

ORDINARY COUNCIL MEETING

ATTACHMENTS BOOKLET

Part 1 - Item 9.3 - Attachments 1-11

Under Separate Cover

Tuesday, 6 December 2022

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160 BURWOOD RD, CONCORD BUSHEL'S FACTORY REDEVELOPMENT

AMENDED PLANNING PROPOSAL (PP2018/0004)

MAY 2022

Prepared by:



Prepared for:

New Concord
Developments
Pty Ltd



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	Client	New Concord Development Pty Ltd
	Project Status	Amended Planning Proposal (v5-1)
	Project Director	Jason Duda
	Checked by	JD
	Issue Type	For Council

Rev	Version/Amendments	Issued To	Date
00	Draft	Rob McGuinness	26 July 2018
01	Final Draft - Work In Progress	Rob McGuinness	27 July 2018
02	Final	Rob McGuinness	30 July 2018
03	Amendment (version 2) in response to Council's feedback	CIPM	7 February 2019
04	Amendment (version 3) in response to CBLPP	Rob McGuinness	10 September 2019
05	Amendment (version 3) in response to CBLPP - minor wording	Rob McGuinness	11 September 2019
06	Amendment (version 4) in response to SECPP	Rob McGuinness	30 June 2020
07	Amendment (version 4-1) in response to Council comments	Canada Bay Council	3 July 2020
08	Amendment (version 4-2) in response to Council comments	Canada Bay Council	5 July 2020
09	Amendment (version 4-3) in response to Council comments	Canada Bay Council	7 July 2020
10	Amendment (version 5) in response to Gateway Determination conditions	Canada Bay Council	9 May 2022
11	Amendment (version 5-1) in response to Gateway Determination conditions and Council feedback	Canada Bay Council	25 May 2022

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EXECUTIVE SUMMARY

This Amended Planning Proposal for 160 Burwood Road, Concord has been prepared by LFA (Pacific) Pty Ltd for Colliers International Project Management on behalf of New Concord Developments Pty Ltd (the Proponent).

The Proposal is for the rezoning of land together with amended planning controls under the Canada Bay Local Environmental Plan 2013 (CBLEP 2013). It seeks to enable the urban renewal of this existing industrial site into a revitalised neighbourhood foreshore development comprising residential, retail, commercial, community and recreational uses, together with the retention of compatible, low impact light industrial uses.

This amended Planning Proposal has been prepared in response to the Gateway Determination conditions issued by the Department of Planning, Industry and Environment (DPIE)(Department Ref: PP_2021_6099) on 31 October 2021.

AMENDED PLANNING PROPOSAL

Specifically, this Amended Planning Proposal seeks to amend the CBLEP 2013 as follows:

- Rezone the subject site from the existing IN1 General Industrial land zone to part B1 Neighbourhood Centre, part R3 Medium Density Residential, part RE1 Public Recreation;
- Amend Part 6 Additional Local Planning Provisions to:
 - Apply the Foreshore Building Line to the portion of the site proposed to be zoned RE1 Public Recreation; and
 - Introduce a development standard for the site which sets out a minimum provision of 10,000m² GFA for non-residential uses, of which a minimum 3,000m² GFA shall be light industrial uses.
- Amend Schedule 1 Additional Permitted Uses to permit "Commercial premises" within the portion of the site proposed to be zoned R3 Medium Density Residential;
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Increase the maximum height of buildings from 12m to a range of heights as follows:
 - 18m (5 storeys) to the northern boundary of the site;
 - RL 46.6 to reflect the existing roof height of the Central Roasting Hall building to be retained;
 - 21m (6 storeys) at the centre of the site around the Former Bushells Factory Central Roasting Hall building;
 - 15m (4 storeys with ground floor urban services) between the Central Roasting Hall building and the 3 storey terraces on Burwood Road;
 - 12m (3 storeys), 17m (5 storeys) and 21m (6 storeys) along the eastern boundary; and
 - No change to heights along Burwood Road frontage, the western boundary and immediately north of the Central Roasting Hall.
- Increase the maximum FSR applicable across the whole of the site from 1:1 to 1.25:1 in accordance with Sydney Eastern City Planning Panel determination, which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks.

As part of this amended Planning Proposal, the Proponent is seeking to enter into a Voluntary Planning Agreement (VPA) that provides for the following public benefits:

- 5,900m² of land for public open space, including remediation (if required) and embellishment of that land, to be dedicated to Council upon completion of the development project;
- Restoration works to the seawall and additional waterfront edge landscaping to provide access to the water (estimate \$2,100,000). These restoration works will be completed prior to the dedication of the land to Council for public open space.

BACKGROUND

New Concord Developments Pty Ltd (formerly Freshfood) has owned and operated the Bushells factory at 160 Burwood Road, Concord for almost two decades. However, the factory has reached the end of its useful life and will cease operations on the site within the next few years, with a lower scale operation to be located at an alternative site. Thus, an opportunity is presented to consider alternative future land uses on the site.

Initiated in 2014, the Planning Proposal process has involved considerable consultation with Council as well as consultation with the community. A collaborative design process stemming from an initial design competition in 2015 was undertaken, culminating in the formal lodgement of the Planning Proposal in June 2017.

The Planning Proposal has evolved in response to both Council and community feedback, with the submission of amended proposals in July 2018, February 2019, September 2019 and June 2020.

The amended Planning Proposal dated September 2019 was the subject of a Rezoning Review by the Sydney Eastern City Planning Panel on 31 March 2020. The panel determined that the Planning Proposal should proceed to Gateway on the following conditions:

1. *A local planning provision be introduced into the instrument for the site to allow light industrial (IN2) uses to be permissible on the site. This is in the absence of a definition in the standard instrument of "urban services"*
2. *A development standard be introduced into the instrument to increase the minimum provision of non-residential uses to 10,000m², where a minimum 3,000m² shall be provided for 'urban services' (aka light industrial uses)*
3. *Satisfactory arrangements be in place prior to the instrument being made to allow for, at least, the maintenance on the site of: -*
 - *Minimum of 8,900m² of Public Open Space*
 - *Minimum of 10% affordable housing to be provided in perpetuity*
4. *A DCP shall be prepared and exhibited concurrently with the planning proposal to include urban design criteria; increased setbacks relative to building/wall height adjacent to existing lower density residential uses; increased building separation; height distribution relative to boundaries; building mass distribution; deep soil landscaping; sustainability measures and heritage and curtilage.*

It is noted that the mechanism for the provision for affordable housing will be via the Affordable Housing Contribution Scheme at the Development Application stage and the preparation of a DCP will be undertaken by Council. Accordingly, this amended Planning Proposal relates more specifically to items 1 and 2 of the Sydney Eastern City Planning Panel's recommendations.

The following table summarises the key changes from the original Planning Proposal to this amended Planning Proposal.

Canada Bay LEP 2013	Original Planning Proposal (June 2017)	Amended Planning Proposal (July 2018)	Amended Planning Proposal (Feb 2019)	Amended Planning Proposal (Sept 2019)	Amended Planning Proposal (June 2020)	Amended Planning Proposal (May 2022)
Land Use Zoning	B4 Mixed Use	B4 Mixed Use	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation
Height of Building	121.5m	12m, 22m, 25m and 46m	12m, 16m, 21m, 24m and 30m. RL 46.6 to reflect existing roof height of Central Roasting Hall	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall
FSR	1.95:1	1.6:1	1.5:1	1.25:1	Whole site: 1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.13:1, 1.81:1, 2.1:1, 2.4:1 and 2.74:1 for each of those blocks	Whole site: 1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks
Additional Local Provision	No change.	No change.	No change.	No change.	Apply Foreshore Building Line (in the RE1 zone) Minimum 10,000m ² GFA for non-residential uses, of which a minimum 3,000m ² GFA for light industrial uses	Apply Foreshore Building Line (in the RE1 zone) Minimum 10,000m ² GFA for non-residential uses, of which a minimum 3,000m ² GFA for light industrial uses
Schedule 1 Additional Permitted Uses	Boat sheds, jetties, moorings, water recreation structures	Multi unit dwellings	Light Industries (in the R3 zone)	No change.	Commercial Premises (in the R3 zone)	Commercial Premises (in the R3 zone)
Schedule 5 Environmental Heritage	No change.	No change.	No change.	Former Bushells Factory Building	Former Bushells Factory Building	Former Bushells Factory Building

OBJECTIVES AND INTENDED OUTCOME

The objective of the Planning Proposal is to facilitate the urban renewal of this industrial site to become a mixed-use riverside village that offers a mix of land uses that are more suited and complimentary to the existing local area including residential, retail, commercial, community, recreational and urban service (light industry) uses.

The intended outcome is the provision of approximately 400 new dwellings together with approximately 7,000m² of retail / commercial uses and approximately 3,000m² of light industry uses for the purposes of providing for urban services. The proposal will include new local roads and 5,900m² of public open space including a foreshore park to Exile Bay, which will improve the permeability of the site for pedestrians, bicycles and vehicles.

Built forms will range from 3 storeys (12m) to a maximum of 6 storeys (21m), focused around the retention and adaptive reuse of the Central Roasting Hall building (Former Busshell's Factory building), which is proposed for heritage listing in the CBLEP 2013 as part of this proposal.

DOES THE PROPOSAL HAVE STRATEGIC MERIT?

Consistency with the Greater Sydney Region Plan and / or Eastern City District Plan

The proposal seeks to rezone industrial land to a mix of neighbourhood centre and medium density residential uses. However, both the Greater Sydney Region Plan (Objective 23 / Strategy 23.1) and the Eastern City District Plan (Action 51 / Planning Priority E12 Retain and Manage industrial and urban services land) set out to safeguard existing industrial land from redevelopment for residential and other uses to ensure adequate land is available for urban services, freight, logistics and advanced manufacturing.

The continued suitability and appeal of the site for industrial use is constrained by the site's peninsular location, poor road access for heavy vehicles and adjacent sensitive residential uses. More broadly, the Inner West industrial market is characterised by low levels of demand and a shift away from traditional industrial uses. Accordingly, the outcomes sought by applying the 'retain and manage' principle would not be met if the site were to be retained entirely as an IN1 Industrial Zone.

It is further noted that Council's strategic documents, the Canada Bay Local Planning Panel and the Sydney Eastern City Planning Panel acknowledge the limited suitability of the site for continued or intensified industrial land uses.

Notwithstanding the above site suitability issues, the 'retain and manage' principle encourages a mix of economic outcomes that support the city and population. The Planning Proposal makes provision for light industry uses on the site that will enable a range of emerging 'urban services' to occur that support the local community and reflect the changing uses and character of employment lands in Eastern Sydney.

On that basis, the 'retain and manage' principle could be achieved by the mix of uses proposed in the amended Planning Proposal.

Consistency with a Relevant Local Strategy

Council's Local Planning Strategy 2010-2031 (LPS 2031), which was endorsed by the NSW Department of Planning and Environment in 2009, specified the retention of the industrial zone on the subject site for term of ten years (i.e. to 2020) with redevelopment foreshadowed beyond this time frame. The directions and provisions of the LPS 2031 have been transferred to the Canada Bay Local Strategic Planning Statement (CBLSPS).

The CBLSPS, which was granted formal assurance by the Greater Sydney Commission on 25 March 2020, acknowledges the site is likely to experience urban renewal in the short to medium term. It contains site specific requirements in Action 6.3, which sets out to ensure that any proposed changes to land use on the subject site adequately recognise the requirements of the Eastern City District Plan in relation to the retention and management of industrial land; achieve height and density that is compatible with the existing context; contributes to the Green Grid and adequately considers the site's heritage.

This amended Planning Proposal can achieve the outcomes identified in Action 6.3, as described above with respect to consistency with the Eastern City District Plan, together with the site specific matters discussed in the following section.

Responding to a Change in Circumstance

The Planning Proposal responds to a change in circumstances, given the planned cessation of manufacturing operations on the site due to declining viability, and the relocation of such operations elsewhere in NSW to better satisfy freight and logistic requirements. Given the site characteristics and surrounding residential uses, it is unlikely that another specialised manufacturing use nor mix of other industrial uses would be suited for the site or accepted by surrounding residents. Accordingly, there is a unique opportunity to introduce a mix of land uses that better complement the waterfront location and residential locality.

DOES THE PROPOSAL HAVE SITE-SPECIFIC MERIT?

The subject site has a waterfront location and is surrounded by low to medium density residential development with good access to recreational open space. Thus, the proposal seeks to enable the renewal of the site to draw on its latent value as a river-side village, which is considered to be more complimentary to the existing neighbourhood than the current use.

Additionally, the introduction of retail, commercial and community uses on the site will provide a level of containment such that residents of the peninsula will have a walkable alternative to Majors Bay Road Shops for meeting their day-to-day shopping and community needs.

The amended Planning Proposal provides for an urban design framework that sets a context of the retention of the existing Former Bushells Factory Central Roasting Hall, Chimney and 'B' facade as a recognisable landmark in the locality whilst ensuring future development appropriately interfaces adjacent properties. The framework provides for greater permeability of the site with improved connections to the foreshore.

Future development of the site in accordance with the amended Planning Proposal has been assessed and will not adversely impact local character and visual landscape, viability of nearby centres, adjacent heritage items, employment generation or traffic.

JUSTIFICATION

As described above, the characteristics of the site are suited to the creation of a vibrant, neighbourhood-scale centre based on the mixed-use opportunities afforded by the adaptive re-use of the Central Roasting Hall as well as the waterfront amenity offered by the Parramatta River.

This amended Planning Proposal responds to the recommendations made by the Sydney Eastern City Planning Panel in March 2020, in addition to the matters raised by the Canada Bay Local Planning Panel in June 2018.

It reflects the evolution of a robust design process, consultation with the local community, an appreciation of the broader strategic direction of the Greater Sydney Region and Eastern Harbour City District, and aligns with Council's Local Planning Strategy and Local Strategic Planning Statement.

Accordingly, favourable consideration is sought to progress this amended Planning Proposal for finalisation subject to public exhibition.

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1.0 INTRODUCTION

This Amended Planning Proposal for 160 Burwood Road, Concord has been prepared by LFA (Pacific) Pty Ltd for Colliers International Project Management on behalf of New Concord Developments Pty Ltd (the Proponent).

The Proposal is for the rezoning of land together with amended planning controls under the Canada Bay Local Environmental Plan 2013 (CBLEP 2013). It seeks to enable the urban renewal of this existing industrial site into a revitalised neighbourhood foreshore development comprising residential, retail, commercial, community and recreational uses, together with the retention of compatible, low impact light industrial uses.

This amended Planning Proposal has been prepared in response to the recommendations made by the Sydney Eastern City Planning Panel (SECPP) in its determination of the Rezoning Review on 31 March 2020 and the Gateway Determination conditions issued by the Department of Planning, Industry and Environment on 31 October 2021.

Specifically, this Amended Planning Proposal seeks to amend the CBLEP 2013 as follows:

- Rezone the subject site from the existing IN1 General Industrial zone to part B1 Neighbourhood Centre, part R3 Medium Density Residential, part RE1 Public Recreation;
- Amend Part 6 Additional Local Planning Provisions to:
 - Apply the Foreshore Building Line to the portion of the site proposed to be zoned RE1 Public Recreation; and
 - Introduce a development standard for the site which sets out a minimum provision of 10,000m² GFA for non-residential uses, of which a minimum 3,000m² GFA shall be light industrial uses.
- Amend Schedule 1 Additional Permitted Uses to permit "Commercial premises" within the portion of the site proposed to be zoned R3 Medium Density Residential;
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Increase the maximum height of buildings from 12m to a range of heights as follows:
 - 18m (5 storeys) to the northern boundary of the site;
 - RL 46.6 to reflect the existing roof height of the Central Roasting Hall building to be retained;
 - 21m (6 storeys) at the centre of the site around the Former Bushells Factory Central Roasting Hall building;
 - 15m (4 storeys with ground floor urban services) between the Central Roasting Hall building and the 3 storey terraces on Burwood Road;
 - 12m (3 storeys), 17m (5 storeys) and 21m (6 storeys) along the eastern boundary; and
 - No change to heights along Burwood Road frontage, the western boundary and immediately north of the Central Roasting Hall.
- Increase the maximum FSR applicable across the whole of the site from 1:1 to 1.25:1 in accordance with Sydney Eastern City Planning Panel determination, which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks.

As part of this amended Planning Proposal, the Proponent is seeking to enter into a Voluntary Planning Agreement (VPA) that provides for the following public benefits:

- 5,900m² of land for public open space, including embellishment of that land, to be dedicated to Council upon completion of the development project;
- Restoration works to the seawall and additional waterfront edge landscaping to provide access to the water (estimate \$2,100,000). These restoration works will be completed prior to the dedication of the land to Council for public open space.

1.1 BACKGROUND

New Concord Developments Pty Ltd (formerly Freshfood) has owned and operated the Bushells factory at 160 Burwood Road, Concord for almost two decades. The factory has reached the end of its useful life and will cease operations on the site within the next few years, with a lower scale operation to be located at an alternative site. Thus an opportunity is presented to consider alternative future land uses on the site.

The Planning Proposal process was initiated in 2014 with the engagement of the consultant team, preliminary discussions with Council regarding the future of the site, and an architectural design competition.

In 2015, the Proponent and the consultant team engaged in consultation with City of Canada Bay Council, including one meeting, one workshop, two Councillor/Mayor briefings and one Councillor presentation to discuss the future of the site and potential design options.

In 2016, further consultation was undertaken and in May of that year a Draft Planning Proposal was lodged. Following feedback from Council, the Draft Planning Proposal was provided to the then Department of Planning and Environment (DPE) who advised that height and density issues needed to be addressed.

Original Planning Proposal – June 2017, Urbis

In early 2017, the Proponent engaged in public consultation via a website and a public consultation day to understand the community's desires for the site.

The above culminated in the lodgement of a formal Planning Proposal in June 2017, which sought the following amendments to CBLEP 2013:

- Rezone the subject site from the existing IN1 General Industrial zone to B4 Mixed Use;
- Insert additional permitted uses for the subject site in Schedule 1 including 'boat sheds', 'jetties', 'moorings', and 'water recreation structures';
- Increase the height of building development standard from 12 metres to 121.5 metres; and
- Increase the maximum floor space ratio (FSR) development standard from 1:1 to 1.95:1.

The above amendments to the controls were based on a scheme comprising five key buildings (including the existing factory Central Roasting Hall) as follows:

- 8 storey buildings on the eastern and western boundary;
- 25 storey tower fronting Burwood Road; and
- 37 storey tower fronting Zoeller Street.

A draft Voluntary Planning Agreement (VPA) offer was submitted which outlined the following public benefits to be provided as part of the Planning Proposal:

- 10% of the proposed development of 683 units as affordable housing to be acquired and managed by a community housing provider at a 25% discount from the market price.
- Underwriting of a ferry service connecting Bayview Park Ferry Wharf and Barangaroo to a maximum of \$700,000 per annum over three years (total \$2,100,000).
- A signed heads of agreement between Freshfood (now New Concord Developments) and

Sealink Pty Ltd (which owns the Captain Cook cruises) to operate 14 ferry services daily between Bayview Park Ferry Wharf and Barangaroo immediately following completion of the first residential stage. The service would be 7 morning and 7 afternoon/evening peak services running every 20 to 25 minutes, 7 days a week.

- Provision of a bus service funded by Freshfood (now New Concord Developments) for a period of three years with an estimated cost of \$280,000 per annum (total \$840,000). The bus service would be an hourly service operating for a duration of 12 hours during the week and 8 hours on the weekend, connecting the site with Burwood and Strathfield stations via Concord Hospital.
- 18,900m² of open space that whilst being retained in private ownership will be entirely publicly accessible and will effectively perform a public open space function.
- 2,769m² of various community open space facilities offered to Council at a nominal rental for the use of community facilities. In addition, a 660sqm child care facility is identified with capacity for 90 children.

Following an independent review process and Council review, Council recommended the Planning Proposal not be supported on the following basis:

- The proposal did not have strategic merit given the density proposed and its distance from a major centre and high frequency public transport;
- The proposal did not have site specific merit, given that the intensity of development proposed is inconsistent with the desired future local character on the locality;
- The proposed increase in built form scale and height could not be justified on the basis of retaining the existing factory building, which Council did not deem worthy of heritage listing;
- The proposed additional uses (i.e. man-made beach and marina-style jetty) was deemed inconsistent with the designation of Exile Bay for environmental protection and recognition that Sydney Harbour is to be protected for public good.

Amended Planning Proposal (v1) – July 2018, LFA (Pacific)

In July 2018, an amended Planning Proposal (v1) was submitted which sought to address the issues raised by Council, as follows:

- Deletion of proposed additional permitted uses on Exile Bay, including 'boat sheds', 'jetties', 'moorings', and 'water recreation structures'
- Reduction and redistribution of proposed building heights across the site to respond more sympathetically to surrounding low density development, ranging from 12m up to a maximum of 46m (as per the existing roof height of the Central Roasting Hall)
- Reduction in proposed FSR from 1.95:1 to 1.6:1.

A Draft VPA offer was also submitted that was similar to the initial offer, but with the omission of the rental offer for community and child care facilities.

The proposal was again subject to an independent peer review process and Council review. In Council's letter dated 2 November 2018, it was acknowledged that the amended Planning Proposal represented a significant improvement from the previous application, however there were still a number of concerns regarding land use; urban design (building envelopes and height, floor space ratio, public domain, amenity, DCP); heritage; traffic and transport/access; landscaping; sustainability; and economic impact. A number of recommendations were made for an amended proposal.

Amended Planning Proposal (v2) – February 2019, LFA (Pacific)

In February 2019, an amended Planning Proposal (v2) was submitted which sought to address issues raised in Council's letter dated 2 November 2018, as follows:

- Rezone the subject site from the existing IN1 General Industrial zone to part B1 Neighbourhood Centre, part R3 Medium Density Residential, part RE1 Public Recreation;
- Amend Schedule 1 Additional Permitted Uses to permit "Light industries" on the land to provide for low impact urban services;
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Reduction and redistribution of proposed building heights across the site to respond more sympathetically to surrounding low density development, ranging from 12m up to a maximum of RL 46.4m (as per the existing roof height of the Central Roasting Hall) and nil height to the foreshore; and
- Reduction in proposed FSR from 1:6:1 to 1.5:1.

A draft VPA offer was also submitted that was similar to the previous offer, but amended with the following:

- 10% of total dwellings with a 25% discount on the market rate, or cash equivalent, offered for the provision of Affordable Housing
- 7,400m² of land to be dedicated to Council as public open space upon completion of the development project.

