

**To:** The Mayor and Councillors  
**From:** David Smith, Manager Planning & Transport Strategy  
**Date:** 3 September 2018  
**Subject:** Liverpool Local Environmental Plan 2008 (Amendment 52)  
**Reference:** 243101.2018

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*For the Information of the Mayor and Councillors*

The Department of Planning and Environment has advised that the gazettal of Liverpool Local Environmental Plan (LLEP) 2008 (Amendment 52) is likely this week, with a press conference scheduled for tomorrow, 4 September 2018 with Council and the Minister of Planning. Amendment 52 applies to land in the Liverpool City Centre.

Council has been working with the Department of Planning for some time to finalise Amendment 52 as Council was not delegated by the Minister as the planning proposal authority for Amendment 52 given the strategic nature of the proposal. The following changes to the LLEP 2008 will be made as a result of Amendment 52:

- Rezones the majority of the commercial core in the Liverpool City Centre from B3 — Commercial Core to B4 — Mixed Use;
- Establishes four precincts within the Liverpool City Centre as illustrated in Figure 1 (below) being “Area 7” (Fine Grain precinct), “Area 8” (Midrise precinct), “Area 9” (Long-term Civic Sites precinct) and “Area 10” (Residual B3 Commercial Core precinct);
- Development standards as follows:
  - “Area 7” FSR 2.5:1, Height of Building 21 m;
  - “Area 8” FSR 3:1, Height of Building 28 m;
  - “Area 9” FSR 2.5:1, Height of Building 45 m (rail transit centre), 35 m (hospital);
  - “Area 10” FSR 4:1 to 5:1, Height of Building 35 m to 100 m, depending on individual lot.
- Amendment 52 introduces a new clause 7.5A, which makes provision that certain larger lots (in excess of 1,500 m<sup>2</sup> with a minimum of two street frontages) located in Areas 8, 9 or 10, may exceed the mapped FSR to a maximum of 7:1 for land in “Area 9” or 10:1 for land in “Area 8” or “Area 10”. The height of buildings and these lots may also exceed that stipulated in the Height of Building development standard. Such development must also meet minimum use requirements (no less than 20% of the gross floor area must be used for uses other than residential including business premises, retail premises, community facilities, educational establishments etc.) and must also provide recreation areas, indoor recreation facilities, community facilities, information and education facilities, through site links or public car parks at the site;

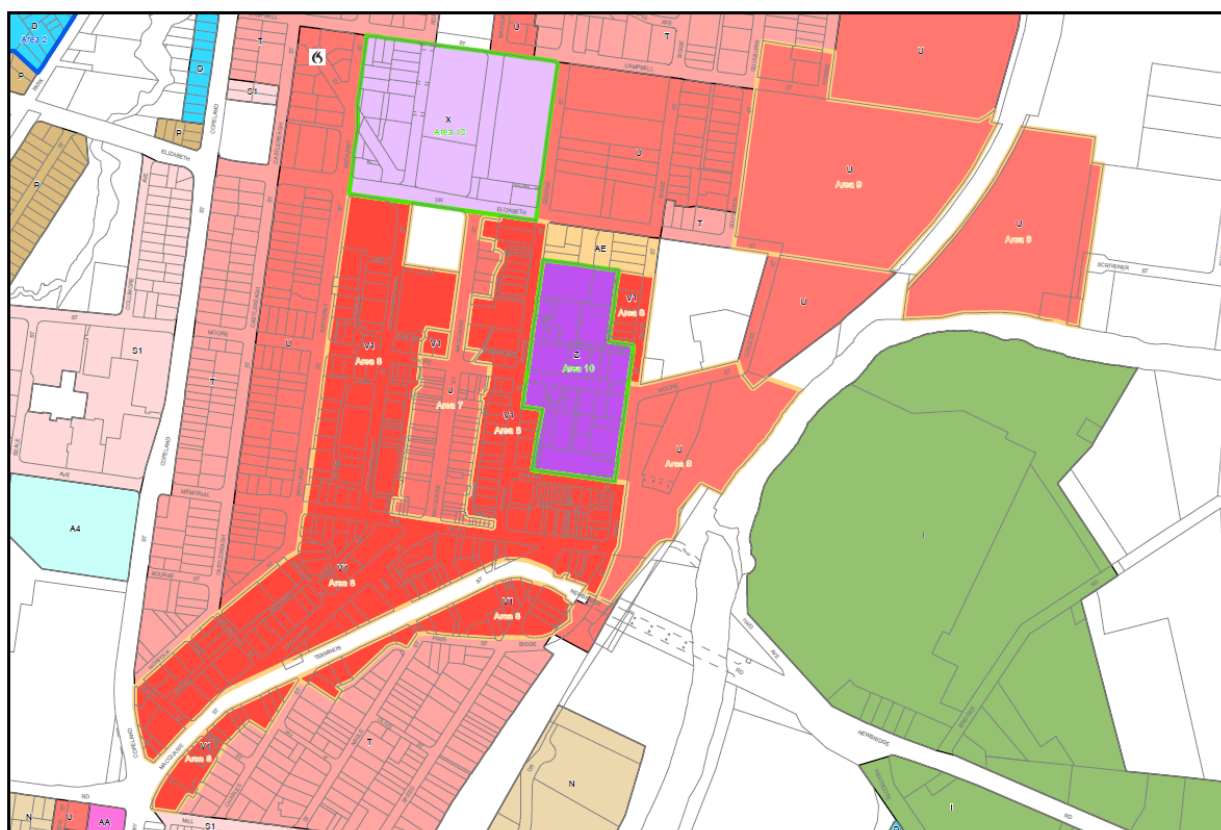
- A DA submitted pursuant to clause 7.5A must be prepared in accordance with Division 4.4 Concept development applications, of the *Environmental Planning and Assessment Act 1979* and must address:
  - the suitability of the land for development,
  - the existing and proposed uses and use mix,
  - any heritage issues and streetscape constraints,
  - the impact on any conservation area,
  - 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,
  - the bulk, massing and modulation of buildings,
  - street frontage heights,
  - environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
  - the achievement of the principles of ecologically sustainable development,
  - 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,
  - the impact on, and any proposed improvements to, the public domain,
  - achieving appropriate interface at ground level between buildings and the public domain,
  - the excellence and integration of landscape design.
- Clause 6.4A of the LLEP requires any residential development within the area rezoned by Amendment 52 to meet “satisfactory arrangements” for the provision of designated State public infrastructure. This is likely to take the form of a monetary contribution paid by Developers directly to the Department of Planning and Environment. The amount of the contribution will be determined by the Department of Planning & Environment upon an application made to it (Council is not at this time aware of the likely contribution amount). Council cannot grant consent to a DA unless the Secretary of the Department of Planning certifies in writing to Council that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out.
- Amendment 52 makes the following additional changes to LLEP 2008:
  - increases the maximum height of buildings lining the Macquarie Street Mall to 21m;
  - deletes requirements for an architectural design competition for buildings within the Liverpool city centre;
  - deletes requirements for a minimum building street frontage for land within “Area 7” or “Area 8”.

Councillors have already adopted changes to the DCP (Part 1 and Part 4) to give effect to Amendment 52. Staff are currently reviewing these documents to ensure they align with the final version of Amendment 52. If further changes are required, a report will be prepared for a future Council meeting.

If you have any further enquiries, please do not hesitate to contact me on 87117610.



**David Smith**  
Manager Planning & Transport Strategy



**Figure 1: Land included in Amendment 52, “Area 7”, “Area 8”, “Area 9” and “Area 10”**