The modification does not propose any changes to the approved uses.	N/A
	(f)(iii) heritage issues and streetscape constraints	<p>Refer to Section 5.10 of the LEP above on heritage.</p> <p>Refer to Section 4.3 of the report below for assessment of streetscape considerations.</p>	Y
	(f)(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	<p>The proposal maintains the approved location of towers in the approved Concept DA.</p> <p>Refer to Section 4.3 of this report for an assessment of the proposed modification to the Phase B tower envelope in terms of relationship with other buildings.</p>	Y
	(f)(v) bulk, massing and modulation of buildings	<p>The proposed modification does not significantly affect the massing of building envelopes in the approved Concept DA 585/2019.</p> <p>Refer to Section 4.3 below for assessment of implications of the proposed modification for building bulk and built form modulation.</p>	Y
	(f)(vi) street frontage heights	The proposed modification has potential to change the street frontage height on Terminus Street by removing the tower setback above podium along this street front. Refer to Section 4.3 of this report below for	Y

		<p>an assessment of the implications of this modification for the streetscape.</p> <p>The proposed modification does not change street frontage height in Scott Street or George Lane.</p>	
	(f)(vii) environmental impacts such as sustainable design, waste and recycling infrastructure, overshadowing, wind and reflectivity	<p>Detailed development design aspects relating to ESD are not part of the Concept DA and are subject to a future separate DA for detailed design.</p> <p>Refer to Section 4.3 of this report below for assessment of environmental impacts of the proposed modification.</p>	N/A
	(f)(viii) the achievement of the principles of ecologically sustainable development	<p>The proposed modification is not inconsistent with ESD principles subject to an urban study being prepared as part of a DA for detailed design of Phase B development as recommended in Section 4.3 of this report below.</p> <p>Detailed development design aspects relating to ESD are not part of the Concept DA and are subject to a future separate DA for detailed design.</p>	Y
	(f)(ix) pedestrian, cycle, vehicular and service access, circulation and requirements	<p>These detailed design aspects are not part of the Concept DA and are subject to a future separate DA for detailed design.</p>	N/A
	(f)(x) the impact on, and any proposed improvements to, the public domain	<p>Refer to the assessment of public domain considerations in Section 4.3 of this report below.</p>	Y
7.5A Additional provisions relating to certain land at Liverpool city centre	Section 7.5A provides for additional FSR and building height for development that achieves particular outcomes on sites within particular areas which includes the subject site.	<p>The proposed modification does not propose any changes to the approved building height or FSR in the Concept Development Consent DA-585/2019, and does not change any of the particular outcomes in the approved development</p>	N/A

		concept needed to achieve the approved FSR and height.	
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The proposal is considered to be generally consistent with the LEP.

Liverpool Development Control Plan 2008

The Liverpool Development Control Plan 2008 ('the DCP') is relevant to this application.

Part 4 – Development in Liverpool city centre is applicable to the proposed modification of consent. The controls relevant to the proposal are considered in the table below. The proposal does not affect the level of compliance of the approved Concept DA-585/2019 with other DCP controls

DCP Part	Comment	Comply
Part 4 – Development in Liverpool City Centre		
Part 4.2 Controls for Building Form		
4.2.1 Building form	The development site is within the Midrise (Area 8) Precinct which prescribes either a perimeter built form typology or a tower on podium typology. The proposed modification to the Phase B building envelope does not significantly change the overall built form arrangement across the Concept Da for Phase a and Phase B.	Y
4.2.2 Building envelopes	The building envelopes comply with planning controls. Refer to Section 4.3 of this report for assessment of relationship to scale and form of buildings.	Y
4.2.4 Controls for the Midrise Precinct	The proposed modification has potential to change the street frontage height on Terminus Street to more than 6 storeys by removing the tower setback above podium along this street front. Refer to Section 4.3 of this report below for an assessment of the implications of this modification for the streetscape which is considered acceptable subject to urban design study to address it in a future DA for detailed design.	N
	The proposed modification does not change street frontage height in Scott Street or George Lane. The proposed modification does not change the land uses or basement parking in the approved Concept DA.	Y
4.2.5 Controls for sites that require the submission of a DCP or concept DA	The application is for modification of an existing Concept DA which satisfies this requirement.	Y
4.2.6 Building floor plates	The detailed design of the Phase B tower building will need to give consideration to the maximum floor plate area and dimension.	N/A

4.2.7 Street alignments and street setbacks	<p>Refer to Section 4.3 of this report below for an assessment of considerations relating to the proposed modification to the building envelope in the approved Concept DA.</p> <p>Detailed design considerations are to be the subject of a future DA for detailed design of the Phase B development.</p>	Y
4.2.8 Side and rear boundary setbacks	The proposed modifications to the Phase B tower building envelope are along the street front setbacks to Terminus Street and George Lane, and do not affect any side or rear setback.	N/A
4.3 Pedestrian amenity		
4.3.1 Pedestrian permeability	The modification does not affect the approved through-site link or access between Scott Street and Terminus Street through George Lane. The location of active uses and vehicular access is subject to detailed design application.	Y
4.3.4 Street address	The location of entrances is subject to detailed design in a future separate DA.	N/A
4.3.5 Street and building interface	Refer to Section 4.3 of this report below for an assessment of considerations relating to street and building interface associated with the proposed modifications to the Phase B tower building envelope. Detailed design considerations are to be the subject of a future DA for detailed design.	Y
4.3.6 Lane/serviceways and building interface	<p>The controls requires a 6m setback from the centre line of laneways for all levels above ground so that residential uses can be accommodated. The approved Concept DA includes a 2m setback from the centre of George Lane to the Phase B building envelope podium, and a 6.5m setback from George Lane to the Phase B tower building envelope above podium.</p> <p>The proposed modification results in a 4.5m setback from George Lane to the Phase B tower building envelope above podium. This is considered reasonable in the circumstances subject to an urban design study being prepared to address the urban design, built form, public domain and amenity considerations as addressed in the assessment in Section 4.3 of this report below.</p> <p>Detailed design aspects such as location of uses, parking, vehicular entry points and services are subject to a future separate DA for detailed design of the Phase B development.</p>	N
4.3.8 Building design and public domain interface	Refer to Section 4.3 of this report below for an assessment of considerations relating to building design and public interface associated with the proposed modifications to the Phase B tower building envelope.	Y

	Detailed design considerations are the subject of a future DA for detailed design.	
4.4 Traffic and access	The proposed modifications to the Phase B tower building envelope do not raise any traffic or access issue.	N/A
4.5 Environmental management		
4.5.1 Wind mitigation	Refer to Section 4.3 of this report below for an assessment of considerations relating to potential wind impacts associated with the proposed modifications to the Phase B tower building envelope.	Y
4.5.2 Noise	The proposed modifications to the Phase B tower building envelope do not raise any significant noise issue.	N/A