The proposal was again subject to an independent peer review process (urban design, traffic, and economics) and was referred to City of Canada Bay Local Planning Panel (CBLPP) on 5 June 2019. The Panel's recommendations were to:

- Reduce the proposed, scale and density of development.
- Identify the capacity of the site by understanding the traffic generated by the development and traffic management mitigations that need to be implemented including the opportunities and impacts of those initiatives.
- Identify how heritage influences the concept plan and provide a greater level of certainty around heritage outcomes.
- Ensure there is an appropriate framework for landscape outcomes including the retention in situ of T184.
- Prepare:
 - A site-specific Development Control Plan; and
 - An analysis of land levels, heights and relationships to existing and finished levels.
- Base any revised Planning Proposal and concept plan on fine grain, block by block FSR analysis.

On 18 June 2019, Council considered the Panel's recommendation and deferred the Planning Proposal subject to a Councillor workshop and consultation with community representatives.

Amended Planning Proposal (v3) – September 2019, LFA (Pacific)

In September 2019, an amended Planning Proposal (v3) was prepared specifically in response to the CBLPP's recommendations as follows:

- Rezone the subject site from the existing IN1 General Industrial zone to part B1 Neighbourhood Centre, part R3 Medium Density Residential, part RE1 Public Recreation;
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Increase the maximum height of buildings from 12m to a range of heights as follows:

- 18m (5 storeys) to the northern boundary of the site;
 - RL 46.6 to reflect the existing roof height of the Central Roasting Hall building to be retained;
 - 21m (6 storeys) at the centre of the site around the Former Bushells Factory Central Roasting Hall building;
 - 15m (4 storeys with ground floor urban services) between the Central Roasting Hall building and the 3 storey terraces on Burwood Road;
 - 12m (3 storeys), 17m (5 storeys) and 21m (6 storeys) along the eastern boundary; and
 - No change to heights along Burwood Road frontage, the western boundary and immediately north of the Central Roasting Hall.
- Increase the maximum FSR applicable to the site from 1:1 to 1.25:1.

The draft VPA offer was also amended and which offered the following public benefits:

- Minimum 5% of total dwellings, dedicated to an independent affordable housing provider for the provision of Affordable Housing;
- 8,900m² of land to be dedicated to Council as public open space upon completion of the development project;
- Funding for the provision of a bus service for a period of three years with an estimated cost of \$280,000 per annum (total \$840,000); and
- Restoration works to the seawall and additional waterfront edge landscaping to provide access to the water (estimate \$2,100,000). Agreement will be reached with the Roads and Maritime Service to confirm final scope of works)
- The funding of Protective Golf Nets to be installed on the Golf Course Lands behind the "Green" adjacent to the Zoeller St Reserve (estimate \$200,000)

The amended Planning Proposal was not accepted by Council as it had already commenced reporting on the previous (February 2019) version.

On the basis that Council had failed to indicate its support within 90 days after the lodgement of the planning proposal, a rezoning review request was submitted to the NSW Department of Planning, Infrastructure and Environment (DPIE).

Rezoning Review – March 2020

On September 25 2019, DPIE advised Council of the rezoning review request and on 17 March 2020, DPIE referred the matter to the Sydney Eastern City Planning Panel (SECPP).

A Rezoning Review Meeting was held on 31 March 2020 with members of the SECPP, DPIE, Council and the Proponent representatives.

The SECPP determined that the planning proposal demonstrated both strategic and site-specific merit and should be submitted for a Gateway determination, subject to the following recommended conditions:

1. *A local planning provision be introduced into the instrument for the site to allow light industrial (IN2) uses to be permissible on the site. This is in the absence of a definition in the standard instrument of 'urban services'*
2. *A development standard be introduced into the instrument to increase the minimum provision of non-residential uses to 10,000m², where a minimum 3,000m² shall be provided for 'urban services' (aka light industrial uses)*
3. *Satisfactory arrangements be in place prior to the instrument being made to allow for, at least, the maintenance on the site of: -*
 - *Minimum of 8,900m² of Public Open Space*

– Minimum of 10% affordable housing to be provided in perpetuity

4. A DCP shall be prepared and exhibited concurrently with the planning proposal to include urban design criteria; increased setbacks relative to building/wall height adjacent to existing lower density residential uses; increased building separation; height distribution relative to boundaries; building mass distribution; deep soil landscaping; sustainability measures and heritage and curtilage.

It is noted that the mechanism for the provision for affordable housing will be via the Council Affordable Housing Contribution Scheme. Affordable Housing will be provided consistent with the requirements of SEPP 70 and Council's draft Affordable Housing Contribution Scheme to be updated to reflect the recommendations of the Eastern City Planning Panel.

Gateway Determination – October 2021

In October 2021, a Gateway Determination was issued by the Department of Planning, Industry and Environment with the following conditions:

1. *Prior to public exhibition, the planning proposal is to be revised to address the following:*
 - a. *Ministerial Direction 2.3 Heritage Conservation as it relates to the proposal and include the Aboriginal Due Diligence Assessment for public exhibition, subject to the redaction of any culturally sensitive information.*
 - b. *Ministerial Direction 2.6 as it relates to the proposal and prepare a Detailed Site Investigation (DESI) to address the recommendations of report 13188/2, prepared by Geotechnique Pty Ltd.*
 - c. *Ministerial Direction 4.3 Flooding by assessing the proposal against the requirements of the Direction.*
 - d. *Demonstrate that future development is capable of achieving the minimum solar access requirements in the Apartment Design Guide (3D and 4A) to apartments and communal open space.*
 - e. *Clarify the proposed FSR controls. The planning proposal is to include a FSR map showing the proposed site FSR, and a supporting plan showing the resulting block by block distribution of FSR across the site.*
 - f. *Include provisions to ensure spatial needs of light industry uses are addressed, including requirements for light industry to be located on the lower and upper ground floor levels of the Central Roasting Hall, and appropriate floor-to-ceiling heights.*
 - g. *Consolidated update of technical documentation, including but not limited to:*
 - i. *update the Explanation of Provisions to acknowledge the need to amend Clause 6.12 Affordable Housing in the LEP in accordance with the Affordable Housing Contribution Scheme.*
 - ii. *the draft DCP to address the spatial needs of light industrial uses as well as detailed design considerations such as floor to ceiling height spans, loading docks and vehicle access/parking, vehicle circulation, waste disposal, storage and service areas/ corridors, etc.*
2. *Prior to finalisation, the planning proposal is to be revised to:*
 - a. *Address the inconsistency with Ministerial Direction 6.3 to provide further justification that the inconsistency with Direction 6.3 is a minor inconsistency.*
 - b. *Update the Transport Impact Assessment to reflect the current proposal and following consultation with Transport for NSW.*
3. *Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:*
 - (a) *the planning proposal must be made publicly available for a minimum of 28 days; and*

(b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).

4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act:

- Environment, Energy and Science Group
- Environmental Protection Agency
- Greater Sydney Commission
- Department of Education
- Ausgrid
- Sydney Water
- Jemena
- Metropolitan LALC and other relevant Aboriginal groups
- Roads and Maritime Service
- Transport for NSW
- Massey Park Golf Club

Each public authority / organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

5. *A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, if reclassifying land).*

6. *Given the nature of the planning proposal, Council is not authorised to be the local plan-making authority to make the plan.*

7. *The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.*

This Planning Proposal has responded to items 1 and 2 of the conditions within the Gateway Determination as detailed in the relevant sections of this report.

1.2 STRUCTURE OF THE REPORT

This report provides updated information, analysis and justification to the previous Planning Proposal and is structured in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant guidelines set out in the NSW Department of Planning and Environment's 'A Guide to Preparing Planning Proposals' (2018). This amended Planning Proposal is set out as follows:

- Executive Summary
- Introduction
- The Site
- Planning Context and Framework
- Request for Amended Planning Proposal
- Amended Planning Proposal
 - Part 1 – Objectives and Intended outcomes of the proposed instrument
 - Part 2 – Explanation of the provisions that are to be included in the proposed instrument

- Part 3 – Justification for those objectives, outcomes and the process for their implementation
- Part 4 – Maps identifying intent of the planning proposal and the area to which it applies
- Part 5 – Details of the community consultation that is to be undertaken on the planning proposal.
- Conclusion
- Appendices

1.3 SUPPORTING DOCUMENTATION

This amended Planning Proposal is supported by the following relevant and updated documentation, to be read in conjunction with this report:

Appendix A – Survey by CMS Surveyors

Appendix B – Urban Design Report by Hatch | Roberts Day

Appendix C – Concept Plan and Analysis, and SEPP 65 Certification by BVN / AJ+C

Appendix D – Landscape Master Plan by Oculus

Appendix E – Public Domain Plan by BVN

Appendix F – Transport Impact Assessment by Stantec

Appendix G – Aborigicultural Development Assessment Report by Moore Trees

Appendix H – Heritage Listing Nomination Report by Heritage21

Appendix I – Heritage Significance Assessment by Heritage21

Appendix J – Heritage response to Local Planning Panel by Heritage21

Appendix K – Statement of Heritage Impact by Heritage21

Appendix L – Façade Report by AJ+C

Appendix M – Draft Letter of Offer by LFA (Pacific)

Appendix N – Affordable Housing Contributions by City of Canada Bay Council

Appendix O – Economic Impact Assessment by HillPDA

Appendix P – Retail Demand Assessment by HillPDA

Appendix Q – Aboriginal Heritage Due Diligence Assessment by Heritage21

Appendix R – Contamination Assessment of Soils by Geotechnique

Appendix S – Additional Contamination Assessment by Geotechnique

Appendix T – Preliminary Geotechnical Investigation by Geotechnique

Appendix U – Additional Geotechnical Investigation by Geotechnique

Appendix V – Sustainability Strategy by Colliers International

Appendix W – Social Infrastructure and Community Uses Demand Assessment by Urbis

Appendix X – Flood Assessment Report by Northrop

Appendix Y – Detailed Site Investigation (Round 1) by Geotechnique

2.0 THE SITE

2.1 SITE LOCATION & CONTEXT

The subject site is located at 160 Burwood Road, Concord, on a peninsula on Exile Bay on the Parramatta River. The subject site is approximately 12km from Sydney CBD and 15km from Parramatta CBD. Refer to Figure 1.

Access to the major arterial road network is via local roads connecting to Parramatta Road to the south, Concord Road to the west and Lyons Road to the east. These provide connections to key destinations including Parramatta CBD and Sydney Olympic Park to the west; Rhodes Strategic Centre to the north; and Drummoyne and Sydney CBD to the east respectively.

The nearest train station is at Burwood, approximately 2.5km to the south-west of the site on Burwood Road, which has limited stop / express services.

Burwood Town Centre is the nearest major shopping hub, approximately 2.2km south of the site also on Burwood Road. Majors Bay Road shops is within 1.5km walking distance to the west.

The subject site is connected to the wider open space network via pedestrian foreshore access along the Exile Bay frontage connecting to Massey Park Golf Course to the north-west and Bayview Park to the east. Other open space in the vicinity of the site include Jesse Stewart Reserve (1.2km), Greenlees Park (1.2km), Rothwell Park (1.3km), and Cintra Park tennis courts (1.3 km).

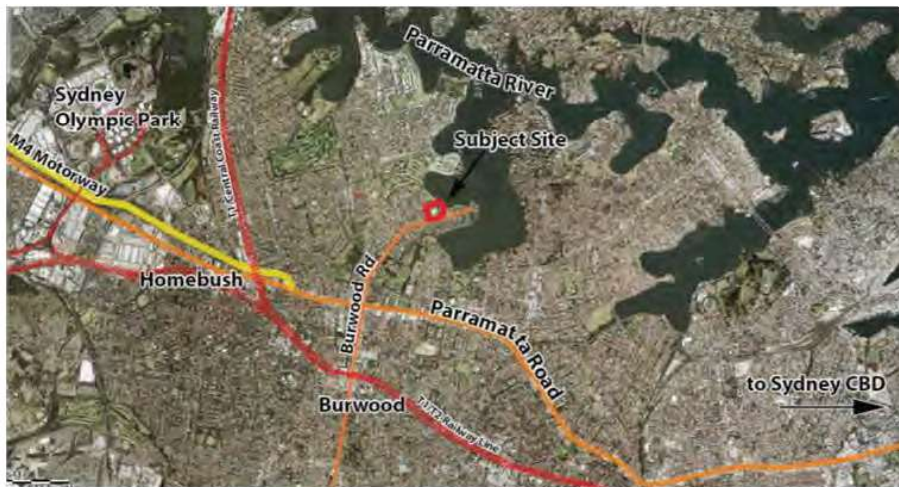


Figure 1: Regional Context (Source: Urbis)

2.2 SITE DESCRIPTION

The subject site is approximately 3.9ha and is comprised of four lots legally defined below and shown in Figure 2:

- Lot 5 in DP 129325;
- Lot 2, DP230294;
- Lot 398, DP752023; and
- Lot 399, DP752023.

The subject site is bound by Massey Park Golf Course and Exile Bay to the north, Burwood Road to the south, medium density residential development to the east and low density residential development to the west. Refer to Figure 3.

Land Use

The subject site is zoned IN1 Industrial Uses and is occupied by a coffee manufacturing facility which has been operational since the early 1960's.. It currently employs 136 full-time and part-time staff.

The factory has reached the end of its useful life. Given that the suitability of the site for its continued use is constrained by the site's peninsular location surrounded by residential uses, limited heavy vehicle road access, isolation from other industrial uses and distance from major transport routes, an alternative location for future operations is being sought. Accordingly, there is an opportunity to explore alternative land uses of the site.

Built Form and Layout

The facility comprises a multi-storey brick and concrete factory with an existing roof height of 46.6m AHD and 78m high chimney stack; a two-storey brick and timber administration building; and a security booth/gatehouse.

The main factory building is oriented north-south and is setback approximately 20m from the Burwood Road frontage and approximately 18m from the western boundary. On its eastern side is the administration building, which is set back approximately 30m from the Burwood Road



Figure 2: Site Lot and DP (Source: Urbis)



Figure 3: Subject site and surrounds (Source: Urbis)



View within site looking at distinctive 'B' symbol



View of factory buildings in landscape setting



View of Administration Building

Figure 4: Existing Built Form (Source: Urbis/CIPM)

frontage and is linked to the factory by a covered walkway. The security booth / gatehouse is located at the south-eastern corner entry to the site. The balance of the site comprises concrete and bitumen driveways, at-grade bitumen car parks (along the eastern side), and landscaped areas. The layout of the site is characteristic of the 'Factory Garden Movement' with its landscaped waterfront setting.

Access and Transport

Primary access to the site is from Burwood Road, with secondary vehicle access from Zoeller Street. An existing road reserve connecting Zoeller Street to the foreshore enables pedestrian access to the Exile Bay foreshore, however the remainder of the site is securely fenced.

The site is served by the 466 bus which operates every 20 mins. The nearest train station is Burwood Station, approximately 2.5km away which is catered by limited stops / express services.

Landscape & Public Domain

The existing landscape comprises a mix of native and exotic tree species, with mature screen planting to the site boundaries and within car park areas, and lawn areas adjoining the harbour. There does not appear to have been any particular planting theme for the site.

Whilst the subject site has legal frontage to Exile Bay, pedestrian access to the foreshore is publicly available. This foreshore edge is characterised by a 3m high concrete seawall.

2.3 SURROUNDING DEVELOPMENT

The suburban context of the site reflects the incremental post-industrial redevelopment of Sydney's waterfront land. The subject site is one of the two remaining industrially zoned sites along the Canada Bay waterfront.

Development to the west and south is characterised by one (1) to two (2) storey detached and semi-detached dwellings. Development to the east and south east, known as Pelican Quays, Pelican Point and Phillips Landing, is characterised by townhouses and apartment buildings ranging from three (3) to seven (7) storeys in height.

Immediately to the north is the Massey Park Golf Course, a publicly owned golf course and an item of local heritage significance. Bayview Park is located approximately 600m east of the site.

Educational facilities located in proximity to the site includes Concord Public School (1km) and Concord High School (1.2km).

3.0 PLANNING CONTEXT & FRAMEWORK

3.1 STRATEGIC PLANNING CONTEXT

This section provides an overview of the relevant planning strategies at the metropolitan, district and local government levels, including:

- A Metropolis of Three Cities – The Greater Sydney Region Plan (2018)
- Eastern City District Plan
- City of Canada Bay Local Strategic Planning Statement
- City of Canada Bay Local Housing Strategy
- City of Canada Bay Local Planning Strategy 2010-2031
- Parramatta Road Urban Transformation Strategy
- Coastal Management Act 2016
- State Environmental Planning Policy (Coastal Management) 2018
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

3.1.1 A METROPOLIS OF THREE CITIES – THE GREATER SYDNEY REGION PLAN (2018)

The Greater Sydney Region Plan (GSRP) establishes a vision, directions and objectives for the managed growth of Greater Sydney Region over the next 40 years. The GSRP:

- Informs the District and Local Plans and the assessment of planning proposals;
- Assists infrastructure planning and delivery to achieve place-based outcomes; and
- Informs the private sector and wider community of the governments' investment intentions.

The GSRP is focused on the three cities – the Eastern Harbour City (Sydney and North Sydney CBD), the Central River City (Greater Parramatta and Liverpool) and the Western Parkland City (Greater Penrith, Western Sydney Airport-Badgery's Creek Aerotropolis and Campbelltown-Macarthur). – where most residents will live within 30 minutes of their jobs, education and health facilities, services and great places.

The City of Canada Bay is identified as part of the Eastern Harbour City. The vision for the Eastern Harbour City is to strengthen its position as the global gateway and financial and innovation capital of Australia, leveraging off the Eastern Economic Corridor from Macquarie Park to Sydney Airport. Significant infrastructure projects, including Sydney Metro, Lightrail, NorthConnex and WestConnex, will boost connectivity between strategic centres and special precincts, as well as contribute to faster commuting times.

The GSRP sets out the following Ten Directions:

- A city supported by infrastructure – Infrastructure supporting new developments
- A collaborative city – Working together to grow a Greater Sydney
- A city for people – Celebrating diversity and putting people at the heart of planning
- Housing the city – Giving people housing choices
- A city of great places – Designing places for people

- A well-connected city – Developing a more accessible and walkable city
- Jobs and skills for the city – Creating the conditions for a stronger economy
- A city in its landscape – Valuing green spaces and landscape
- An efficient city – Using resources wisely
- A resilient city – Adapting to a changing world

The above Directions, and their associated objectives, inform the Planning Priorities for each of the five Districts within the Sydney Region – Central City, Eastern City, North, South and Western City. The Eastern City District Plan applies to the City of Canada Bay local government area.

3.1.2 EASTERN CITY DISTRICT PLAN

The Eastern City District covers the local government areas of Bayside, Burwood, City of Canada Bay, City of Sydney, Inner West, Randwick, Strathfield, Waverley and Woollahra. The Eastern City District Plan (ECDP) identifies the planning priorities and actions to be implemented over the next 20 years to achieve the vision of the GSRP. The ECDP informs local strategic planning statements and local environmental plans, the assessment of planning proposals as well as community strategic plans and policies.

By 2036, it is projected that the District will have a population of approximately 1.34 million people and that an additional 157,500 homes will be required. For Canada Bay LGA, the ECDP sets a five-year target of 2,150 new homes by 2021, 5-10% of which would be targeted for affordable housing (subject to viability) under the Plan.

The District contains more than a third of Sydney's jobs (over 900,000) and generates about half of Sydney's economic activity, with the highest proportion of knowledge and professional services workers in Greater Sydney. Approximately 1,497ha of land within the District is industrial and urban services land, representing approximately 11 per cent of Greater Sydney's total stock of industrial and urban services land. The largest industrial and urban services precincts are located in Banksmeadow, Botany, Mascot, Port Botany, Bays Precinct, Marrickville, Flemington, South Strathfield/Enfield and Alexandria.

The EDCP identifies the integral role that waterways have in creating a sense of place, providing recreational opportunities, and supporting economic and cultural activities. The Plan acknowledges the legacy of historical land uses that have impacted on the health of the District's waterways, including the Parramatta River, and identifies that new development and investment in infrastructure provide an opportunity to improve the health and quality of the District's waterways. Enhancing community access to the coast and waterways should be prioritised.

The key Planning Priorities relevant to this amended Planning Proposal with respect to liveability include:

- Planning Priority E1 – Planning for a city supported by infrastructure
- Planning Priority E4 – Fostering healthy, creative, culturally rich and socially connected communities
- Planning Priority E5 – Providing housing supply, choice and affordability with access to jobs, services and public transport
- Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage
- Planning Priority E10 – Delivering integrated land use and transport planning and a 30minute city
- Planning Priority E12 – Retaining and managing industrial and urban services land

- Planning Priority E14 – Protecting and improving the health and enjoyment of Sydney Harbour and the District’s waterways
- Planning Priority E16 – Protecting and enhancing scenic and cultural landscapes
- Planning Priority E17 – Increasing urban tree canopy cover and delivering Green Grid connections
- Planning Priority E18 – Delivering high quality open space
- Planning Priority E20 – Adapting to the impacts of urban and natural hazards and climate change

The above will be discussed in greater detail in Section 5.3.2 of this amended Planning Proposal.

3.1.3 CITY OF CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT

The City of Canada Bay Local Strategic Planning Statement (LSPS) was granted formal assurance by the Greater Sydney Commission on 25 March 2020.

The LSPS is the core strategic land-use planning document for the LGA, containing 84 Actions that Council will take to achieve the following Land Use Vision, as is illustrated in the Structure Plan (Figure 5).

- Create great streets, places and buildings for people
- Plan for a diversity of housing types and affordability
- Protect and enhance local character
- Connect and strengthen neighbourhoods and centres
- Align growth with the delivery of infrastructure
- Ensure Sydney Metro West delivers “density done well”
- Improve access to the Parramatta River foreshore
- Facilitate sustainable development and renewal
- Increase biodiversity and the urban tree canopy

The LSPS contains site specific requirements for the site under *Priority 6 - Provide high quality planning and urban design outcomes for key sites and precincts* and acknowledges the likelihood of urban renewal in the short to medium term:

Action 6.3: Ensure any proposed changes to land use or development at the Freshfoods site (Bushell’s site) at 160 Burwood, Road, Concord:

- *adequately recognise the requirements of the Eastern City District Plan in relation to the retention and management of industrial land;*
- *achieve height and density that is compatible with the existing context;*
- *contribute to the Green Grid through a generous and publicly accessible foreshore setback to Exile Bay; and*
- *adequately considers heritage features on the site and is sympathetic with this heritage.*

This amended Planning Proposal can achieve the outcomes identified in Action 6.3 as discussed in Section 5.3.2 of this report.



Figure 5: LSPS Structure Plan (site as yellow dot)

3.1.4 CANADA BAY LOCAL HOUSING STRATEGY 2021

The Canada Bay Local Housing Strategy (LHS) was endorsed by the Department of Planning, Industry and Environment in May 2021 and analyses the population, demographic and supply issues associated with the delivery and take up of housing in the Canada Bay local government area. The LHS identifies the site as an opportunity area for the provision of additional residential development.

3.1.5 CITY OF CANADA BAY LOCAL PLANNING STRATEGY 2010-2031

The strategic principles and objectives of the LPS have been superseded and adopted into the Canada Bay LSPS.

The Canada Bay Local Planning Strategy (LPS) sets out the long term overall strategic land use management and planning objectives to 2031, and aims to ensure that regional strategic planning objectives and major infrastructure projects identified by the State Government are considered at a local level.

The LPS sets out a range of priorities to achieve balanced growth within the LGA, and identifies objectives and actions relating to improving housing supply and affordability, urban design, employment, transport and infrastructure (including public transport and active transport), open space and recreation, and enhancing to the quality of the natural environment, heritage and the harbour foreshore.

The LPS makes specific reference to the subject site as follows:

- Objective E5 Retain industrial sites within the LGA – this objective supports the retention of the Freshfood site (Bushells) for industrial purposes for the medium term, with further investigation to occur within 10 years (i.e. 2020)
- Action H6 Consider opportunities for the provision of affordable housing on rezoned sites – over the longer term, Council expects the subject site to be rezoned for other purposes and

accordingly provision of affordable or low cost housing should be explored on this site.

- With respect to estimated employment land capacity and potential to accommodate future employment, the subject site is identified as having limited take up given that it is an established industrial use and has a peninsular location with poor access and proximity to sensitive residential uses.

Council's approach to land use management of the subject site is broadly reflected in the ECDP's *Planning Priority E12 – Retaining and managing industrial and urban services land*, however the LSP sets a timeline for the retention of industrial use on the site.

Where the ECDP's Planning Priority E12 is somewhat of a blanket approach to industrial land across the District, at the local level, Council's LSP foreshadows potential redevelopment of the site and the opportunity for it to accommodate much needed affordable housing in the long term.

Further details and assessment of this amended Planning Proposal against Council's LPS is provided in Section 5.3.2 of this report.

3.1.6 PARRAMATTA ROAD CORRIDOR URBAN TRANSFORMATION STRATEGY

The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) was released in 2016 and is a 30-year plan setting out how the Parramatta Road Corridor (the Corridor) will grow and bring new life to local communities living and working along the Corridor. The Strategy has been adopted by the NSW Government and is given statutory force by a Ministerial Direction under section 117 (now Section 9.1) of the Environmental Planning and Assessment Act 1979 (NSW).

The Parramatta Road Corridor spans 20 kilometres from Granville in the west to Camperdown in the east and comprises land adjoining and at least one block back from Parramatta Road, as well as Precincts that have been identified as a focus for future growth based on their different functions and character. The precincts include Granville, Auburn, Homebush, Burwood-Concord, Kings Bay, Taverners Hill, Leichhardt and Camperdown.

Whilst the subject site is not within the Parramatta Road Corridor, it is in proximity to the Burwood-Concord and Kings Bay Precincts.

The Burwood-Concord Precinct will be a gateway to Burwood Town Centre based around the enlivened spine of Burwood Road strengthening existing amenity for new residents. It will develop to reinforce its role as the major centre for the Corridor, allowing for a greater diversity of housing while maintaining the quality of buildings in the area. It is envisaged to accommodate 11,400 new people, 5,500 new homes and 3,800 new jobs by 2050.

Kings Bay is envisaged as a new residential urban village with a Parramatta Road address. It will have a dense network of streets and an identity built on its proximity to Sydney Harbour. It is envisaged to accommodate 5,200 new people, 2,500 new homes and 2,900 new jobs by 2050.

As discussed in Section 5, proposed future uses on the subject site have the potential to support the foreshadowed growth in these precincts in terms of social infrastructure, public open space and retail and employment offer.

3.1.7 SYDNEY GREEN GRID

The Sydney Green Grid sets the framework for the enhancement of open space throughout Metropolitan Sydney. The Sydney Green Grid proposes the creation and consolidation of a network of high quality green areas and waterways that connect town centres, public transport networks and major residential areas and provide hydrological, ecological and recreation services to support sustainable growth keep the city cool, encourage healthy lifestyles, enhance biodiversity and ensure ecological resilience.

The Central District Green Grid Spatial Framework and Project Opportunities report acknowledges the significance of the Parramatta River corridor and its linkage to Sydney Harbour. The reports states that projects should aim to support the establishment of the Parramatta River as a key active recreation link and regional open space corridor between the city and the west.

The report identifies the opportunity to improve connections from Burwood to Hen and Chicken Bay Harbour Foreshore Walk and Bayview Park via Burwood Road and the open space networks via Saint Lukes Park and Queen Elizabeth Park. The subject site is located along this connection with the potential to contribute to the realisation of this key opportunity. This connection is identified as important to the District in the Eastern City District Plan.

3.2 STATUTORY PLANNING FRAMEWORK

3.2.1 CANADA BAY LOCAL ENVIRONMENTAL PLAN (LEP) 2013

The Canada Bay Local Environmental Plan 2013 (CBLEP 2013) is the principal local environmental planning instrument applying to the subject site.

Land Use Zone

The subject site is currently zoned IN1 General Industrial, as shown in Figure 6. The relevant zoning controls are provided in the table below.

Table 1: IN1 General Industrial land zone controls

Objectives	<ul style="list-style-type: none"> ▪ <i>To provide a wide range of industrial and warehouse land uses.</i> ▪ <i>To encourage employment opportunities.</i> ▪ <i>To minimise any adverse effect of industry on other land uses.</i> ▪ <i>To support and protect industrial land for industrial uses.</i>
Uses Permitted without consent	<i>Environmental protection works</i>
Permitted with consent	<i>Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Places of public worship; Roads; Warehouse or distribution centres; Any other development not specified in item 2 or 4</i>

Prohibited	<p><i>Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Public administration buildings; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies</i></p>
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Whilst the current zoning is a reflection of the current uses on site, it is apparent that this land use zone is a remnant of the Sydney's bygone industrial working harbour. The IN1 zone is currently surrounded by low to medium density land uses and public recreation. A broader view of Council's land use zoning map around Exile Bay and Hen and Chicken Bay reveals the incongruous nature of this land use.

As described in Section 2, the location, accessibility (particularly for heavy vehicles) and setting of the site pose constraints to continued industrial uses in this location.



Figure 6: CBLEP 2013 Land Zoning Map

Floor Space Ratio

The permissible Floor Space Ratio (FSR) on the subject site is 1.0:1. Refer to Figure 7.



Figure 7: CBLEP2013 Floor Space Ratio Map

Height of Buildings

The permissible maximum height of buildings on the subject site is 12 metres. However, the existing factory building has a maximum roof height of 46.6m, with a chimney stack up of up to 78m. The current permissible maximum building height does not reflect the existing scale of development on the site nor its landmark nature. Refer to Figure 8.



Figure 8: CBLEP2013 Height of Building Map

Heritage

The subject site is not currently an item of local heritage significance, nor is it in a heritage conservation area. However, the heritage assessment of the site provided in Appendix I has found that elements of the Former Bushells Factory is of local heritage significance. Its listing as an item of environmental heritage in the CLEP 2013 is sought as part of this amended Planning Proposal. Refer to Section 5 and Appendix I for further details.

Notwithstanding, there are a number of heritage items in the vicinity of the subject site which must be considered for any future redevelopment of the site. These heritage items include the following as shown on Figure 9:

- Massey Golf Course and Sanders Reserve (I259)
- Bayview Park (I56)
- Street Trees (I54)

A detailed description of the above heritage items in the vicinity of the subject site are provided in Appendix K Statement of Heritage Impact. An Aboriginal Due Diligence Assessment is also provided at Appendix Q.



Figure 9: CBLEP2013 Heritage Map

3.2.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND (NOW STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021)

SEPP 55 requires that land not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.

A Preliminary Site Investigation Report (Appendix R) and Additional Contamination Assessment Report (Appendix Q) were lodged with the original Planning Proposal. A Detailed Site Investigation (Round 1) report (Appendix Y) has been prepared in response to Condition 1. (b) of the Gateway Determination.

The findings of the reports indicated that the site can be made suitable for the proposed uses subject to further testing following demolition of the factory administration building, transformer room and gate house given the existence of potential receptors, sources and exposure pathways within the factory building. Further investigation, remediation and/or management would be required to make the contaminated soil suitable for future development, which the DSI (Round 1) recommends would be best addressed at Development Application stage.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

The objective of State Environmental Planning Policy No. 65 - Design of Residential Apartment Development (SEPP 65) is to improve the design quality of residential apartment development in NSW. SEPP 65 contains design quality principles which are explained in further detail in the Apartment Design Guide (ADG).

Condition 1(d) of the Gateway Determination requires the proponent to demonstrate that future development is capable of achieving the minimum solar access and communal open space requirements outlined in Part 3D and 4A of the ADG.

The Concept Plan, Analysis and SEPP 65 Certification (Appendix C) prepared by AJ+C confirms that the indicative building envelopes can achieve the design quality principles set out in Schedule 1 Design quality principles of SEPP 65. Specific assessment was undertaken for ADG objectives 2F Building Separation, ADG 3F Visual Privacy, ADG 4A Solar and daylight Access, ADG 4B Natural ventilation, ADG 4J Noise and Pollution, and ADG Planting on Structures.

3.2.3 STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009 & STATE ENVIRONMENTAL PLANNING POLICY NO. 70 AFFORDABLE HOUSING (AMENDED SCHEMES) (NOW STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021)

The provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) and SEPP No. 70 – Affordable Housing (Amended Schemes) (SEPP 70) have been transferred to State Environmental Planning Policy (Housing) 2021 on 26 November 2021.

The intent of the former ARH SEPP is to increase the supply and diversity of affordable rental and social housing across NSW. The ARH SEPP covers housing types including villas, townhouses and apartments that contain an affordable rental housing component, along with secondary dwellings (granny flats), new generation boarding houses, group homes, social housing and supportive accommodation.

SEPP 70 is a mechanism that allows specified councils to prepare an affordable housing contribution scheme for certain precincts, areas or developments for upcoming rezoning. In December 2017, the provisions of SEPP 70 were expanded to include, amongst other councils, the City of Canada Bay. An Explanation of Intended Effect for the amendment was exhibited for public comment between 14 December 2017 to 31 January 2018. Council is required to prepare draft affordable housing contribution schemes for consideration by the Minister for Planning for approval as part of the planning proposal process.

Whilst residential accommodation is not a permissible use on the subject site, Council's LSPS identifies opportunities for rezoning that could accommodate low cost and affordable rental housing. Affordable Housing will be provided consistent with the requirements of SEPP 70 and Council's draft Affordable Housing Contribution Scheme is proposed to be updated to reflect the recommendations of the Eastern City Planning Panel.

3.2.4 COASTAL MANAGEMENT ACT 2016 & STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018 (NOW STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021)

The provisions of the State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP) were transferred to State Environmental Planning Policy (Resilience and Hazards) 2021 on 26 November 2021.

The Coastal Management Act 2016 identifies four coastal management areas that comprise the coastal zone – coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area, and coastal use area. The Coastal Management SEPP imposes targeted development controls for these areas, to guide appropriate development within the coastal zone.

The subject site is mapped as a Coastal Environment Area under the Coastal Management SEPP.

The relevant objectives for this Area under the Act are to:

- *Protect and enhance the coastal environmental values and natural processes*
- *Enhance natural character, scenic value, biological diversity and ecosystem integrity*
- *Reduce threats to, and improve the resilience of, coastal waters including in response to climate change*
- *Maintain and improve water quality and estuary health*
- *Support the social and cultural values of coastal waters*
- *Maintain and, where practicable, improve public access, amenity and use of foreshores.*

Certain development controls apply to Coastal Environment Areas that aim to protect coastal processes, values and natural features on adjoining land, as well as minimise impacts on the integrity and resilience of the biophysical, hydrological and ecological environment, existing public open space, and safe public access to and along the foreshore.

Future land uses and redevelopment of the site to occur at Development Application stage will address the above objectives and controls.

3.2.5 SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 (NOW STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021)

The provisions of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Harbour REP) have been transferred to the State Environmental Planning Policy (Biodiversity and Conservation) 2021 on 26 November 2021.

The Harbour REP applies to all the waterways of the Harbour, the foreshores and entire catchment. The Harbour REP establishes a set of planning principles to be used by councils for the preparation of planning instruments and provides a range of matters for consideration for assessing relevant developments. It is supported by the Sydney Harbour Foreshores Area Development Control Plan.

The DCP divides the Sydney Harbour Catchment into a number of landscape character types. Landscape Character Type 12 applies to Leichhardt Bay, Rodd Point, Half Moon Bay, Hen and Chicken Bay, part of Canada Bay and Five Dock Bay. This would also include Exile Bay, to which the subject site has a frontage.

The intent for development within this area is to provide for appropriate recreational and similar uses of the foreshore, to rehabilitate or improve degraded foreshores and to protect valuable natural shorelines.

It is noted that as part of the Department of Planning and Environment's SEPP Review Program, the Harbour REP is being reviewed and consolidated with other planning instruments. Notwithstanding, the provisions of the Harbour REP are relevant to the subject site with respect to the need to maintaining public access and recreational uses along the foreshore boundary.

4.0 REQUEST FOR AMENDED PLANNING PROPOSAL

It is proposed to rezone land at 160 Burwood Road, Concord and amend associated principal development standards under CBLEP 2013 to enable the urban renewal of this existing industrial site into a mixed-use foreshore development, comprising residential, retail, commercial, community and recreational uses together with compatible, low impact light industry uses.

The site's peninsular location, poor road access for heavy vehicles and its proximity to sensitive residential areas pose significant constraints on its suitability for certain ongoing industrial uses.

Potential redevelopment of the site for other land uses has been recognised in Council's LSPS under Priority 6 – Provide high quality planning and urban design outcomes for key sites and precincts, which acknowledges the likelihood of urban renewal in the short to medium term. Council's LPS 2010-2031 identified retention of the industrial uses to 2020, with consideration for land use opportunities beyond this timeframe.

In this context, there is a unique opportunity for place-led regeneration of the site to create a waterfront destination that can serve the day-to-day retail, business and community needs of the local population.

This Amended Planning Proposal seeks to amend the CBLEP 2013 as follows:

- Rezone the subject site from the existing IN1 General Industrial zone to part B1 Neighbourhood Centre, part R3 Medium Density Residential, and part RE1 Public Recreation;
- Amend Part 6 Additional Local Planning Provisions to:
 - Apply the Foreshore Building Line to the portion of the site proposed to be zoned RE1 Public Recreation; and
 - Introduce a development standard for the site which sets out a minimum provision of 10,000m² GFA for non-residential uses, of which a minimum 3,000m² GFA shall be light industrial uses.
- Amend Schedule 1 Additional Permitted Uses to permit "Commercial premises" within the portion of the site proposed to be zoned R3 Medium Density Residential;
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Increase the maximum height of buildings from 12m to a range of heights as follows:
 - 18m (5 storeys) to the northern boundary of the site;
 - RL 46.6 to reflect the existing roof height of the Central Roasting Hall building to be retained;
 - 21m (6 storeys) at the centre of the site around the Former Bushells Factory Central Roasting Hall building;
 - 15m (4 storeys with ground floor urban services) between the Central Roasting Hall building and the 3 storey terraces on Burwood Road;
 - 12m (3 storeys), 17m (5 storeys) and 21m (6 storeys) along the eastern boundary; and
 - No change to heights along Burwood Road frontage, the western boundary and immediately north of the Central Roasting Hall.
- Increase the maximum FSR applicable across the whole of the site from 1:1 to 1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks.

The above reflects the recommendations made by the Sydney Eastern City Planning Panel (SECPP) in its determination of the Rezoning Review on 31 March 2020.

A comparison of the original Planning Proposal and subsequent amendments including this Planning Proposal is provided in the following table.

Table 2: Comparison of CBLEP 2013 provisions, original Planning Proposal, amended proposals in July 2018, February 2019, September 2019 and this amended Planning Proposal

Canada Bay LEP 2013	Original Planning Proposal (June 2017)	Amended Planning Proposal (July 2018)	Amended Planning Proposal (Feb 2019)	Amended Planning Proposal (Sept 2019)	Amended Planning Proposal (June 2020)	Amended Planning Proposal (May 2022)
Land Use Zoning	B4 Mixed Use	B4 Mixed Use	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation	B1 Neighbourhood Centre; R3 Medium Density Residential; and RE1 Public Recreation
Height of Building	121.5m	12m, 22m, 25m and 46m	12m, 16m, 21m, 24m and 30m. RL 46.6 to reflect existing roof height of Central Roasting Hall	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall
FSR	1.95:1	1.6:1	1.5:1	1.25:1	Whole site: 1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.13:1, 1.81:1, 2.1:1, 2.4:1 and 2.74:1 for each of those blocks	Whole site: 1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks
Additional Local Provision	No change.	No change.	No change.	No change.	Apply Foreshore Building Line (in the RE1 zone) Minimum 10,000m ² GFA for non-residential uses, of which a minimum 3,000m ² GFA for light industrial uses	Apply Foreshore Building Line (in the RE1 zone) Minimum 10,000m ² GFA for non-residential uses, of which a minimum 3,000m ² GFA for light industrial uses
Schedule 1 Additional Permitted Uses	Boat sheds, jetties, moorings, water recreation structures	Multi unit dwellings	Light Industries (in the R3 zone)	No change.	Commercial Premises (in the R3 zone)	Commercial Premises (in the R3 zone)
Schedule 5 Environmental Heritage	No change.	No change.	No change.	Former Bushells Factory Building	Former Bushells Factory Building	Former Bushells Factory Building

The following public benefits would be delivered as part of this amended Planning Proposal via a Voluntary Planning Agreement (refer to Appendix M):

- 5,900m² of land for public open space, including embellishment of that land, to be dedicated to Council upon completion of the development project;
- Restoration works to the seawall and additional waterfront edge landscaping to provide access to the water (estimate \$2,100,000). These restoration works will be completed prior to the dedication of the land to Council for public open space.

This amended Planning Proposal is underpinned by an architectural, urban design and landscape design concept that seeks to create a fine grain, river-orientated village that offers broad public benefit to locals (including new public open space, community uses, daily needs retail, and diversity of housing choice), as well as enhance the unique sense of place established by the Bushells Factory building and Exile Bay foreshore. Further discussion on the Concept Plan is provided in Section 5.

5.0 AMENDED PLANNING PROPOSAL

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

5.1.1 OBJECTIVES AND INTENDED OUTCOMES

The objectives of the Planning Proposal are to:

- Enable redevelopment of the site with uses more suited and consistent with the local area than are provided within the existing statutory framework;
- Take advantage of the site location to enhance connectivity, provide high amenity foreshore access and local community space;
- Take advantage of the scale of the land to be rezoned to provide a range of housing types that address the needs of the community and contribute to additional housing supply;
- Enable a scale of development that can provide for a new neighbourhood centre to benefit new and existing local residents while responding to the existing character of the locality; and
- Assist with the delivery of the Hen and Chicken Bay Foreshore Green Grid corridor.

The intended outcomes are to provide:

- A predominately residential land use, rather than general industrial use that is more likely to generate heavy vehicle traffic and other land use conflicts with the existing surrounding residential and open space uses;
- A diversity of housing types to address the needs of the community;
- A scale of development that responds to the immediate surrounds of the site and ensures amenity afforded by neighbouring residents such as solar access and view sharing to scenic features on and around the site;
- A scale of residential development that provides for new amenities, including vibrant local shops and business, that is compatible with the immediate surrounds of the site;
- Integration of suitable retail, business and urban service (light industrial) uses in the retained factory building and in an accessible location to reduce the length of journeys to local shops and services thereby encouraging active transport modes;
- Opportunity for a cultural and recreational hub for the local community – utilising the site's waterfront location and adaptive re-use of the existing industrial building to create opportunities for creative industries, arts/cultural activities, and civic activities;
- A highly permeable site to facilitate through-site access to the foreshore as well as existing and future public transport connections to key destinations including Burwood strategic centre, Burwood Station and Sydney Metro West stations.
- A high quality public realm with well defined built form edges, public access and through the preservation and enhancement of landscape amenity on the site;
- Retention of trees where possible, notably the existing Hills Fig Tree, and provision of significant open space on the site through appropriate correlation of maximum building height and maximum floor space ratio; and
- A sustainable development that incorporates energy and water efficiency along with adaptive building re-use, provision of increased tree canopy cover and other innovative environmental practices.

5.1.2 CONCEPT PLAN

To assist in describing the character of the intended outcome for the site, a Concept Plan (Appendix C) and Urban Design Report (Appendix B) have been prepared. The Concept Plan is a result of a design evolution process that has involved consultation with Council and the local community. The latest iteration has been prepared in response to SECPP's recommendations. Figure 10 shows the evolution of the design and Figure 11 shows the Concept Plan which underpins this amended Planning Proposal.



Figure 10: Design concept evolution (Roberts Day)



Figure 11: Concept Plan (Source: Roberts Day /Oculus/ AJ+C/BVN)

The revised Concept Plan comprises:

- Retention of the Former Bushells Factory Central Roasting Hall building;
- Approximately 400 new dwellings in the form of shop top housing, residential flat buildings and multi unit dwellings, ranging in height from 3 storeys (12m) to 6 storeys (21m), including the adaptive re-use of the existing Central Roasting Hall factory building;
- Approximately 5,900m² of public open space in the form of a new plaza and foreshore park
- Approximately 7,000m² of retail and commercial uses;
- Approximately 3,000m² of urban service / light industry uses;
- Car parking spaces over 2 levels of basement parking (or as required);
- New local road linking Burwood Road to Zoeller Street; and
- Bicycle and pedestrian access to the foreshore.

The Concept Plan utilises the single ownership of the 3.9ha site to provide for an arrangement of uses more suited and consistent with the local area than currently exists. Figure 12 shows some of the potential activities that may occur as proposed by the revised Concept Plan.

These improvements will enhance the appeal of the site and peninsula and will likely stimulate additional investment activity and land value in the locality. It will also assist in reducing the length of journeys to access local retail and services for residents in the peninsular locality.



Figure 12: Concept Plan - Potential Activities (Source: Roberts Day)

Land Use and Potential Activities

The revised Concept Plan provides for a distribution of land uses across the site that respond to the existing character and context of the site.

The predominant use of the site will be residential, with approximately 29,000m² GFA across a diversity of housing types. Residential uses will be located above non-residential uses and around the edges of the site, interfacing with existing adjacent low to medium density housing.

7,000m² of non-residential gross floor area, encompassing retail, commercial, community and will be focused within the Central Roasting Hall building and on the ground and lower levels of neighbouring buildings.

3,000m² of urban service / light industry uses will be located within the Central Roasting Hall. These uses will not interfere with residential amenity and will complement the creation of an active waterfront neighbourhood centre and respond to the site's industrial heritage. It is envisaged these areas could accommodate boutique, artisan or craft food or drink manufacture or making (e.g. microbrewery); boutique workshops (e.g. bicycle repair, creative studios, fashion design), maker spaces and the like.

The Concept Plan provides for 9,740m² of publicly accessible domain in the form of a new plaza streets and area around the Former Bushells Factory building. A foreshore park of 5,900m² will be zoned RE1 and dedicated to Council as shown in Figure 13 .

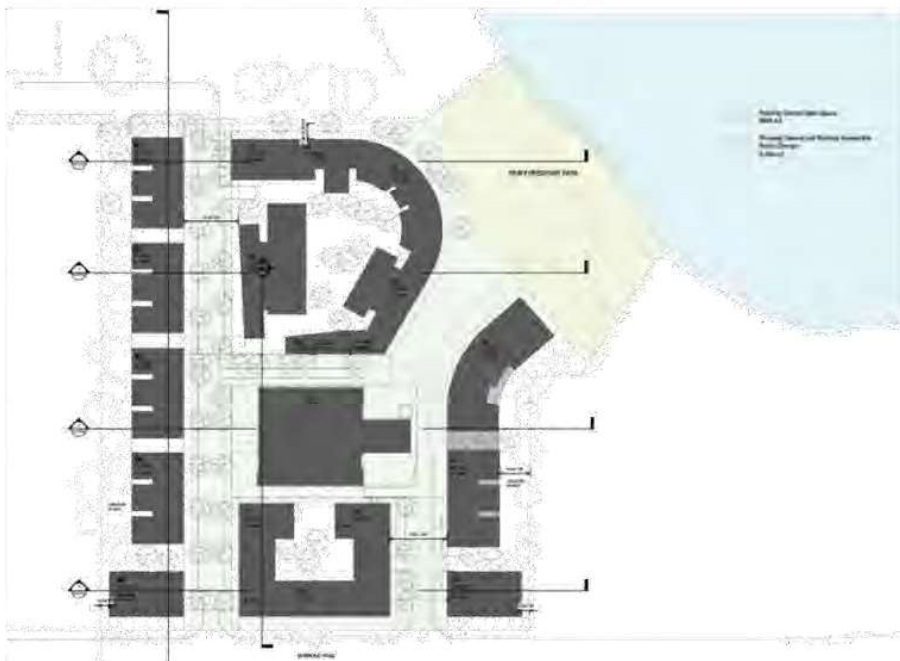


Figure 13: Proposed Public Domain and private open space (Source AJ+C /BVN)

Character Retention

The intended outcome of the site includes the demolition of existing buildings on the site, except for the Former Bushells Factory building core which includes the following in a landscape setting:

- Central Roasting Hall,
- Chimney stack, and
- the 'B' Facade (east elevation).

These sections of the building are nominated for local heritage listing under CBLEP 2013 and is to be retained and adaptively reused. The adaptive re-use of the factory building will enable the conservation of one of the last remnants of industrial heritage in the LGA.

The retention of this built element recognises the iconic presence of the existing brick tower; preserving it at the heart of the site. The factory building will be retained and ground floor programmed with a variety of uses to provide public benefit and will be supported by retail and community focused uses on the ground level of buildings adjacent.

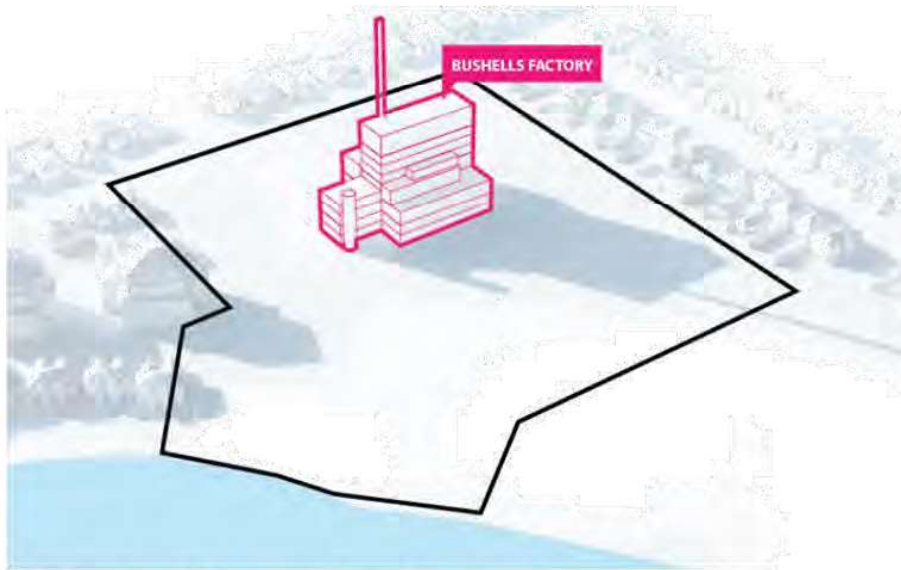


Figure 14: Access and Movement (Source: Roberts Day)

Access and Movement

The internal movement network will increase the overall permeability and accessibility within the site and to other local networks. Public access movement along the foreshore (east west) and north south avenue completes a green loop around Concord that connects a sequence of open space with Concord (Majors Bay Road) local centre. Pedestrian networks are a key focus of the revised Concept Plan and include:

- Defining a new public access street network that knits the site into the existing community.
- Providing a highly permeable network for pedestrian and cycle pathways through the site allowing access from Burwood Road to the foreshore.
- Scale of streets for pedestrians comfort and for local traffic.
- Providing a through-site link to enhance the Hen and Chicken Bay Foreshore Walk which is a green grid corridor identified as important in Council's foreshore strategy.
- Providing connectivity to the existing surrounding street network including bus stops for routes connecting to high frequency train stations of Burwood and Strathfield, as well as the potential connection to future Sydney Metro West Station(s).
- Providing car parking in response to sustainability initiatives whilst meeting anticipated demand.

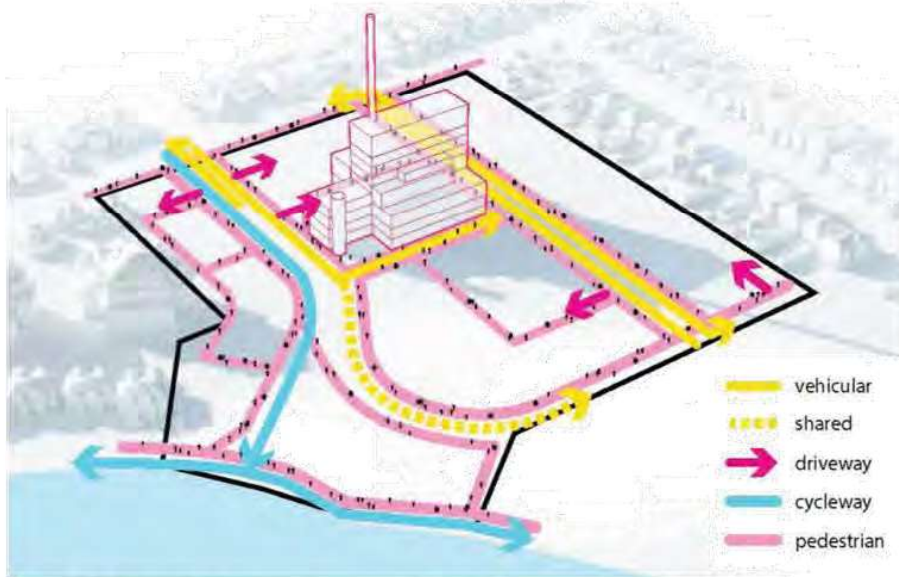


Figure 15: Access and Movement (Source: Roberts Day)

Urban Structure

The proposed urban structure as shown in Figure 16 is defined from the internal movement network. The block structure supports views to key landmarks and public places providing street definition through quality built form edges and landscape.

A new public accessible street will connect Burwood Road with Zoeller Street, creating a regular width street block with Duke Avenue.

The arrangement of activities within this structure allows the Concept Plan to deliver a variety of housing types, shops and services to meet the needs of local residents of the site and surrounding areas.

The structure provides the ability to locate business, retail, and commercial focused uses at the ground floor to activate publicly accessible open space. These uses may be located within the structure to minimise impact on amenity of surrounding existing low density residential development, however to provide a permeable site for the residents who occupy the surrounding development to access and use these business, retail and community focused uses.

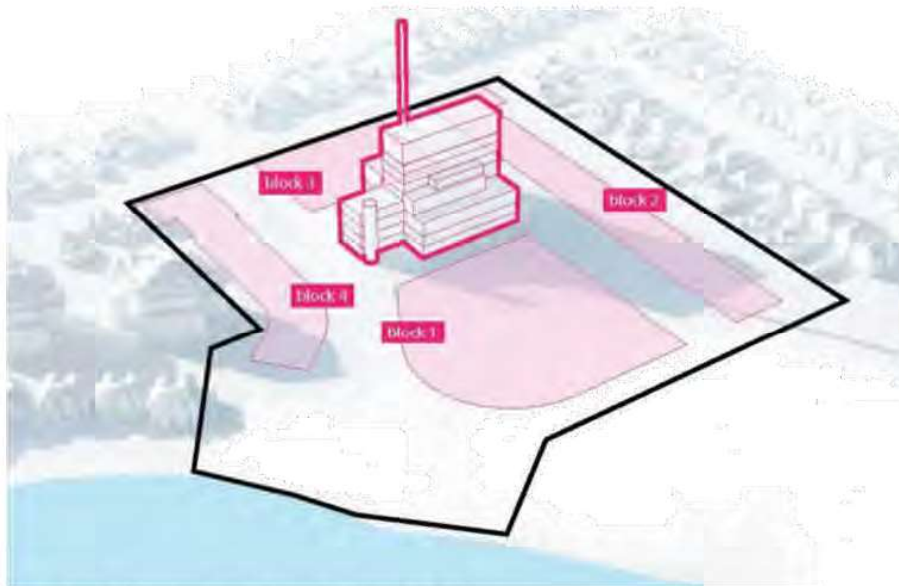


Figure 16: Urban Structure (Source: Roberts Day)

Public Realm

An abundance of public space is a key public benefit of the Concept Plan. The plan focuses on providing public open space to create a positive visual impact to the locality and create an important community and civic focal point in Exile Bay.

A series of public use locations closely integrated within the site and surrounds will enable the combined public spaces to become a local destination with high amenity, complementing the existing natural and urban context.

Activated spaces towards the foreshore will create various settings for social and cultural connectedness, well-being and community relationships which may include community markets, events and festivals.



Figure 17: Public Realm (Source: Roberts Day)

Open Space and Tree Retention

Retaining and enhancing the landscape character of the site is proposed through:

- Creating a public park on the foreshore of Exile Bay to provide a recreation space as part of the Hen and Chicken Bay Foreshore Green Grid corridor.
- Retaining the mature groves of trees along the eastern and western boundaries to maintain the existing developed landscape and privacy for neighbours.
- Providing a public open space connecting the foreshore to the industrial character and retail and commercial service use.
- Defining streets with strong landscape elements and minimum 25% tree canopy cover.

The proposed open space will encourage and support community interactions and social cohesion by connecting with existing public foreshore access and adjoining open space.



Figure 18: Open Space and Tree Retention (Source: Roberts Day)



Figure 19: Surrounding open space network (Source: Roberts Day)

Built Form

The Concept Plan provides for the transition of building heights from tallest buildings at the centre of the site (as defined by the retained Central Roasting Hall) to lower buildings at the edges to appropriately interface existing adjacent properties. The site sections show the relationship to the Central Roasting Hall building in Figures 22 and 23. Figure 20 shows the transition of building heights in the context of the surrounds, Figure 21 shows proposed building heights in response to the transitional height approach.

The building form has been scaled based on function, orientation of views to amenity and public spaces as well as the implementation of height transition. The various heights reflect the recommendations of the CBLPP and are shown in Figure 22.

Buildings have been arranged within the urban block structure to define spaces, creating a clear delineation between publicly accessible and private spaces.

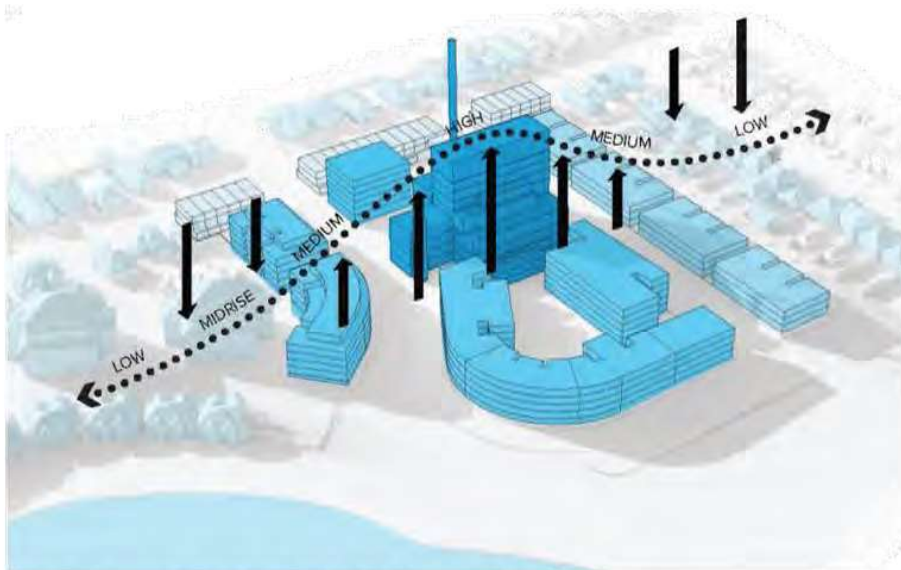


Figure 20: Transition of Building Heights (Source: Roberts Day)

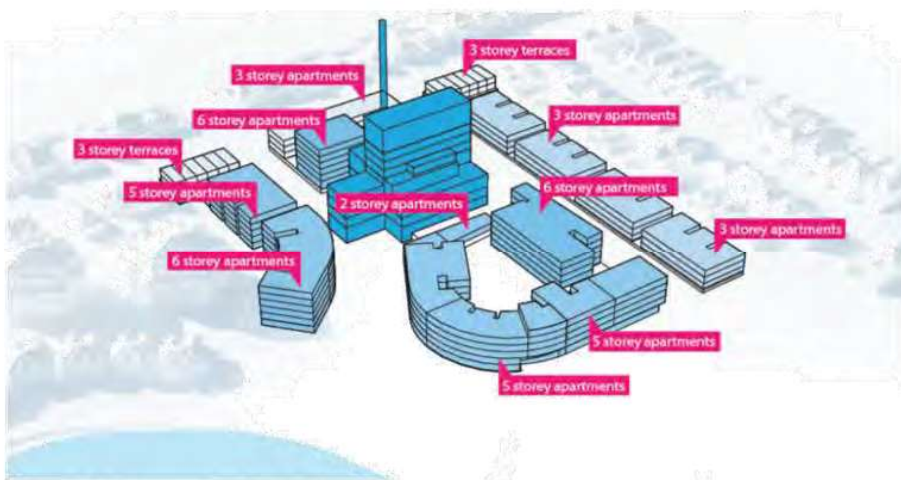


Figure 21: Proposed Building Heights (Source: Roberts Day)

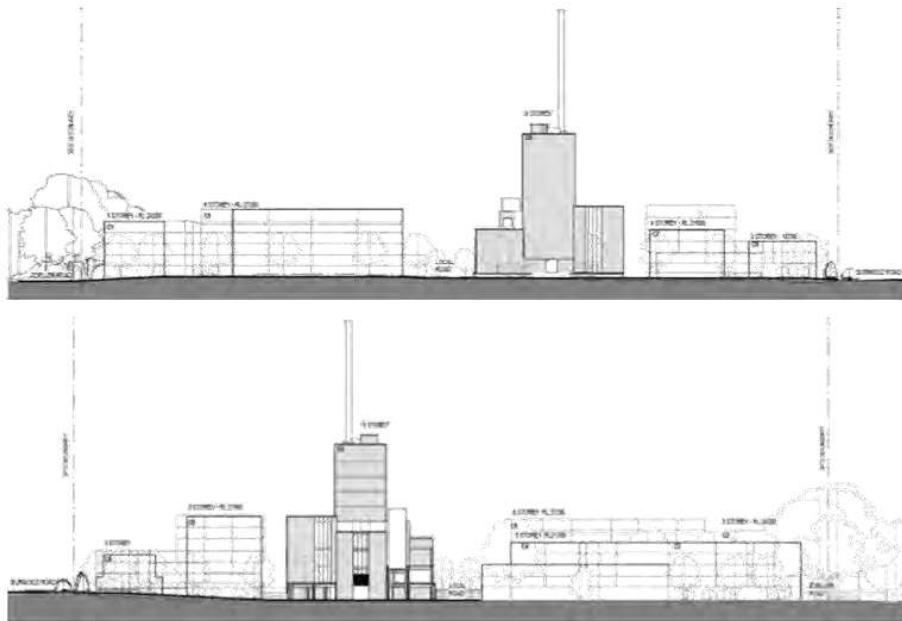
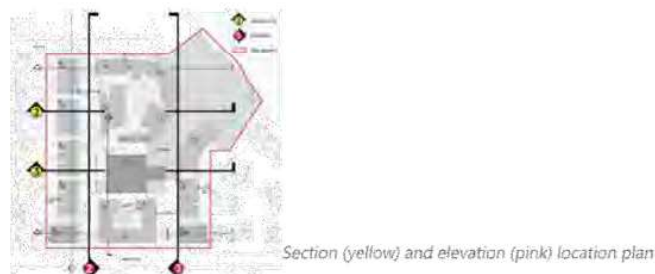


Figure 22: Elevation 2 (top) and 3 (bottom) (Source: AJ+C/BVN)



Figure 23: Site section 2 (top) and 3 (bottom) showing location of employment floorspace (teal/blue) and residential (pink/red) (Source: AJ+C/BVN)



Section (yellow) and elevation (pink) location plan

PART 2 – EXPLANATION OF THE PROVISIONS THAT ARE TO BE AMENDED

The objectives and intended outcomes of the amended Planning Proposal will be achieved by amendments to CBLEP 2013 as they apply to the subject site.

The Planning Proposal requests amendments to the zoning, height of buildings, and FSR controls that apply to the site, together with additional permitted uses and heritage listing of the Central Roasting Hall building. Additional development standards are to be also introduced to Part 6 of the CBLEP 2013 for site specific requirements to the foreshore building line, minimum floorspace for non-residential and light industrial uses, and minimum floorspace to be affordable housing.

A summary is provided in Table 3 below and outlined in detail in the following sections.

Table 3: Summary of Proposed Amendments to CBLEP 2013

Control	Existing CBLEP2013 Provisions	Proposed Provisions
Land Use Zoning	General Industrial IN1	B1 Neighbourhood Centre R3 Medium Density Residential RE1 Public Recreation
Height of Building	12 metres	12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall
FSR	1.0:1	1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks
Part 6 Additional Local Provisions	N/A	Apply Foreshore Building Line (in the RE1 zone) Minimum 10% affordable housing levy contribution Minimum 10,000m ² GFA for non-residential uses, of which a minimum 3,000m ² GFA for light industrial uses located on the ground floor and subject to minimum floor to ceiling heights
Schedule 1 Additional Permitted Uses	N/A	Commercial Premises (in the R3 zone)
Schedule 5 Environmental Heritage	N/A	Former Bushells Factory Building

5.2.1 PROPOSED AMENDMENT TO THE LAND ZONING MAP

Amend CBLEP 2013 'Land Zoning Map' Sheet 004' as it applies to the subject site from IN1 General Industrial to part B1 Neighbourhood Centre, R3 Medium Density Residential, RE1 Public Recreation as shown on Figure 24.



Figure 24: Proposed Land Zoning Map

5.2.2 PROPOSED AMENDMENT TO THE HEIGHT OF BUILDINGS MAP

Amend CBLEP 2013 'Height of Buildings Map Sheet 004' as it applies to the subject site from M-12.0 for a portion of the site to:

- part O1 - 15m (4 storeys);
- part P1 - 17m (5 storeys);
- part P2 - 18m (5 storeys);
- part R1 - 21m (6 storeys);
- RL 46.4 to reflect the existing roof height of the Central Roasting Hall building to be retained; as shown in Figure 25. The remainder of the site remains unchanged.



Figure 25: Proposed Height of Building Map

5.2.3 PROPOSED AMENDMENTS TO THE FLOOR SPACE RATIO MAP

Amend CBLEP 2013 'FSR Map Sheet 004' as it applies to the subject site from N-1.00:1 to 1.25:1 across the whole of the site which, when broken down into the proposed blocks, corresponds to an FSR for each blocks as follows:

- part O - 1.15:1;
- part S* - 1.85:1;
- part T** - 2.1:1;
- part T+ - 2.2:1;
- part V* - 3.05:1

as shown in Figure 26.

* Numbering of categories will need to be amended to accommodate the new block-by-block FSR controls.



Figure 26: Proposed Floor Space Ratio Map

5.2.4 SCHEDULE 5 ENVIRONMENTAL HERITAGE

It is proposed to add the Former Bushells Factory Building as an item of local significance within 'Schedule 5 Environmental Heritage' and added to the Heritage Map of CBLEP 2013 as shown on Figure 27.



Figure 27: Proposed Heritage Map

5.2.5 PROPOSED AMENDMENT TO PART 6 ADDITIONAL LOCAL PROVISIONS

Clause 6.4 Limited development on foreshore area

Amend CBLEP 2013 'Foreshore Building Line Map Sheet 004' to apply to the portion of the site proposed to be zoned RE1 Public Recreation as shown in Figure 28. No change to the written instrument is proposed.



Figure 28: Proposed Foreshore Building Line Map

Clause 6.12 Affordable housing

Amend Clause 6.12 (6) of the CBLEP 2013 and include new Clause 6.12 (6B) as it relates to the site to facilitate 10% of the relevant floor area as affordable housing, consistent with the requirements of the draft Canada Bay Affordable Housing Contribution Scheme as follows.

Existing Canada Bay LEP 2013 clauses	Proposed changes
(6) The affordable housing levy contribution for development in the following affordable housing contribution areas is 5% of the relevant floor area—	(6) The affordable housing levy contribution for development in the Rhodes East affordable housing contribution area is 5% of the relevant floor area.
(a) the 160 Burwood Road Concord affordable housing contribution area,	
(b) the Rhodes East affordable housing contribution area.	
Not applicable	(6B) The affordable housing levy contribution for development in the 160 Burwood Road Concord affordable housing contribution area is 10% of the relevant floor area.

Clause 6.14 Non-residential uses for land at 160 Burwood Road, Concord

As recommended by the SECPP, it is proposed that a minimum 10,000sqm of the total site gross floor area comprise a minimum 3,000sqm light industrial uses (for the provision of urban services) and minimum 7,000sqm for retail and commercial uses. Each shop tenancy is to have a maximum gross floor area of 1,000sqm.

The above outcome could be achieved via a site specific 'Part 6 Additional Local Provisions' clause per the recommendation by the SECPP and as suggested below.

6.14 Non-residential uses for 160 Burwood Road, Concord

(1) The objectives of this clause are to:

- (a) ensure that a suitable amount of non-residential uses are provided for on the site; and
- (b) ensure that the spatial needs of light industrial uses are provided.

(2) This clause applies to land at 160 Burwood Road, Concord being Lot 5, DP 129395, Lot 2 DP 230294, Lot 398 DP 752023, and Lot 399 DP 752023 (the subject land).

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—

- (a) a minimum provision of 10,000 square metres of non-residential gross floor area is provided.
- (b) a minimum provision of 3,000 square metres of light industrial floor space area is provided.
- (c) shops have a maximum gross floor area of 1,000 square metres per tenancy; and
- (d) light industrial uses are located on the ground floor (inclusive of the lower and upper ground floor) and provide floor to ceiling heights that accommodate the activities and equipment of the light industrial use(s).

5.2.6 SCHEDULE 1 ADDITIONAL PERMITTED USES

It is proposed to insert the following clause within 'Schedule 1 Additional permitted uses' of the Canada Bay LEP 2013:

"Use of certain land at 160 Burwood Road, Concord

- (1) *This clause applies to land at 160 Burwood Road, Concord, being Lot 5, DP 129325, Lot 2, DP230294, Lot 398, DP752023 and Lot 399, DP752023 that is zoned R3 Medium Density Residential*
- (2) *Development for the following purposes is permitted with development consent:*
 - (a) *Commercial premises"*

PART 3 – JUSTIFICATION FOR THE OBJECTIVES, OUTCOMES AND THE PROCESS FOR IMPLEMENTATION

5.3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

Q1. IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The amended Planning Proposal is not the result of any strategic study or report.

However, it is noted that Council's 2010 LPS identified a ten-year time frame (commencing 2010) for the retention of industrial uses on the subject site. The LPS foreshadowed potential redevelopment of the site beyond this timeframe.

Further, Council's LSPS contains specific requirements for the Bushells site under *Priority 6 - Provide high quality planning and urban design outcomes for key sites and precincts, Action 6.3*. Inclusion of these requirements in the LSPS reflects Council's intent for the site in response to the planning proposal process undertaken to date.

Q2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

As described in Section 5 Part 1 (Objectives or Intended Outcomes), the vision for the subject site is for place-led regeneration to create a waterfront destination that can serve the day-to-day retail, business, community and urban services needs of the local population.

The proposed changes to zoning, height and floor space ratio and minimum requirements for non-residential floor space represent the best means of achieving this vision.

LAND USE

It is necessary to rezone the site from IN1 General Industrial to part B1 Neighbourhood Centre, part R3 Medium Density Residential, and part RE1 Public Recreation. The majority of land uses proposed in the above vision, with the exception of neighbourhood shops and roads, are prohibited in this zone.

Justification for discontinuing General Industrial uses on the subject site

The subject site is a legacy of Sydney's industrial working harbour. The Canada Bay LGA has seen dramatic change over the years as former industrial sites on the Harbour have been rezoned and replaced with medium density residential and commercial developments. This is reflected in the isolation of the subject site as a single-site industrial zone within a predominantly foreshore residential setting.

The cessation of current manufacturing uses on site stem from changes in the nature and cost of new plant and the desirability to relocate such operations elsewhere in NSW to better satisfy freight and logistic requirements. It also reflects broader economic trends in the declining demand of 'traditional manufacturing'.

Given the site characteristics and surrounding residential uses, it is unlikely that another specialised manufacturing use nor mix of other industrial uses would be suited for the site or accepted by surrounding residents. Accordingly, there is a unique opportunity to introduce a mix of land uses that better complement the waterfront location and residential locality.

Industrial Land Supply and Demand

The ECDP identifies a total industrial land supply of 1,497ha in the Eastern City, of which 0.2% is represented by the site. In terms of employment lands, the Economic Impact Assessment (and addendum) identifies a total of 30.3ha within Canada Bay LGA, of which the subject site accounts for 12.8%. From a strategic perspective, this site represents very limited supply of land to support industrial productivity of the LGA and the Eastern City District.

According to the Economic Impact Assessment, the Inner West industrial market is characterised by low levels of demand and new lease activity. This has been a result of subdued investment resulting in a lack of new developments. Low demand for traditional industrial uses has resulted in the development of alternative uses in industrial areas such as hardware retailing, showrooms and self-storage facilities, rather than manufacturing and urban support services (which are prioritised in the ECDP).

Constraints to ongoing industrial uses

CLEP2013 sets out the following objectives for the IN1 zone:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

Permitted uses include:

Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Places of public worship; Roads; Warehouse or distribution centres

The EIA explores a range of prerequisites and site characteristics required to support viable industrial activity and identifies the following constraints:

- The site does not have ready access to any rail and freight transport nodes, and is located on a local residential street
- The isolation of the site from other industrial and business zones limits any agglomeration benefits for prospective firms
- Manufacturing and many engineering and service industries on the subject site would be contentious because of the potential for increased amounts of run off and pollution to Exile Bay

It is conceivable that the majority of permitted uses in the IN1 General Industrial zone would not be viable on the subject site given its characteristics, nor represent highest and best use (in the case of neighbourhood shops, places of public worship and roads). This potentially limits the ability of the site to achieve the objectives of the zone, noting that the objective to encourage employment opportunities could be readily achieved in alternative land use zones.

Justification for the proposed part B1 Neighbourhood Centre, part R3 Medium Density Residential Zones and part RE1 Public Recreation.

The proposed approach to zoning reflects Council's recommendation in Council Meeting Agenda 14 November 2017 and its letter dated 2 November 2018, as well as the recommendations of the CBLPP on 5 June 2019.

Objective 23 Industrial and urban services land is planned, retained and managed of the Greater Sydney Region Plan lists a range of industrial and urban services activity types. The key relevant types include:

- Urban Services – Industries that enable the city to develop and its businesses and residents to operate. Support the activities of local populations and businesses. Include concrete

batching, waste recycling and transfer, printing, motor vehicle repairs, construction depots, and utilities (electricity, water, gas supply).

- Mixed light industry, new economy or creative use – Low impact uses with a combination of industrial and commercial functions. Include new economy uses (e.g. artisan industries such as furniture making, upholstery, niche manufacturing) and creative uses.

There is currently no legal definition, zone or performance criteria in the Standard Instrument Local Environmental Plan template for 'urban services' or 'mixed light industry, new economy' or 'creative use'. However, the B1 Neighbourhood Centre zone will adequately cater for these uses through:

- The objective of the zone to provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood; and
- Permissible uses which include boarding houses; business premises; centre-based child care facilities; community facilities; hotel or motel accommodation; light industries; medical centres; neighbourhood shops; respite day care centres; roads; and shop top housing.

The proposed B1 Neighbourhood Centre zone will enable the development of urban services (light industries), as well as become the focus of the retail and commercial uses.

The objectives of the R3 Medium Density Residential zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Relevant uses permissible in the R3 Medium Density Residential zone include: attached dwellings; centre-based child care facilities; community facilities; multi dwelling housing; neighbourhood shops; recreation areas and residential accommodation (with the exception of shop top housing, which is a prohibited use). Commercial premises are proposed to be made an additional permitted use within the portion of the site proposed to be zoned R3 Medium Density Residential.

The objectives of the RE1 Public Recreation Zone are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The zoning of the site into the three land use types reflects the intent of an activity core at the heart of the site connected to public open space at the waterfront with residential uses interfacing Burwood Road and existing residential use at the boundaries. The Foreshore Building Line Map is proposed to be amended to include to the portion of the site zoned RE1 Public Recreation to apply an additional layer of protection to the foreshore area.

Consideration of alternative zonings

In considering the above proposed land use zoning for the subject site, the following alternatives have been explored.

Majority R1 General Residential combined with B1 Neighbourhood Centre

The R1 General Residential zone permits building types proposed in the site concept plan – Centre-based child care facilities; Commercial premises; Community facilities; Light industries; Multi dwelling housing; Neighbourhood shops; Recreation areas; Residential accommodation; Residential flat buildings; and Shop top housing. The R1 General Residential zone is currently

used in Mortlake under the CBLEP 2013. It could be perceived that the R1 General Residential Zone is 'higher order' than the R3 Medium Density Residential Zone.

B1 Neighbourhood Centre with Residential Flat Buildings and Multi-Unit Housing as an Additional Permitted Use

This approach reflects a single land use zone, B1 Neighbourhood Centre, for the site. However, as this land use zone does not provide for residential accommodation other than shop top housing, residential flat buildings and multi-unit housing would be proposed as Additional Permitted Uses. The B1 Neighbourhood Centre zone does not reflect the primary intent of the site to accommodate a new residential community and respond to residential interface adjacent

R3 Medium Density Residential with Shop top Housing and Commercial Premises as Additional Permitted Use

This approach adopts a single land use zone for the site which more accurately reflects the land use allocation of floor space in the Concept Plan, however does not provide for shop top housing. Prohibition of shop top housing is a constraint to the intent of the Concept Plan to adaptive re-use of the Central Roasting Hall to incorporate retail uses that would open the building for public use and enjoyment, as seen in other successful heritage themed centres such as Harold Park in Forest Lodge, Danks Street in Waterloo, The Grounds of Alexandria in Alexandria and The Bakehouse Quarter in North Strathfield. Accordingly, this would require shop top housing and commercial premises as an Additional Permitted Use.

B4 Mixed Use Zone

Previous Planning Proposals for the subject site have proposed the B4 Mixed Use zone, originally deemed by the Proponent as the most appropriate land use zone to realise the vision for the site in terms of the following zone objectives:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

Council has maintained the view that the B4 Mixed Use zone is not an appropriate land use zone to be applied to this site as the site is not located in a major centre and cannot be characterised as being in a location with high accessibility. Furthermore, the recent removal of Residential Flat Buildings as a permitted land use in the B4 Mixed Use Zone limits ability to deliver the vision for the site.

Council's view is that the proposal is more aligned with the objectives of the B1 Neighbourhood Centre zone "to provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood" than with the objectives of the B4 Mixed Use Zone.

Accordingly, this amended PP reflects Council's recommendation for part B1 Neighbourhood Centre and part R3 Medium Density Residential and SECPP's view that a range of local service uses, including light industrial uses, should be permissible on the site.

HEIGHT OF BUILDINGS

The existing factory building has a maximum roof height of 46.6m AHD (with a chimney stack up to 78m) and currently exceeds the maximum height control of 12m.

The retention of the Central Roasting Hall sets the context for an intensification of built form. The amended Planning Proposal has been revised to address previous concerns about height and scale, specifically the following recommendations by the CBLPP on 5 June 2019:

- *Buildings on the western boundary should be three (3) storeys maximum.*
- *Buildings along eastern boundary should be between four (4) to six (6) storeys.*

- Along the southern boundary buildings should be three (3) storeys as viewed from the street.
- Proposed building C5 should be reduced to between five (5) and six (6) storeys to maintain the visual prominence of the Roasting Hall which should remain the prominent building when viewed from all vantage points – consistent with the current context.

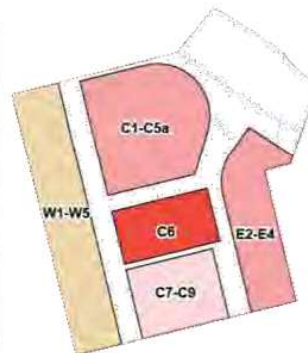
The revised Concept Plan adopts the transitional approach identified above, ensuring the value of the factory as a recognisable landmark in the urban landscape as well as solar access to surrounding residential buildings.

The proposed Height of Building and FSR maps closely reflects the location of built form in the Concept Plan, as well as the required ground floor heights to accommodate urban services, retail and commercial uses, and lift overruns. Accordingly, the proposed maps provide a measure of certainty that the intended urban design outcomes will be achieved.

FLOOR SPACE RATIO

The current maximum FSR on the site is 1.0:1. The original Planning Proposal sought a maximum FSR of 1.95:1 across the entire site. In response to concerns raised by Council, the CBLPP, the SECPP, and Gateway Determination, this amended Planning Proposal proposes a maximum FSR of 1.25:1 applicable across the whole site. Based on the Concept Plan (AJ+C /BVN, May 2022), this corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 when broken down into the proposed blocks. The total resulting maximum Gross Floor Area is approximately 48,551sqm, representing a site wide FSR of 1.25:1. The Concept Plan GFA break-down is outlined in the table and diagram below.

Block	Area (sqm)	Concept Plan GFA (sqm)	FSR
C1-C5a	7,035	15,338.99	2.2:1
C6	2,945	8,920.7	3.05:1
C7-C9	3,500	6317	1.85:1
E2-E4	4,730	9770.78	2.1:1
W1-W5	7,330	8204.04	1.15:1
Land without GFA	13,900	Nil	Nil
Site Total	39,440	48,551	1.25:1



NON-RESIDENTIAL FLOOR SPACE

To ensure that future development of the site is of an appropriate residential density and adequately provides for commercial and urban services necessary to support the local community, the SECPP recommended a development standard be introduced into the CBLEP 2013 which sets out minimum provisions for non-residential uses, including urban services / light industrial uses.

The provision relates to the distribution of gross floor area within the site, specifically 10,000m² of non-residential uses, of which 3,000m² is for urban services / light industrial uses.

It is considered that the most appropriate means for ensuring this outcome would be the inclusion of a new clause under Part 6 Additional Local Provisions.

5.3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS OF THE APPLICABLE REGIONAL, SUB-REGIONAL OR DISTRICT PLAN OR STRATEGY (INCLUDING ANY EXHIBITED DRAFT PLANS OR STRATEGIES)?

As identified in Section 3, the relevant Regional, Sub-Regional and District Plans are:

- Metropolis of Three Cities: Greater Sydney Region Plan
- Eastern City District Plan
- Parramatta Road Urban Transformation Strategy

METROPOLIS OF THREE CITIES: GREATER SYDNEY REGION PLAN

The following section addresses the consistency of the amended Planning Proposal with the Ten Directions of the GSRP and the relevant objectives:

- A city supported by infrastructure – Infrastructure supporting new developments
- A collaborative city – Working together to grow a Greater Sydney
- A city for people – Celebrating diversity and putting people at the heart of planning
- Housing the city – Giving people housing choices
- A city of great places – Designing places for people
- A well-connected city – Developing a more accessible and walkable city
- Jobs and skills for the city – Creating the conditions for a stronger economy
- A city in its landscape – Valuing green spaces and landscape
- An efficient city – Using resources wisely
- A resilient city – Adapting to a changing world

Direction 1: A city supported by infrastructure – Infrastructure supporting new developments

- *Objective 1: Infrastructure supports the three cities*
- *Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact*
- *Objective 3: Infrastructure adapts to meet future needs*
- *Objective 4: Infrastructure use is optimised*

This Direction relates to aligning the delivery of infrastructure with the delivery of housing in areas identified/planned for growth including Planned Precincts, Growth Areas, Collaboration Areas and Urban Transformation Areas.

The subject site does not involve the delivery of infrastructure, nor is it located within a Planned Precinct, Growth Area, Collaboration Area, nor the Western City District.

Accordingly, this direction is not applicable to the amended Planning Proposal.

Direction 2: A Collaborative City – Working together to grow a Greater Sydney

- *Objective 5: Benefits of growth realised by collaboration of governments, community and business*

This direction relates to collaboration between the three tiers of government with respect to the planning and delivery of infrastructure, housing and jobs in both greenfield and urban renewal contexts.

Collaboration projects include the Western City Deal, Collaboration Areas, Growth Areas / Urban Renewal Corridors, Planned Precincts and Urban Transformation Areas.

The key actions under this direction include the identification, prioritisation and delivery of Collaboration Areas, and the co-ordination of land use and infrastructure for the Western City District.

The subject site is not located within a Planned Precinct, Growth Area, Collaboration Area, Urban Transformation Area nor the Western City District.

Accordingly, this direction is not applicable to the amended Planning Proposal.

Direction 3: A city for people – Celebrating diversity and putting people at the heart of planning

- *Objective 6: Services and infrastructure meet communities' changing needs*
- *Objective 7: Communities are healthy, resilient and socially connected*
- *Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods*
- *Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation*

This Direction sets out to foster active, resilient and connected communities by planning places that reflect their local identity, heritage and cultural values and have easier access to a range of services.

The amended Planning Proposal is underpinned by a Concept Plan focused on creating a riverside urban village that reflects the industrial character of the site. The scheme is focused on the retention and adaptive re-use of the Central Roasting Hall, including ground floor retail and commercial uses that would serve the day-to-day needs of the local community.

The Concept Plan provides for a public plaza that could cater for community markets as well as foreshore park for public recreation, thereby optimising the use of available land for social interaction.

The mixed use nature of the amended Planning Proposal enables the creation of a truly walkable neighbourhood. The proposed public roads and series of public spaces connected to ground floor retail/commercial uses as well as the foreshore provides greater opportunities for walking and cycling and contributes to active street life.

The diversity of housing (including affordable housing) proposed in the development scheme will cater for a range of household types.

Opportunities for creative and artistic expression and participation will be provided for in the proposed maker and creative spaces within the adaptively-reused Central Roasting Hall. The public plaza would also provide for opportunities for art and cultural events.

Accordingly, the amended Planning Proposal is consistent with this Direction and associated Objectives 6, 7, 8 and 9.

Direction 4: Housing the city – Giving people housing choices

- *Objective 10: Greater housing supply*
- *Objective 11: Housing is more diverse and affordable*

This Direction is focused on delivering adequate supply of a diverse range of housing in the right locations. The amended Planning Proposal is in accordance with this Direction and its associated objectives.

This amended Planning Proposal seeks to introduce residential uses onto the site, which would contribute to achieving housing supply targets in the Canada Bay LGA.

The development scheme proposes approximately 400 dwellings comprising terraces and apartments of which 10% will be Affordable Housing. Affordable Housing will be provided consistent with the requirements of the former SEPP 70 and Council's draft Affordable Housing Contribution Scheme and is proposed to be updated to reflect the recommendations of the Eastern City Planning Panel.

Direction 5: A city of great places – Designing places for people

- *Objective 12: Great places that bring people together*
- *Objective 13: Environmental heritage is identified, conserved and enhanced*

This Direction promotes great places, characterised by a mix of land uses and activities that provide opportunities for social connection in walkable, human scale, fine grain neighbourhoods.

As described above, the amended Planning Proposal seeks to enable a place-led regeneration of the site into a mixed-use riverside village that would become a walkable local destination. A key element of this vision is the retention of the Central Roasting Hall building, given its contribution to local character and its relationship to Sydneys harbour's industrial past.

It is proposed that the Former Bushells Factory Building be listed as an item of Local Heritage in Schedule 5 Environmental Heritage of CBLEP 2013.

Accordingly, the amended Planning Proposal is in accordance with this Direction and its objectives.

Direction 6: A well-connected city – Developing a more accessible and walkable city

- *Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*
- *Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive*
- *Objective 16: Freight and logistics network is competitive and efficient*
- *Objective 17: Regional connectivity is enhanced*

A key outcome of this Direction is for the integrating of land use and transport so that more people have 30-minute access to one of the three metropolitan centres /cluster and to services in their nearest strategic centre seven days a week.

The amended Planning Proposal would enable the establishment of a new community within 30-minute public commute to Burwood Strategic Centre and Rhodes Collaboration Area. Accordingly this amended Planning Proposal is consistent with Objective 14.

Objectives 15, 16 and 17 are not relevant to this amended Planning Proposal because:

- The subject site is not located within the Eastern, GOP or Western Economic Corridors.
- It does not involve freight or logistic land uses; and
- The site is not located in a regional location nor does it require connections to regional locations.

Direction 7: Jobs and skills for the city – Creating the conditions for a stronger economy

- *Objective 18: Harbour CBD is stronger and more competitive*
- *Objective 19: Greater Parramatta is stronger and better connected*
- *Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City*
- *Objective 21: Internationally competitive health, education, research and innovation precincts*
- *Objective 22: Investment and business activity in centres*
- *Objective 23: Industrial and urban services land is planned, retained and managed*
- *Objective 24: Economic sectors are targeted for success*

This Direction focuses on increasing jobs in metropolitan and strategic centres and providing greater choice for where development can occur to enable the required employment growth.

The relocation of the Bushells Factory operations will represent a loss of 136 industrial jobs on the site. However, the amended Planning Proposal scheme is estimated to provide a net increase of 51 jobs on the site (in retail, hospitality and services), thereby contributing to employment targets in the region. Accordingly, the amended Planning Proposal is generally consistent with this Direction.

Objectives 18, 19 and 20 are not relevant to this amended Planning Proposal as the subject site is not located in the Harbour CBD, Greater Parramatta nor Western Sydney Airport and Badgerys Creek Aerotropolis.

Objective 21 is not relevant given the subject site is not located within an identified health, education, research or innovation precinct.

Objective 22 identifies a hierarchy of centres with local centres being the lowest order and which are to be considered at the local level (i.e. by Council). The amended Planning Proposal seeks to provide for ground floor retail / commercial uses that would be of a neighbourhood centre scale, with a maximum shop tenancy of 1,000m² Gross Floor Area. The Retail Demand Assessment identified that this level of retail / commercial use provision will not adversely impact the viability of nearby local and strategic centres.

Objective 23 sets out to safeguard existing industrial land from redevelopment for residential and other uses to ensure adequate land is available for urban services, freight, logistics and advanced manufacturing. The proposal seeks to rezone industrial land to a mix of neighbourhood centre and medium density residential uses. The continued suitability and appeal of the site for industrial use is constrained by the site's peninsular location, poor road access for heavy vehicles and proximity to sensitive residential uses. More broadly, the Inner West industrial market is characterised by low levels of demand and a shift away from traditional industrial uses. Accordingly, the outcomes sought by applying the 'retain and manage' principle would not be met if the site were to be retained entirely as an IN1 Industrial Zone. Notwithstanding the above site suitability issues, the 'retain and manage' principle encourages a mix of economic outcomes that support the city and population. The Planning Proposal makes provision for light industry uses within the B1 Neighbourhood Center zone which will enable a range of emerging 'urban services' to occur that support the local community and reflect the changing uses and character of employment lands in Eastern Sydney. On that basis, the 'retain and manage' principle could be achieved by the mix of uses proposed in the amended Planning Proposal.

Objective 24 is not relevant to this Planning Proposal as it is not within a key economic precinct.

Direction 8: A city in its landscape – Valuing green spaces and landscape

- *Objective 25: The coast and waterways are protected and healthier*
- *Objective 26: A cool and green parkland city in the South Creek corridor*
- *Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced*
- *Objective 28: Scenic and cultural landscapes are protected*
- *Objective 29: Environmental, social and economic values in rural areas are protected and enhanced*
- *Objective 30: Urban tree canopy cover is increased*
- *Objective 31: Public open space is accessible, protected and enhanced*
- *Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths*

The original Planning Proposal sought to include a range of additional permitted uses that would enable a mooring jetty and man-made beach to be constructed on Exile Bay. Council's feedback was that the proposed uses were inconsistent with the delegation of Exile Bay for protection.

This amended Planning Proposal no longer seeks additional permitted uses on Exile Bay nor is it proposed to enable uses or activities that would compromise the environmental quality of Exile Bay. Future development would need to demonstrate zero net impact on the environmental values of Exile Bay at the Development Application stage. Accordingly, the amended Planning Proposal is generally in accordance with Objective 25.

Objectives 26, 27, and 29 are not relevant given that:

- The subject site is not located in the South Creek Corridor;
- The site does not have any significant biodiversity values to be protected nor does it contain urban bushland or remnant vegetation;
- The site is not located in a rural area.

The retention of the Central Roasting Hall together with the proposed maximum height of buildings will ensure the visual and scenic quality of the Bushells factory as a landmark along the Parramatta River is not diminished. Accordingly, this amended Planning Proposal is in accordance with Objective 28.

It is proposed to retain existing trees along the eastern and western boundary of the site, and the trees within the north east portion of the site including the Hills Fig Tree. To ensure protection and suitability trees to be retained an Arboricultural Assessment Report has been prepared (Appendix G). The amended Concept Plan achieves 26% tree canopy cover, an increase from what currently exists. It is also proposed to include a control in the DCP that requires 25% tree canopy cover across the whole site. Accordingly, this amended Planning Proposal is in accordance with Objective 30.

The amended Planning Proposal is consistent with Objective 31 as the Concept Plan includes the enhancement of the existing frontage to Exile Bay into a publicly accessible park.

The amended Planning Proposal is also consistent with Objective 32 in that it will enhance the link between Burwood Town Centre and Hen & Chicken Bay as well as create a more permeable site that will provide greater pedestrian and cycle access to the foreshore.

Direction 9: An efficient city – Using resources wisely

- *Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change*
- *Objective 34: Energy and water flows are captured, used and re-used*
- *Objective 35: More waste is re-used and recycled to support the development of a circular economy*

The urban renewal of the site will provide opportunities for greater sustainability measures to be implemented on site than currently exists to mitigate the impacts of climate change.

Direction 10: A resilient city – Adapting to a changing world

- *Objective 36: People and places adapt to climate change and future shocks and stresses*
- *Objective 37: Exposure to natural and urban hazards is reduced*
- *Objective 38: Heatwaves and extreme heat are managed*

The urban renewal of the site will provide opportunities to address future shocks, stresses, and urban and natural hazards.

Restoration works to the seawall are proposed as part of the Draft VPA offer which contributes to achieving a resilient city.

EASTERN CITY DISTRICT PLAN

The Directions of the GSRP are carried through in the ECDP, and are supported by Planning Priorities, which are generally consistent with the GSRP Objectives.

Accordingly, the consistency of the amended Planning Proposal with the ECDP is as per the responses to the GSRP above, with some slight variations. To avoid repetition, the table below makes reference to the responses above where relevant.

Table 4: Consistency with the Eastern City District Plan

DIRECTION	PLANNING PRIORITY	AMENDED PLANNING PROPOSAL RESPONSE
A city supported by infrastructure	<i>Planning Priority E1 Planning for a city supported by infrastructure</i>	As per GSRP response to Objectives 1-4
A Collaborative City	<i>Planning Priority E2 Working through collaboration</i>	As per GSRP response to Objective 5
A city for people	<i>Planning Priority E3 Providing services and social infrastructure to meet people's changing needs</i> <i>Planning Priority E4 Fostering healthy, creative, culturally rich and socially connected communities</i>	As per GSRP response to Objectives 6-9

DIRECTION	PLANNING PRIORITY	AMENDED PLANNING PROPOSAL RESPONSE
Housing the city	<i>Planning Priority E5 Providing housing supply, choice and affordability with access to jobs, services and public transport</i>	<p>It is noted that the ECDP envisages new housing is to be delivered Sydenham-Bankstown, Parramatta Road and Redfern to Eveleigh urban renewal corridors, as well as the Bayside West Precincts and The Bays.</p> <p>Although the site is not within these precincts, future residential development on the site will be in accordance with the 30-minute city aspiration given recently improved bus services to Burwood Town Centre.</p>
A city of great places	<i>Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage</i>	<p>As per GSRP response to Objectives 6-9.</p> <p>It is noted that this Planning Priority is focused on centres of a higher order than the neighbourhood scale proposed in the amended Planning Proposal.</p>
A well-connected city	<i>Planning Priority E10 Delivering integrated land use and transport planning and a 30-minute city</i>	<p>Although the site is not a strategic centre nor identified within a transit corridor, future development on the site will be in accordance with the 30-minute city aspiration given recently improved bus services to Burwood Town Centre.</p>
Jobs and skills for the city	<p><i>Planning Priority E7 Growing a stronger and more competitive Harbour CBD</i></p> <p><i>Planning Priority E8 Growing and investing in health and education precincts and the Innovation Corridor</i></p> <p><i>Planning Priority E9 Growing international trade gateways</i></p>	<p>Consistency of the amended Planning Proposal with Planning Priorities E7-E11 are as per GSRP responses to Objective 18, 21, 22 and 24.</p>

DIRECTION	PLANNING PRIORITY	AMENDED PLANNING PROPOSAL RESPONSE
Jobs and skills for the city (cont.)	<p><i>Planning Priority E11 Growing investment, business opportunities and jobs in strategic centres</i></p> <p><i>Planning Priority E12 Retaining and managing industrial and urban services land</i></p> <p><i>Planning Priority E13 Supporting growth of targeted industry sectors</i></p>	<p>The Planning Proposal makes provision for a minimum 3,000m² of light industry uses on the site to enable a range of emerging 'urban services' to occur that will support the local community and reflect the changing uses and character of employment lands in Eastern Sydney.</p> <p>Planning Priority 13 identifies tourism as a key industry sector in the Eastern City. This is not relevant to the amended Planning Proposal as it is not proposed that the renewal of the site would be for tourism purposes.</p>
A city in its landscape	<p><i>Planning Priority E14 Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways</i></p> <p><i>Planning Priority E15 Protecting and enhancing bushland and biodiversity</i></p> <p><i>Planning Priority E16 Protecting and enhancing scenic and cultural landscapes</i></p> <p><i>Planning Priority E17 Increasing urban tree canopy cover and delivering Green Grid connections</i></p> <p><i>Planning Priority E18 Delivering high quality open space</i></p>	<p>As per the response to GSRP Objectives 25-32.</p>
An efficient city	<p><i>Planning Priority E19 Reducing carbon emissions and managing energy, water and waste efficiently</i></p>	<p>As per the response to GSRP Objectives 33-35.</p>
A resilient city	<p><i>Planning Priority E20 Adapting to the impacts of urban and natural hazards and climate change</i></p>	<p>As per the response to GSRP Objectives 36-38.</p>

STRATEGIC MERIT ASSESSMENT CRITERIA

Merit Assessment Criteria apply when a planning proposal is not consistent with a strategy but may nonetheless have merit. Given that the subject site is not located with an identified strategic centre, corridor or growth area in the GSRP or the ECDP, a summarised merit assessment of the amended Planning Proposal is provided in Table 5.

Table 5: Summary Strategic Merit Assessment

a) Does the proposal have strategic merit? Is it:	
<ul style="list-style-type: none"> ▪ Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or 	<p>Both the Greater Sydney Region Plan (Objective 23 / Strategy 23.1) and the Eastern City District Plan (Action 51 / Planning Priority E12 Retain and Manage industrial and urban services land) set out to safeguard existing industrial land from redevelopment for residential and other uses to ensure adequate land is available for urban services, freight, logistics and advanced manufacturing.</p> <p>The continued suitability and appeal of the site for industrial use is constrained by the site's peninsular location, poor road access for heavy vehicles and proximity to sensitive residential uses. More broadly, the Inner West industrial market is characterised by low levels of demand and a shift away from traditional industrial uses. Accordingly, the outcomes sought by applying the 'retain and manage' principle would not be met if the site were to be retained entirely as an IN1 Industrial Zone.</p> <p>Notwithstanding the above site suitability issues, the 'retain and manage' principle encourages a mix of economic outcomes that support the city and population. The Planning Proposal makes provision for light industry uses in the B1 Neighbourhood Centre zone that will enable a range of emerging 'urban services' to occur that support the local community and reflect the changing uses and character of employment lands in Eastern Sydney.</p> <p>On that basis, the 'retain and manage' principle could be achieved by the mix of uses proposed in the amended Planning Proposal.</p>
<ul style="list-style-type: none"> ▪ Consistent with a relevant local council strategy that has been endorsed by the Department; or 	<p>The amended Planning Proposal is consistent with the Canada Bay Local Strategic Planning Statement, which was GSC assured in March 2020. It is also consistent with the Local Planning Strategy 2010-2031, which was endorsed by the Department on 27 November 2009. Refer to responses provided in Tables 6 and 7 to follow.</p>

<ul style="list-style-type: none"> Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls. 	<p>The Planning Proposal responds to a change in circumstances, given the planned cessation of manufacturing operations on the site due to declining viability, and the relocation of such operations elsewhere in NSW to better satisfy freight and logistic requirements. Given the site characteristics and surrounding residential uses, it is unlikely that another specialised manufacturing use nor mix of other industrial uses would be suited to the site or accepted surrounding residents. Accordingly, there is a unique opportunity to introduce a mix of land uses that better complement the waterfront location and residential locality.</p>
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Q4. IS THE PLANNING PROPOSAL CONSISTENT WITH A COUNCIL'S LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN?

The amended Planning Proposal is consistent with the relevant local strategies as follows.

CANADA BAY LOCAL PLANNING STRATEGY 2010-2031

Table 6: Consistency with Canada Bay Local Planning Strategy 2010-2031

LPS OBJECTIVE AND ACTION	AMENDED PLANNING PROPOSAL RESPONSE
Part 4 - EMPLOYMENT	
<p><i>Objective E5 - Retain industrial sites within the LGA</i></p> <ul style="list-style-type: none"> Action E8 – Retain industrial zones at George Street, North Strathfield, Leeds Street Rhodes and the FreshFood Site, Concord. <p>The LPS notes that Council supports the retention of these areas for industrial purposes for the medium term with further investigation to occur within the following timeframes:</p> <ul style="list-style-type: none"> – George Street – 5 years – Leeds Street – 10 years – FreshFood Site – 10 years 	<p>The Bushell's factory operations on this site are due to cease imminently, which aligns with the timeframe in which Council foreshadows redevelopment of the site to be investigated.</p>
<p><i>Objective E7 - Encourage a diverse employment base within Canada Bay</i></p> <ul style="list-style-type: none"> Action E12 – Protect opportunities for foreshore businesses and investigate opportunities to support these types of businesses 	<p>The amended Planning Proposal will result in a net increase of 51 jobs on the site, replacing jobs in manufacturing with those in retail, hospitality and service industries.</p>

LPS OBJECTIVE AND ACTION	AMENDED PLANNING PROPOSAL RESPONSE
Part 5 - TRANSPORT AND ACCESS	
<p><i>Objective T1 - Integrate land use and transport</i></p> <ul style="list-style-type: none"> ▪ Action T2 - Focus new development in areas within walking distance of centres and public transport 	<p>The amended Planning Proposal would provide for retail/commercial services that would enable a walkable alternative to Majors Bay Road shops for residents of the peninsula to meet their day-to-day shopping needs. The re-routing of the 466 bus with improved services provides for new residents within a short commute to Burwood Town Centre.</p>
<p><i>Objective T2 - Promote the use of public transport</i></p> <ul style="list-style-type: none"> ▪ Action T4 - Improve pedestrian access to public transport 	<p>The Concept Plan creates permeability through the site by providing a new link between Zoeller Street and Burwood Road, improving pedestrian access to the existing bus stop at the front of the site.</p>
<p><i>Objective T3 - Promote walking and cycling for local trips</i></p> <ul style="list-style-type: none"> ▪ Action T11 – Reinforce pedestrian scale through urban design ▪ Action T12 - Upgrade walking and cycling facilities to improve everyday access within neighbourhoods, including links to foreshore, bushland, parks and centres. 	<p>The Concept Plan provides greater permeability through the site and enhanced access to the Exile Bay foreshore, thereby facilitating active transport.</p>
<p><i>Objective T4 - Manage the impact of traffic and parking</i></p> <ul style="list-style-type: none"> ▪ Action T14 – Enhance movement of vehicles other than private cars. 	<p>The Concept Plan provides several pedestrian/cycling links across the site to the foreshore walkway, and to Burwood Road, and the various bus routes available in close proximity to the site.</p>
Part 6 - RECREATION AND OPEN SPACE	
<p><i>Objective R1 - Respond to future recreation needs and identify opportunities for multi-use of green space</i></p> <ul style="list-style-type: none"> ▪ Action R3 - Provide additional civic space when developing plans for centres ▪ Action R6 - Facilitate public access to the foreshore 	<p>The Concept Plan provides for new public open space including a plaza and foreshore park. As noted above, the Concept Plan includes a new public road and a more permeable structure to facilitate public access to Exile Bay.</p>

LPS OBJECTIVE AND ACTION	AMENDED PLANNING PROPOSAL RESPONSE
Part 8 - HERITAGE	
<i>Objective H1 - Ensure that development does not adversely affect heritage significant places</i>	<p>The Heritage Impact Statement at Appendix K confirms that there will be no adverse heritage impacts as a result of the Planning Proposal.</p> <p>The amended Planning Proposal seeks to retain, conserve and protect the Bushells Factory Building by listing it as an item of local heritage in the CBLEP 2013.</p>

CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT

Table 7: Canada Bay Local Strategic Planning Statement

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
PART 1- INFRASTRUCTURE & COLLABORATION		
Priority 1. Planning for a City that is supported by infrastructure	1.1 Review the Canada Bay S7.11 and S7.12 Contribution Plans to ensure that local infrastructure is provided to support the needs of new residents.	Contributions will be required following DA approval. A Draft VPA offer forms part of the amended Planning Proposal which includes provision of local infrastructure.
	1.2 Work with neighbouring Councils, Transport for NSW and the Department of Planning and Environment to enable the delivery of dedicated rapid public transport and place-based outcomes along the Parramatta Road Corridor.	Noted - for Council to action. The site is not located within the Parramatta Road Corridor.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>1.3 Work collaboratively with the Greater Sydney Commission, State Government and other stakeholders to:</p> <ul style="list-style-type: none"> ▪ ensure urban design outcomes for all Planned Precincts and renewal areas facilitate a diversity of housing typologies, adaptable car parking and basement spaces (minimum 2.4 metres clear height), density with a human scale and a diversity of building typologies; ▪ Implement the 'movement and place' framework when undertaking planning for Local Centres and key road corridors and require new high density developments to provide adequate offstreet loading facilities; and ▪ Deliver social infrastructure, high quality public domain and local open space. 	<p>The Concept Plan for the site contains a diversity of housing types within a diversity of building typologies to address the needs of the community and provide human scale. This includes approximately 400 new dwellings in the form of shoptop housing, flat residential buildings and multi-unit dwellings, ranging in height from 3 storeys (12m) to 6 storeys (21m), including the adaptive re-use of the existing Central Roasting Hall factory building.</p> <p>Future basement parking will include adaptable car parking and minimum 2.4 metre clear heights. Loading facilities can be accommodated within future development.</p> <p>Approximately 5,900m² of land to be dedicated as public open space upon completion of the development project.</p>
	<p>1.4 Work collaboratively with Sydney Metro and the Department of Planning and Environment to ensure that land use change around Sydney Metro West stations delivers high quality outcomes that include:</p> <ul style="list-style-type: none"> ▪ a desired future character statement prepared in consultation with the community; ▪ social infrastructure, active transport and walkability; and ▪ high quality public domain and open space. 	<p>The site is not located within the identified Urban Renewal Areas associated with the future Sydney Metro West stations.</p> <p>The Concept Plan includes provision of pedestrian/cycle link across the site to the foreshore walkway, to Burwood Road, and bus stops in close proximity to the site. It also includes provision for new open space and associated landscape embellishments to public domain.</p>
	<p>1.5 Work with Sydney Local Area Health District (SLHD) and Yaralla to deliver increased opportunities for public access, informal recreation and biodiversity outcomes on Walker Estates.</p>	<p>Not applicable. Not part of Walker Estates.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	1.6 Actively encourage the shared use of land and facilities, including schools, but only where the shared use does not reduce the existing availability of public open space for general community use.	The Concept Plan forming part of amended Planning Proposal improves public access to existing open spaces with new open space, plaza and streets for general community use.
	1.7 Work with Local Aboriginal Land Councils to ensure the needs of the LALC are identified and considered and, where appropriate, support Aboriginal self-determination, economic participation and cultural expression.	Noted - no particular needs identified for site.
Priority 2. Work towards best-practice planning and infrastructure provision for Rhodes Planned Precinct, creating a model for sustainable, high quality development	2.1 Work with the Greater Sydney Commission, NSW State Government and other stakeholders on the Rhodes Planned Precinct, to ensure that the following infrastructure is included in plans that guide future development.	Not applicable - the site is not within Rhodes Planned Precinct.
PART 2 - LIVEABILITY		
Priority 3. Provide community services and facilities to meet people's changing needs	3.1 Finalise and implement the Canada Bay Social Infrastructure (Community Facilities) Strategy.	Note - for Council to action.
	3.2 Update the Canada Bay Development Contributions Plan to include relevant works identified within Canada Bay Social Infrastructure (Community Facilities) Strategy.	Note - for Council to action.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
<p>Priority 4. Foster safe, healthy, creative, culturally rich and socially connected communities</p>	<p>4.1 Review the Canada Bay Development Control Plan to deliver controls in relation to:</p> <ul style="list-style-type: none"> ▪ provision of a proportion of all new apartment development is adaptable and accessible; ▪ adequate provision of communal / shared spaces (e.g. music rooms, study and meeting space) is provided in future high density development; ▪ minimisation of impacts of air and noise pollution on new development from road and rail corridors; ▪ inclusion of common loading docks for receiving of home deliveries and service vehicles (trades etc.) in new commercial and medium/high density residential developments; and ▪ regard for Cancer Council NSW Guidelines to Shade in land use plans for the public domain and new public infrastructure. 	<p>The amended Planning Proposal ensures all apartment development can include adaptable and accessible units.</p> <p>The Concept Plan forming part of the amended Planning Proposal includes a variety of housing types, shops and services to meet the needs of local residents of the site and surrounding areas.</p> <p>Communal spaces are accommodated in the Concept Plan.</p> <p>Rezoning the subject site will reduce impacts of air and noise pollution in the vicinity of the site that may result from industrial use on the site.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>4.2 Implement and where necessary, update the following City of Canada Bay Plans:</p> <ul style="list-style-type: none"> ▪ The Disability Inclusion Action Plan to remove barriers to participation for people with a disability. ▪ The Community Safety and Crime Prevention Plan to increase safety and reduce opportunity for criminal activity. ▪ The Public Art Plan and the City of Canada Bay Cultural Plan to explore opportunity for cultural and artistic expression. 	<p>The Concept Plan forming part of the amended Planning Proposal delivers a highly permeable network through the site and to surrounding facilities and public transport for all pedestrians including people with a disability. This will facilitate activity, reducing opportunities for criminal activity through significant public access.</p> <p>The Concept Plan envisages a public plaza and the enhancement of the Exile Bay frontage to become a publicly accessible park, which in accordance with Canada Bay Cultural Plan to explore the opportunity for activity and event along the foreshore.</p>
	<p>4.3 Investigate opportunities to foster creative participation throughout Canada Bay, with consideration given to:</p> <ul style="list-style-type: none"> ▪ whether there is capacity to deliver an LGA level performance space; ▪ the creation of a network of creative and cultural spaces. 	<p>The Concept Plan forming part of the amended Planning Proposal includes permeable pedestrian and cycle network through the site and to the foreshore, encouraging its use as community, recreation, creative and cultural space.</p>
	<p>4.4 Amend the Canada Bay Local Environmental Plan to implement a competitive design excellence process to apply to all new buildings of over 45 metres height, or where identified on a map.</p>	<p>Not applicable - The proposed maximum height controls do not exceed 45 metres.</p>
<p>Priority 5. Provide housing supply, choice and affordability in key locations</p>	<p>5.1 Implement the Parramatta Road Corridor Strategy generally in accordance with the 2016-2023 Implementation Plan, following finalisation of a precinct wide traffic and transport study, and an urban design study, including the preparation of:</p> <ul style="list-style-type: none"> ▪ Precinct wide Planning Proposal; ▪ Draft Development Control Plan; ▪ Affordable Housing Contributions Scheme; ▪ Local Contributions Plan. 	<p>Whilst the subject site is not within the Parramatta Road Corridor, the proposed future uses on the subject site have the potential to support the foreshadowed growth in the Burwood-Concord and Kings Bay Precincts in terms of social infrastructure, public open space and retail and employment offer.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	5.2 Outside of the identified renewal areas, development is to be compatible with the character and prevailing density of established neighbourhoods.	The Concept Plan shows how the amended Planning Proposal provisions could be implemented to accommodate transition of building scale, with the tallest buildings at the centre of the site transitioning to lower buildings at the edges to appropriately interface with existing adjacent properties.
	5.3 Investigate changes to the planning framework to encourage a greater diversity of dwellings (such as dual occupancy and terraces) within the immediate vicinity of Concord West station, Majors Bay Road (Concord), North Strathfield station and Five Dock Town Centre.	Not applicable – site not in immediate vicinity of areas identified.
	5.4 Amend Local Environmental Plan and Development Control Plan to require all new development to provide an increased number of three bedroom apartments so as to meet the need of couples and families, consistent with changing household and age structure.	The amended Planning Proposal provides for a range of dwelling types including the opportunity for three-bedroom apartments to meet the needs of couples and families.
	<p>5.5 Require a minimum of 5% of the Gross Floor Area of new development to be dedicated as affordable housing for:</p> <ul style="list-style-type: none"> ▪ Planned Precincts; ▪ Parramatta Road Corridor precincts; and ▪ where there is an increase in density arising from a Planning Proposal. <p>An affordable housing contribution plan is required before the rezoning of above precincts / sites.</p>	It is noted that the mechanism for the provision for affordable housing will be via the Affordable Housing Contribution Scheme at the Development Application stage and the preparation of a DCP will be undertaken by Council.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	5.6 Ensure that Planned Precincts, the Parramatta Road Corridor and the redevelopment of large sites deliver a diversity of housing types ranging from terraces to apartments.	The amended Planning Proposal includes provisions to accommodate approximately 400 new dwellings in the form of shoptop housing, residential flat buildings and multi-unit dwellings, ranging in height from 3 storeys (12m) to 6 storeys (21m), including the adaptive re-use of the existing Central Roasting Hall factory building.
Priority 6. Provide high quality planning and urban design outcomes for key sites and precincts	6.1 Ensure that plans and development in the precinct known as the Strathfield Triangle:	Not applicable
	6.2 Facilitate development of the Bakehouse Quarter	Not applicable
	6.3 Ensure any proposed changes to land use or development at the Freshfoods site (Bushell's site) at 160 Burwood, Road Concord: <ul style="list-style-type: none"> ▪ adequately recognise the requirements of the Eastern City District Plan in relation to the retention and management of industrial land; ▪ achieve height and density that is compatible with the existing context; ▪ contribute to the Green Grid through a generous and publicly accessible foreshore setback to Exile Bay; and 	<p>The amended Planning Proposal includes a new neighbourhood centre which will provide for approximately 7,000m² of retail/commercial space together with approximately 3,000m² of urban services uses to meet the needs of the local population.</p> <p>The amended Planning Proposal sets out a transition of building heights from tallest buildings (6 storeys) at the centre in response to the Central Roasting Hall, with lower buildings at the edges to appropriately interface existing adjacent properties.</p> <p>The amended Planning Proposal provides for new public open space on the foreshore to Exile Bay, providing a recreation space as part of the Hen and Chicken Bay Foreshore Green Grid corridor.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<ul style="list-style-type: none"> ▪ adequately considers heritage features on the site and is sympathetic with this heritage. 	<p>The amended Planning Proposal retains and adaptively reuses the former Bushells Factory building core which includes, Central Roasting Hall, Chimney Stack and the "B" Facade; developing the urban structure that supports the views to the key landmarks Central Roasting Hall and associated landscape embellishments to re-establish the "factory in a garden" setting.</p>
	<p>6.4 Facilitate development of the Birkenhead Point shopping centre</p>	<p>Not applicable</p>
	<p>6.5 Prior to land use change occurring on the site known as 1-7 King Street, Concord West, the Concord West Socio Economic Study is to be updated by Council to respond to:</p>	<p>Not applicable</p>
	<p>6.6 Limit change for sites and precincts not identified for land use change. Where land use change is proposed outside of the identified sites and precincts, development proposals must reflect the prevailing scale and density of the established built form in the locality and be supported by an evidence-base that is equivalent to at least that undertaken for this LSPS.</p>	<p>Not applicable - The site is identified as suitable for land use change under Action 6.3 of the LSPS.</p>
<p>Priority 7. Create vibrant places that respect local heritage and character</p>	<p>7.1 Prepare and implement the Place Plans for Mortlake and the proposed Kings Bay Centre in the Parramatta Road Corridor.</p>	<p>The impact of the amended Planning Proposal would have a negligible impact on implementing the Place Plans for Mortlake and the proposed Kings Bay Centre</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>7.2 Seek DPIE endorsement of Local Character Statements, including desired future character statements, as part of the endorsement of the Local Housing Strategy. These should consider:</p> <ul style="list-style-type: none"> ▪ the staged introduction of Local Character Statements to align with infrastructure delivery; ▪ areas identified for change, including Planned Precincts and other localities undergoing renewal; and ▪ areas identified for investigation on Map 10, due to having been identified as having distinctive urban form and character to be retained and protected (Local Character Areas). 	Not applicable - Site not identified in a Local Character Area.
	7.3 Seek an exclusion for Complying Development under the Housing Code and Low Rise Medium Density Housing Code in Local Character Areas.	Not applicable - Site not identified in a Local Character Area.
	7.4 Finalise and implement an Aboriginal Cultural Heritage Study to contribute to the conservation and management of Aboriginal Cultural Heritage.	Not applicable - No known Aboriginal Cultural conservation and management matters for the site.
	7.5 Undertake a new LGA wide heritage study with a focus on the built and natural environment to improve the understanding and protection of Canada Bay's cultural heritage.	The Concept Plan forming part of the amended Planning Proposal include provisions for retaining and adaptively reuse the former Bushells Factory building core which includes, Central Roasting Hall, Chimney Stack and the "B" Facade, which enhance the industrial character of the site and maintain the cultural significance.
	7.6 Review and update inventory sheets for heritage items, the statements of significance for heritage conservation areas and contributory status of each property within a conservation areas.	Refer above The proposal recognises the iconic presence of the existing brick tower of the over the waters of the bay; preserving it at the heart of the site.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>7.7 Seek inclusion of a minimum lot size of 800sqm for Boarding Houses in the R2 Low Density Residential zone to improve the amenity of boarding houses and reduce their impact on these areas.</p>	<p>Not applicable - No Boarding Houses proposed by Concept Plan.</p>
<p>Priority 8. Grow investment, business opportunities and jobs in Rhodes strategic centre and Concord Hospital</p>	<p>8.1 Improve active transport connections within the Rhodes Strategic Centre, including to:</p> <ul style="list-style-type: none"> ▪ Concord Hospital. ▪ Rhodes East and West. ▪ Rhodes Corporate Park. ▪ Rhodes railway station and the future ferry wharf. 	<p>Not applicable - Site is not located between Rhodes and Concord Hospital.</p>
	<p>8.2 Monitor Rhodes Business Park (410 Concord Road, Rhodes) for five (5) years* to inform an updated Employment Lands Study that demonstrates:</p> <ul style="list-style-type: none"> ▪ demand for new commercial office floor space in Rhodes; and ▪ that there are alternative feasible commercial land use outcomes that can be achieved on the site. <p>Consider the site in light of the future role of Rhodes Strategic Centre and the updated Employment Lands Study in the context of:</p> <ul style="list-style-type: none"> ▪ the site's significant contribution to the 6,300 to 8,300 additional job target for the Rhodes Strategic Centre; ▪ commercial uses being safeguarded for additional commercial floor space over time; ▪ the need for a master plan that is informed by genuine community engagement and progress of the adjoining Planned precinct; and 	<p>The proposal will not negatively impact on office floor space demand in Rhodes.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<ul style="list-style-type: none"> ▪ a traffic/transport analysis that demonstrates the capacity of the services on the main northern railway line and the regional road network is sufficient to accommodate the cumulative demand arising from existing and future development in the region 	
	<p>8.3 Consider opportunity for additional retail floor space in Rhodes Waterside shopping centre to serve the growing resident population subject to an assessment demonstrating acceptable traffic impacts, including cumulative impacts from Rhodes Planned Precinct development.</p>	Not applicable
	<p>8.4 Monitor opportunities and constraints to better connect Concord Hospital with Rhodes (including the Business Park) and Concord West station over the next five (5) years to facilitate greater connectivity, and retain and grow health and education related floor space within the context of Rhodes Strategic Centre.</p>	Not applicable
<p>Priority 9. Enhance employment and economic opportunities in local centres</p>	<p>9.1 Finalise the Victoria Road Urban Design Study to help revitalise and improve the urban amenity of this area of Drummoyne.</p>	Not applicable
	<p>9.2 Ensure plans for the new Local Centre at Spencer Street in the Kings Bay precinct deliver:</p> <ul style="list-style-type: none"> ▪ fine grain retail frontages along Spencer Street to create an active main street; ▪ large floor plate uses that are sleeved behind fine grain grain frontages; ▪ large bulky goods retail are concentrated along Parramatta Road; 	Not applicable - Not in Kings Bay precinct.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<ul style="list-style-type: none"> ▪ high floor to ceiling heights on the ground and second floor; ▪ material and finishes that reinforce the industrial character of the precinct; and ▪ consistency with PRCUTS and 'movement and place' framework. 	
	<p>9.3 Strategic land use change within, adjoining or adjacent to the centres of Five Dock, Majors Bay Road (Concord) and North Strathfield, and also Concord West Station, must not occur until such time as Council has endorsed a study that determines how retail and commercial floor space can be accommodated.</p>	Not applicable
	<p>9.4 Require commercial floor space to be located above ground floor level retail along Great North Road, Five Dock or any development within close proximity to future Metro stations.</p>	Not applicable
	<p>9.5 Prepare an Evening Economy Strategy that includes an understanding of its contribution to the local economy, constraints to implementation and opportunities in Local Centres.</p>	<p>The amended Planning Proposal to change land uses zone from IN1 General Industry Zone to B1 Neighbourhood Centre will create a mixed-use neighbourhood with retail, commercial, light industry/urban services and community use, which provide the opportunity for local evening economy needs.</p>
	<p>9.6 Prepare an Activation Policy to provide high level direction and intent, and facilitate the community use and activation of public space in Strategic and Local Centres and town centres and community hubs (including parks).</p>	<p>The Concept Plan forming part of the amended Planning Proposal includes provision to create activated spaces towards the foreshore for social interaction and events such as community markets and festivals.</p>
	<p>9.7 Ensure that B4 Mixed Use Zones and B1 Neighbourhood Centres maintain a substantial retail, office and commercial focus.</p>	<p>The amended Planning Proposal ensured the B1 Neighbourhood Centre zone maintain with retail and commercial use focus.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
Priority 10. Identify opportunities to support urban support services	10.1 Investigate and encourage new mixed-use forms, larger format uses and urban support services on ground floor of development with a frontage to Parramatta Road in Kings Bay Precinct.	Not applicable – Not in Kings Bay Precinct
	10.2 Ensure that future built form controls and the structure of street blocks in precincts that provide for commercial, retail or urban services uses along Parramatta Road facilitate: <ul style="list-style-type: none"> ▪ rear lane or alternate access from a road, other than Parramatta Road; ▪ double height ceilings for ground floor uses that front Parramatta Road; ▪ rear lane low bay access for small truck and customer parking; and 	Not applicable – Not in Kings Bay Precinct
Priority 11. Identify land use opportunities and implications arising from Sydney Metro West	11.1 Prior to rezoning occurring, a local planning study is to be prepared and endorsed by Council for the localities in which a Sydney Metro West station is proposed, including development sites and their immediate surrounds. The local planning study is to: <ul style="list-style-type: none"> ▪ include the preparation of a desired future character statement prepared in consultation with the community; ▪ identify opportunities and preferences for new and/ or improved areas of open space within, adjacent to or surrounding the new Metro locations, ▪ identify opportunities for and facilitating improvements in the public domain to maximise pedestrian amenity, movement and experience; 	The site is not located within the identified Urban Renewal Areas associated with the future Sydney Metro West stations. The Concept Plan forming part of the amended Planning Proposal includes connectivity to the existing surrounding street network including bus stops for routes connecting to high frequency train stations of Burwood and Strathfield, as well as the potential connection to future Sydney Metro West Station(s).

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<ul style="list-style-type: none"> ▪ establish preferred land uses within and around the new Metro locations; ▪ ensure that the employment functions and services around station locations are supported and enhanced as a result of the Metro project; ▪ establish preferred built form outcomes within and around new Metro locations; and ▪ identify the need for further studies or considerations resulting from transport infrastructure 	
	<p>11.2 Review the Canada Bay Bike Plan to ensure routes and linkages respond to proposed metro station locations.</p>	<p>The Concept Plan forming part of amended Planning Proposal includes pedestrian/cycling linkages to the foreshore, Zoeller Street, Burwood Road and the various bus routes in close proximity to the site which have the potential to enhance the connection with future Sydney Metro station(s).</p>
	<p>11.3 Advocate for improvement to local bus networks to ensure that they act as feeder services to metro station locations.</p>	<p>Noted - the amended Planning Proposal will provide residents to support use of local bus networks.</p>
	<p>11.4 Minimise parking close to Metro West stations and require any car parking and basements within close proximity to future Metro stations to be adaptable (minimum 2.4 metres clear height).</p>	<p>The site is not located within the identified Urban Renewal Areas associated with the future Sydney Metro West stations.</p>
<p>Priority 12. Improve connectivity throughout Canada Bay by encouraging a modal shift to active and public transport</p>	<p>12.1 Implement the City of Canada Bay Local Movement Strategy to increase connectivity across the LGA and encourage modal shift to active and public transport.</p>	<p>The Concept Plan forming part of amended Planning Proposal includes pedestrian/ cycling links across the site to the foreshore walkway, Zoeller Street, Burwood Road, and the various bus routes available in close proximity to the site.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>12.2 Review the Canada Bay Bike Plan to:</p> <ul style="list-style-type: none"> ▪ address the cycling related recommendations contained within the Local Movement Strategy; ▪ ensure a legible, connected and accessible cycle network that completes missing links and investigates new safe cycling links within 1 kilometre of schools; ▪ identifies opportunities for separated paths for pedestrians and cyclists, where possible; and ▪ identify opportunities for end of trip facilities. 	<p>The Concept Plan forming part of amended Planning Proposal includes pedestrian/cycling linkages to the foreshore, Zoeller Street, Burwood Road and the various bus routes in close proximity to the site which have the potential to enhance the connection with future Sydney Metro station(s).</p>
	<p>12.3 Advocate for improvements to public transport, including:</p> <ul style="list-style-type: none"> ▪ increasing train capacity in peak periods on the Main Northern Railway line; ▪ progressing the delivery of a new ferry service in Rhodes East; ▪ extending the on-demand transport service to include Drummoyne; ▪ improving public transport connections to Concord Hospital; 	<p>The amended Planning Proposal Traffic Impact Assessment targets increased public transport use including use of existing bus routes with stops located in the vicinity of the site.</p>
	<ul style="list-style-type: none"> ▪ prioritising the movement of public transport over private vehicles on State roads; ▪ improving active transport connections between Local Centres and train / metro stations. 	
	<p>12.4 Develop a Walking Strategy that aims to build a physical and cultural environment that supports and encourages walking, with vibrant streets, parks, public spaces and neighbourhoods where people will choose to walk more often.</p>	<p>The Concept Plan forming part of the amended Planning Proposal delivers a highly permeable network through the site and to surrounding facilities and public transport for all pedestrians including people with a disability</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	12.5 Support implementation of travel behaviour change programs by Transport for NSW, including Travel Demand Management (TDM) measures to increase the use of sustainable transport choices.	The mixed use nature of the amended Planning Proposal enables the creation of a truly walkable neighbourhood. The proposed public roads and series of public spaces connected to ground floor retail/commercial uses as well as the foreshore provides greater opportunities for walking and cycling and contributes to active street life.
PART 4 - SUSTAINABILITY		
Priority 13. Protect and improve the health and enjoyment of the Parramatta River Catchment and waterways	13.1 Protect the Parramatta River catchment by ensuring policies and planning instruments contribute to the Parramatta River Catchment Group's mission to make the Parramatta River swimmable again by 2025.	The amended Planning Proposal acknowledges the environment values of Exile Bay and proposes to ensure storm water quality requirements are addressed at the Development Application stage. The planning proposal does not compromise the mission to make the Parramatta River swimmable again by 2025.
	13.2 Review and update water sensitive urban design controls to ensure: <ul style="list-style-type: none"> ▪ reduced stormwater runoff volumes and pollution entering waterways; ▪ pervious areas are maximised; ▪ all stormwater is treated before it reaches waterways; ▪ stormwater management systems are vegetated to slow down and clean runoff and provide passive irrigation, greening and urban cooling on lot, street and precinct scales. 	Council's requirements for stormwater management including flood mitigation, water reuse, water sensitive urban design, water quality control, and environmental protection can be provided for on-site. The underground drainage network can be designed to contain the major (100yr ARI) storm, and emergency overland flows paths have been designed to avoid local nuisance flooding to site buildings and neighbouring properties.
	13.3 Map and reference key habitat areas and priority corridors for iconic species in the Parramatta River catchment within Council's LEP.	The site does not contain any known key habitat areas or priority corridors for iconic species.
	13.4 Finalise the City of Canada Bay Foreshore Access Strategy and associated plan for implementation with an aim to improve access to and along the Parramatta River foreshore.	The amended Planning Proposal will enable improvements to the foreshore land at the site's northern boundary, with opportunities to improve the water quality and marine ecosystem within Exile Bay.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	13.5 Work with relevant agencies, including Sydney Water, to naturalise Massey Park, Dobroyd / Iron Cove and St Lukes Canal.	Not applicable
Priority 14. Protect and enhance bushland and biodiversity	14.1 Implement land use planning actions arising from the preparation of the Canada Bay Biodiversity Framework.	The amended Planning Proposal includes RE1 Public Recreation along the foreshore and the Concept Plan includes retention of existing trees where appropriate.
	14.2 Review the land use zones and environmental controls in the Canada Bay Local Environmental Plan and Development Control Plan to ensure that significant remnant habitats are retained to protect endangered flora and fauna, and improve habitat connectivity.	The amended Planning Proposal includes RE1 Public Recreation along the foreshore and the Concept Plan includes retention of existing trees where appropriate.
Priority 15. Protect and enhance scenic and cultural landscapes	15.1 Ensure that land use change in foreshore and peninsula localities does not have a significant adverse impact upon views to and from Parramatta River and Sydney Harbour, from within and outside the LGA	The site is inaccessible to the public under current conditions. The proposal will create new public domain including streets and open spaces which will facilitate access and views to the Parramatta River.
	15.2 Prepare a Landscape Heritage Study (to identify and assess the heritage values of the landscapes throughout Canada Bay) as part of the proposed new heritage study.	The Concept Plan forming part of the amended Planning Proposal include provisions for retaining and adaptively reusing the former Bushells Factory building core which includes, Central Roasting Hall, Chimney Stack and the "B" Facade, which enhance the industrial character of the site and maintain the cultural significance.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
Priority 16. Increase urban tree canopy and deliver Green Grid connections	16.1 Prepare a street tree master plan in accordance with the principles and outcomes of the Canada Bay Urban Tree Canopy Strategy to increase tree canopy on public land.	The Concept Plan forming part of amended Planning Proposal includes street trees defining streets with strong landscape elements and providing tree canopy cover.
	16.2 Identify trees as relevant infrastructure that may be funded under the Canada Bay Planning Agreement Policy and the Canada Bay S 7.12 Development Contributions Plan.	Noted - trees on the site may be identified as infrastructure in the future.
	16.3 Increase the urban tree canopy on private land by amending the Canada Bay Development Control Plan to: <ul style="list-style-type: none"> ▪ update the list of recommended tree species; ▪ require tree planting when land is redeveloped; and ▪ include appropriate controls to protect trees, including the definition of a tree. 	The Concept Plan forming part of amended Planning Proposal retains the mature groves of trees along the eastern and western boundaries to maintain the existing developed landscape and privacy for neighbours. The amended Planning Proposal will enable the conversion of the site from predominantly industrial use to a mixed use residential use, with substantial tree planting and landscaping, which contribute to urban tree canopy strategy.
	16.4 Investigate the potential for landowners to provide a monetary contribution towards the planting of trees on public land when replacement planting is unable to be accommodated on private land.	Not applicable
	16.5 Ensure that Master Plans and Precinct Plans achieve a minimum of 25% canopy cover. Where targets are unable to be achieved on individual sites, a precinctwide target is to be achieved.	The Concept Plan forming part of amended Planning Proposal indicates the canopy coverage will exceed 25% of the overall site.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>16.6 Prepare a Green Grid delivery strategy that seeks to align the relevant recommendations contained within the:</p> <ul style="list-style-type: none"> ▪ Biodiversity Strategy; ▪ Urban Tree Canopy Strategy; ▪ Social Infrastructure (Open Space and Recreation) Strategy; ▪ Local Movement Strategy; and ▪ Walking Strategy. 	<p>The proposal contribute to these strategies objectives as outline in the Amended Planning Proposal and VPA offer.</p>
<p>Priority 17. Deliver high quality open space and recreation facilities</p>	<p>17.1 Consider and implement the Canada Bay Social Infrastructure (Open Space and Recreation) Strategy, including plans to deliver:</p> <ul style="list-style-type: none"> ▪ new and improved sports fields and courts; ▪ passive recreation for activities such as sitting and walking; ▪ the planning and delivery of new open space in conjunction with land use change in North Strathfield, Concord West and along the Parramatta Road Corridor; ▪ a new local park in the Strathfield Triangle; ▪ the expansion of Fred Kelly Place on the eastern and western side of Great North Road in Five Dock; and ▪ an increase in the provision of indoor recreation, including in the new community centre in East Rhodes, Five Dock Leisure Centre and Concord Oval. 	<p>The amended Planning Proposal will have a positive impact on the community as it responds to the needs that were identified within the Social Infrastructure Strategy.</p> <p>The Concept Plan forming part of the amended Planning Proposal seek to enhance the amenity and public domain of the subject site and surrounding areas via landscape improvement and new public open space creation, which comply with Canada Bay Social Infrastructure Strategy Action Plan 4.1. (The delivery of communal shared community spaces with future high-density development.)</p> <p>The Concept Plan seeks to improve pedestrian, cycle access to the site and waterfront park, which create opportunity for community activity and recreation.</p>
	<p>17.2 Update the Canada Bay Development Contributions Plan to include relevant works identified within Canada Bay Social Infrastructure (Open Space and Recreation) Strategy.</p>	<p>Refer above.</p>

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	17.3 Review and consider implementation of the District Sport Facility Plans prepared by the NSW Office of Sport when released.	Note applicable - The site is not suitable for district sport facilities. The proposed amendments to planning controls unlock the privately held site to provide new public domain elements which include passive and active public open space along the Parramatta River foreshore.
Priority 18. Reduce carbon emissions and manage energy, water and waste efficiently	18.1 Advocate for increased BASIX water and energy targets.	Noted - for Council to implement as part of the DCP.
	18.2 Plan for precinct level sustainable infrastructure as part of future development at Rhodes East.	Not applicable - Not in vicinity of Rhodes East.
	18.3 Where appropriate, develop controls to compel developers to connect to planned recycled water schemes for all non-potable water uses, including dedicating space for required metering, storage, connection and plumbing infrastructure.	The urban renewal of the site will provide opportunities for sustainability measures to be implemented on site to assist in mitigating the impacts of climate change.
	18.4 Undertake a Waste Management Review to identify potential improvements to the waste related controls in the Canada Bay Development Control Plan, to assist in developing a circular economy.	Noted - for Council to implement.
	18.5 Undertake a review of Canada Bay Development Control Plan to: <ul style="list-style-type: none"> ▪ identify provisions for electric vehicles and shared infrastructure; ▪ consider whether there is a need to provide controls regarding solar panels; ▪ require a dedicated space for battery storage. 	Noted - for Council to implement.

PRIORITY	CANADA BAY LOCAL STRATEGIC PLANNING STATEMENT ACTIONS	COMMENT
	<p>18.6 Prepare a Guideline to inform the implementation of green infrastructure as part of development, with consideration given to:</p> <ul style="list-style-type: none"> ▪ green roofs and walls; ▪ passive design to ensure efficient and resilient buildings. 	Noted - for Council to implement.
Priority 19. Adapt to the impacts of urban and natural hazards and climate change	19.1 Implement flood related planning controls in accordance with the recommendations of the Concord West Precinct Flood Study.	The site is not in the Concord West Precinct Flood Study area.
	19.2 Prepare a Flood Study for the Exile Bay catchment.	The amended Planning Proposal outlines the proposed stormwater trunk pipe network layout designated to contain the major (100 year ARI) storm, and emergency overland flows paths have been designed to avoid local nuisance flooding to site buildings and neighbouring properties.
	19.3 Develop a Resilience Strategy to assess community and built environmental risks and vulnerabilities. This will build on our current Climate change adaptation study and other work in this area, identifying opportunities and controls that respond to various shocks and stresses such as the impact of urban heat island effect in both the public and private domain.	Noted - VPA includes provision for seawall improvements.
	19.4 Minimise new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.	Natural and urban hazards are mitigated through the seawall improvements set out in the VPA.

Q5. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The amended Planning Proposal is generally consistent with the applicable State Environmental Planning Policies (as identified in Section 3 of this report) as set out below:

Table 8: Consistency with relevant SEPPs

APPLICABLE STATE ENVIRONMENTAL PLANNING POLICY	AMENDED PLANNING PROPOSAL CONSISTENCY
<i>State Environmental Planning Policy No. 55 – Remediation of Land</i>	The amended Planning Proposal is consistent with SEPP 55 (now State Environmental Planning Policy (Resilience and Hazards) 2021).
<i>(Now State Environmental Planning Policy (Resilience and Hazards) 2021)</i>	<p>A Preliminary Site Investigation (Appendix R) and Additional Contamination report (Appendix S) was prepared and lodged with the original Planning Proposal. The reports indicate that the site can be made suitable for development and that further testing should occur given the existence of higher Health Investigation Levels in specific locations to the north-west and north-east of the site. Further investigation, remediation and/or management would be required to make the contaminated soil suitable for future development, to be addressed at Development Application stage.</p> <p>A subsequent Site (Contamination) Investigation report has been prepared (May 2022) in response to condition 1 (b) of the Gateway Determination condition. The report addresses the recommendations of the initial Stage 1 investigation and concludes that additional borehole testing and investigation is recommended following demolition of the factory, administration building, transformer room, and gate house to determine the need or otherwise for remediation. The report considers that Council can be satisfied that the site can be made suitable for the proposed uses following this approach.</p>
<i>State Environmental Planning Policy (Affordable Rental Housing) 2009 & State Environmental Planning Policy No. 70 Affordable Housing (Amended Schemes)</i>	The amended Planning Proposal is consistent with the former ARH SEPP and former SEPP 70, the provisions of which have been transferred to the SEPP H.
<i>(Now State Environmental Planning Policy (Housing) 2021)</i>	The amended Planning Proposal provides for approximately 400 new dwellings. Affordable Housing will be provided consistent with the requirements of SEPP 70 and Council's draft Affordable Housing Contribution Scheme is proposed to be updated to reflect the recommendations of the Eastern City Planning Panel as discussed throughout this report.

<p><i>State Environmental Planning Policy (Coastal Management) 2018</i></p> <p><i>(Now State Environmental Planning Policy (Resilience and Hazards) 2021)</i></p>	<p>The amended Planning Proposal is consistent with the provisions of the former Coastal Management SEPP.</p> <p>This amended Planning Proposal no longer seeks additional permitted uses on Exile Bay nor is it proposed to enable uses or activities that would compromise the environmental quality of Exile Bay. Future development would need to demonstrate zero net impact on the environmental values of Exile Bay at the Development Application stage.</p>
<p><i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i></p> <p><i>(Now State Environmental Planning Policy (Biodiversity and Conservation) 2021)</i></p>	<p>The amended Planning Proposal is consistent with the provisions of the former Sydney Harbour Catchment REP.</p> <p>The intent for development within this area is to provide for appropriate recreational and similar uses of the foreshore, to rehabilitate or improve degraded foreshores and to protect valuable natural shorelines.</p>

Q6. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?

The amended Planning Proposal is consistent with the relevant Ministerial Directions as addressed in the table below. It is noted that the Ministerial Directions numbering was changed on 1 March 2022, with the provisions of each direction remaining the same. The latest direction number at the time of writing this planning proposal is referenced in the table below.

Table 9: Consistency with relevant Section 9.1 Directions

MINISTERIAL DIRECTION	AMENDED PLANNING PROPOSAL RESPONSE
1. Employment and Resources	
<p><i>1.1 Business and Industrial Zones (now Direction 7.1)</i></p> <p><i>The objectives of this direction are to:</i></p> <p><i>(a) encourage employment growth in suitable locations,</i></p> <p><i>(b) protect employment land in business and industrial zones, and</i></p> <p><i>(c) support the viability of identified centres.</i></p>	<p>It has been demonstrated in the amended Planning Proposal that the site is unsuitable for continued or intensified industrial use as per the IN1 General Industrial Zone.</p> <p>A mixed use development on the Subject Site would result in a net loss in land zoned for employment uses however would enable the establishment of a neighbourhood centre that would provide a net increase of 51 jobs in retail, commercial and urban support services roles.</p>

MINISTERIAL DIRECTION	AMENDED PLANNING PROPOSAL RESPONSE
<p>Relevant matters include:</p> <ul style="list-style-type: none"> Retain existing business and industrial zones 	<p>The proposed rezoning would result in a loss in industrial zoned land. However the site is isolated from other industrial land, has poor access for heavy vehicles, and is surrounded by low to medium density residential uses, which impact on its ongoing suitability for industrial uses. From a future supply perspective, the subject site represents 13% of existing supply of employment lands (land zoned B5, B6, B7 or IN) in Canada Bay in 2015, but just 0.2% of the supply within the Eastern City District. Notwithstanding, a minimum 3,000m² of light industrial uses/urban services will be provided for in the site.</p>
<p>No net loss of potential floorspace for employment uses and related public services in business zones</p>	<p>The proposed rezoning is not within a business related zone. Thus it would not result in a potential net loss in floorspace related to employment uses and related public services in commercial centres. The development proposes to include 7,000m² of retail and commercial floorspace. As such the development results in a net increase in employment and community floorspace.</p>
<p>Not reduce the potential floorspace area for industrial uses in industrial zones</p>	<p>The proposed rezoning would result in a potential loss in floorspace that could be utilised for industrial uses, however a minimum 3,000m² of light industrial uses/urban services will be provided for in the site.</p> <p>The continued suitability and appeal of the site for industrial use is constrained by the site's peninsular location, poor road access for heavy vehicles and proximity to sensitive residential uses. More broadly, the Inner West industrial market is characterised by low levels of demand and a shift away from traditional industrial uses.</p>
<p>In accordance with a Strategy approved by the Secretary of DPE</p>	<p>The proposed rezoning and subsequent mixed use development responds to and accords with the indicative targets for population, housing and employment growth set out in the Greater Sydney Region Plan and the Eastern District Plan.</p>
<p>1.2 Rural Zones (now Direction 9.1)</p>	<p>Not Applicable</p>
<p>1.3 Mining, Petroleum Production and Extractive Industries (now Direction 8.1)</p>	
<p>1.4 Oyster Aquaculture (now Direction 9.3)</p>	
<p>1.5 Rural Lands (now Direction 9.2)</p>	
<p>2. Environmental and Heritage</p>	
<p>2.1 Environment Protection Zones (now Direction 3.1)</p>	<p>Not Applicable</p>

MINISTERIAL DIRECTION	AMENDED PLANNING PROPOSAL RESPONSE
2.2 Coastal Management (now Direction 4.2)	<p>The subject site is located within the Coastal Zone, however it is not within a coastal vulnerability area nor identified as being subject to current or future coastal hazard in an LEP or DCP. Accordingly the proposed increase in development is not inconsistent with this Direction with respect to Direction 2.2 (5).</p>
2.3 Heritage Conservation (now Direction 3.2)	<p>An Aboriginal Due Diligence Assessment has been prepared by Heritage21 (Appendix Q) which provides a summary of the environmental context of the study area, the archaeological background of the site, and a discussion with recommendations arising from the assessment.</p> <p>The findings of the assessment recommend that:</p> <ul style="list-style-type: none"> • In areas where there are existing buildings and the geotechnical information shows no remnant A Horizon soils there is no need for additional archaeological assessment. There is no impediment to development in these areas on the archaeological grounds and it is recommended that development can 'proceed with caution' as outlined in the due diligence guidelines. • If ground disturbance is proposed to the depth of the described alluvial soils, consideration should be given to further assessment of these areas. In the first instance it is recommended that a geomorphologist with experience in assessing soil preservation in archaeological contexts be consulted. • A copy of this report should be provided to the Metropolitan Local Aboriginal Land Council for comment. • On-site employees or contractors involved in ground disturbance should be aware of the statutory obligations that apply to the discovery of Aboriginal objects. • If Aboriginal objects are uncovered during ground surface works, all works must cease and Office of Environment and Heritage should be contacted to determine a course of action. • In the unlikely event that suspected human remains are found all work must cease, the site should be secured and the NSW Police should be notified to advise on a course of action. If the remains are found to be archaeological, OEH and the NSW Aboriginal Land Council should be contacted to assist in determining appropriate management. <p>Overall, the assessment considers the potential for Aboriginal objects to be low-moderate. Suitable provisions can be put in place to ensure the conservation of any potential found objects or items.</p>

MINISTERIAL DIRECTION	AMENDED PLANNING PROPOSAL RESPONSE
2.4 Recreation Vehicle Areas (now Direction 3.5)	Not Applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs (now Direction 3.4)	
2.6 Remediation of Contaminated Land (now Direction 4.4)	<p>The planning proposal is consistent with this direction as it will reduce the risk of harm to human health and the environment by adhering to the following recommendations of the Detailed Site Investigation (Round 1) prepared by Geotechnique (Appendix Y). The extract finds:</p> <ul style="list-style-type: none"> • "Samples should be recovered from a minimum of 50 locations systematically across the site. Only 16 locations had been investigated so far. Completion of investigation for the remaining 34 locations will be required (preferable after completion of the demolition of the factory, the administration building, the transformer room and the gate house). • Detailed investigation is required after completion of the investigation of the 34 locations in order to delineate the extent of Arsenic concentration of concern identified at BH5, BH2, and BH9. • Assessment of the soil at and in the vicinity of the existing underground storage tanks will be required to determine the contamination status. • Groundwater and soil gas investigation would be required. <p>It is considered reasonable for conditional development consent to be issued to require the above recommendations. It is our opinion that based on this approach Council can be satisfied that the site can be made suitable for the proposed uses."</p> <p>On the basis of the above recommendations and for the purposes of this Planning Proposal, the proposal is considered to satisfy the Direction in this regard. As suggested by the above recommendations, further contamination investigation and determination of remediation action is suitable for, and will be undertaken via a subsequent Development Application.</p>

3. Housing, Infrastructure and Urban Development

3.1 Residential Zones (now Direction 6.1)	The amended Planning Proposal will facilitate future development with the capacity to contribute to the housing supply within the Canada Bay LGA. The Concept Plan proposes a mix of housing types (terrace/ townhouse and apartments), providing housing choice and diversity.
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MINISTERIAL DIRECTION	AMENDED PLANNING PROPOSAL RESPONSE
	<p>The amended Planning Proposal seeks to diversify housing choice by providing a range of permissible residential uses in the R3 Medium Density Residential and B1 Neighbourhood Centre zones. All future DAs on the site would be subject to the provisions of SEPP 65 to ensure good design and amenity.</p> <p>Being an established and well serviced area, the amended Planning Proposal will enable future development on the site to make efficient use of the significant road and public transport upgrades to be undertaken along the Parramatta Road Urban Transformation Corridor and the Greater Parramatta to the Olympic Peninsula Priority Growth Area.</p>
<p>3.2 Caravan Parks and Manufactured Home Estates (now Direction 6.2)</p>	<p>Not Applicable</p>
<p>3.3 Home Occupations (revoked 9 November 2020)</p>	<p>The Planning Proposal does not propose any provisions that would preclude home occupations from being carried out in dwellings. It is also noted that this direction was revoked on 9 November 2020.</p>
<p>3.4 Integrating Land Use and Transport (now Direction 5.1)</p>	<p>The amended Planning Proposal is consistent with this Direction as follows:</p> <ul style="list-style-type: none"> ▪ the Concept Plan provides greater permeability by the inclusion of new roads and paths to encourage walking and cycling to the Exile Bay foreshore ▪ provision of neighbourhood retail / commercial uses provides a walkable alternative to Majors Bay Road shops for residents of the peninsula
<p>3.5 Development Near Licensed Aerodromes (now Direction 5.3)</p>	<p>Not Applicable</p>
<p>3.6 Shooting Ranges (now Direction 5.4)</p>	
<p>4. Hazard and Risk</p>	
<p>4.1 Acid Sulfate Soils (now Direction 4.5)</p>	<p>The majority of the site is identified as Class 5, with a portion along the foreshore identified as Class 2 soils.</p> <p>The Geotechnical Report (Appendix T) has assessed the potential for Acid Sulfate Soils on the site and provides recommendations for their management.</p>
<p>4.2 Mine Subsidence and Unstable Land (now Direction 4.6)</p>	<p>Not Applicable</p>

MINISTERIAL DIRECTION	AMENDED PLANNING PROPOSAL RESPONSE
<i>4.3 Flood Prone Land (now Direction 4.1)</i>	<p>A Flood Assessment Report (Appendix X) accompanies this planning proposal which has undertaken an assessment of the matters specified in Ministerial Direction 4.1. The assessment concludes that it is feasible to implement the requirements of the direction subject to further design development and assessment as part of the Development Application process and will likely be accompanied by a detailed Flood Impact and Risk Assessment.</p> <p>Accordingly, the provisions of the planning proposal that are inconsistent with the direction are of minor significance.</p>
<i>4.4 Planning for Bushfire Protection (now Direction 4.3)</i>	Not Applicable
5. Regional Planning	
<i>Directions 5.1 – 5.8 (now Directions 1.2, 1.3, 1.17, 3.3, 7.3 and 9.4)</i>	Not Applicable
6. Local Plan Making	
<i>6.1 Approval and Referral Requirements (now Direction 1.3)</i>	This is an administrative requirement for Council.
<i>6.2 Reserving Land for Public Purposes (now Direction 5.2)</i>	This is an administrative requirement for Council.
<i>6.3 Site Specific Provisions (now Direction 1.4)</i>	<p>The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the Canada Bay LEP 2013.</p> <p>The planning proposal is a minor inconsistency that is essential to achieve the desired outcome which includes uses that do not fit into a single Standard Instrument zone.</p>
7. Metropolitan Planning <i>(now Directions 1.6 - 1.16)</i>	This amended Planning Proposal is consistent with the Greater Sydney Region Plan to the extent described at the beginning of this Section 5.3.2 (Q2).

5.3.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q7. IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The site is urban and can be seen cleared in 1943 aerial photography. There is no indication of identified critical habitat or threatened species, populations or ecological communities, or their habitats.

Q8. ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE AMENDED PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Traffic and Transport

The revised Traffic Impact Assessment (Appendix F) identifies that the amended Planning Proposal could generate in the order of 115 movements in the AM peak hour and 115 movements in the PM and Saturday peak hours for the residential component, and 142 movements in the AM peak hour and 283 movements in the PM peak hour for the non-residential component.

In total, the assessment indicates that the proposed development could generate 257 movements in the AM peak hour and 398 movements in the PM peak hour.

The SIDRA intersection analysis of has been undertaken for the following intersections:

- Broughton Street/ Zoeller Street/ Ian Parade
- Broughton Street/ Crane Street
- Burwood Road/ Crane Street
- Burwood Road/ Gipps Street
- Burwood Road/ Parramatta Road

SIDRA intersection analysis of post-development traffic in year 2019 indicates that all intersections would operate at satisfactory levels (Levels of Service D or better).

The Sydney Strategic Travel Model (STM) shows an increase in traffic volumes on Burwood Road in 2036 which is likely to be as a result of increased residential growth on the Parramatta Road corridor and within the Peninsula Parramatta Road.

The SIDRA analysis of post development traffic for the future year 2036 taking into consideration WestConnex shows that the relevant intersections operate within comparable levels of service to their existing operation (acceptable LOS D or better), with the exception of the following intersections:

- Burwood Road/ Crane Street (LOS E) during PM peak hour; and
- Burwood Road/ Gipps Street (LOS E) during the AM peak hour.

Accordingly, it is proposed that the project team would work with RMS and Council to agree on operational and physical improvements to mitigate impacts on affected intersections, particularly the Burwood Road/ Crane Street intersection. These may include:

- Select peak period right turn bans to improve intersection efficiency where turning movements are currently low. Preliminary consultation with RMS suggests that this may be an appropriate treatment measure. Analysis shows that the intersection would operate within capacity with right turn bans on both the Crane Street approaches (eastern and western leg)

during peak periods in 2036 post development.

- Further local area traffic management devices to reduce travel speeds and improve operation.

It is noted that Council could consider reviewing some of the local area traffic management schemes particularly along Broughton Street north of Crane Street, to ensure traffic control devices meet the needs of future traffic and access conditions.

Whilst not part of this amended Planning Proposal, consideration for the provision of a connection between Marceau Drive and Crane Street to allow for left-out only movements would improve connectivity and permeability. This would likely result in reduced traffic demand at the Burwood Road/ Crane Street intersection particularly, as well as at the Burwood Road/ Gipps Street intersection, particularly given that approximately a third of the outbound development traffic is expected to turn left at Crane Street from Burwood Road.

To reduce private car use, a privately funded shuttle bus service for residents and visitors is proposed. The shuttle bus would operate in a loop through the local area (potentially in both directions) and would provide access to Majors Bay Road Shops, Concord Hospital, Concord Library and Burwood Station. It is anticipated that two vehicles would be used, with an approximate one-hour round trip and therefore half-hour service intervals. It is proposed that the Proponent will fund the operation of the bus route for a period of three years.

Parking can provided to meet requirements on site, predominately in basements to satisfy Council's DCP requirements. Any parking impacts from non-residential uses on the surrounding residential streets could be adequately managed by introducing timed parking in conjunction with a resident parking scheme.

The amended Planning Proposal will have a positive impact on walking and active transport options like cycling by incorporating cyclist and pedestrian access to the new uses on the site. New residents and surrounding residents will be able to access locally serving retail and services within walking distance, reducing the need for some longer predominately car based trips.

Against existing traffic volumes in the vicinity of the site, the additional traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network, following implementation of select agreed road network improvements.

Visual Impact

The existing Former Bushells Factory Central Roasting Hall and associated chimney stack will remain as the dominant built form features on the site to ensure the value of the factory as a recognisable landmark.

The amended Planning Proposal provides for new built form around the retained Central Roasting Hall, at approximately half its height or less. Such buildings are less likely to be seen from the surrounds due to existing development and trees.

Views from residences on Duke Avenue will not be adversely impacted, as the 12m side setback provided for in the Concept Plan will enable retention of existing established trees that already screen such views.

Views towards the site from the Burwood Road street frontage will change in appearance, however will not result in view loss to a particular scenic element. Some units in the 6 storey apartment building located immediately east of the site, 162G Burwood Road, currently afford views north-west towards Massey Park Gold Course. These views may be reduced for some residents however units will still afford views north towards Exile Bay which is considered high value.

New buildings as a consequence of the amended Planning Proposal will not cause significant public domain view loss or blocking effects. Primary view loss of key public domain locations

are likely to be restricted to upwards views of open sky. Whilst new buildings will alter the composition of foreground views from close public and private viewing locations, they will not block views to scenic or more highly valued items. The visual impact from when viewed from the across the bay (north and east of the site) may also be reduced with careful selection of materials and finishes.

Additionally, new locations to view the Exile Bay and Parramatta River will be created by the proposed new public roads and open space on the site.

Overshadowing

The potential overshadowing impacts of the amended Planning Proposal are outlined in the Concept Plan, Analysis and SEPP 65 Certification prepared by AJ+C (Appendix C) as follows:

- Solar access to properties west of the site may result in a minor reduction in the morning. However much of the shadow impact will be contained within shadows of existing trees.
- Properties south of the site will not experience impact of overshadowing as a result of the proposal.
- Properties to the east of the site may result in some reduction to afternoon sun light after 2pm at the winter solstice. The impact on existing buildings may be minimised through careful building massing and articulation.

Any overshadowing impact would be need to be confirmed as part of the Development Application process. Notwithstanding, any future development would need to comply with the provisions of SEPP 65.

Solar Access

The Concept Plan, Analysis and SEPP 65 Certification (Appendix C) provided by AJ+C outlines the solar access compliance of indicative apartment and communal open space locations as per the requirements of Apartment Design Guide Objective 4A of Schedule 1 of SEPP 65.

Visual and Acoustic Privacy

The Concept Plan provides for adequate separation distances between residential buildings. It is expected that visual and acoustic privacy would be addressed at the Development Application stage.

Public Domain

The amended Planning Proposal will positively contribute to the public domain by providing new public open space in the form of a waterfront park. This new open space will provide improved waterfront connections from Bayview Park in the east to Prince Edward Park in the north.

The proposed public domain on the site will be well connected to the local area through the provision of pedestrian links from Burwood Road and Zoeller Street.

The Concept Plan provides for a plaza addressing ground floor retail / commercial uses, thereby encouraging street activity.

Tree Retention

The amended Planning Proposal will enable the retention of the existing landscaping along the eastern and western boundary of the site, and the trees within the north east portion of the site, notably the Hills Fig Tree. To ensure protection and suitability trees to be retained an Arboricultural Assessment Report has been prepared (Appendix G).

Loss of existing tree canopy will be mitigated with new planting on the site. The Concept Plan provides for new planting along streets and deep soil areas such as the proposed public foreshore park. A minimum of 25% urban tree canopy can be achieved according to the Concept Plan.

Stormwater

Council's requirements for stormwater management including flood mitigation, water re-use, water sensitive urban design, water quality control, and environmental protection can be provided for on-site. Building roof stormwater runoff will be harvested for re-use in non-potable uses where possible.

The underground drainage network can be designed to contain the major (100yr ARI) storm, and emergency overland flows paths have been designed to avoid local nuisance flooding to site buildings and neighbouring properties.

It is anticipated that all low flows (<Q1) will be conveyed to a centrally located water quality treatment system to reduce target pollutants of suspended solids, total phosphorous, and total nitrogen, sediment and gross pollutants. Discharge points are proposed to remain unchanged or be altered to improve discharge conditions.

The above issues would be formally addressed at the Development Application stage.

Flooding

Council's draft Exile Bay Study 2020 quantifies the existing flood behaviour on the site with peak flood levels in the vicinity of the development as: 1% Annual Exceedance Probability (AEP) of 3.6m - 8.4m AHD, and Probable Maximum Flood level of 3.7m - 8.6m AHD.

The majority of the development is subject to low hazard flooding and is affected by low magnitude overland flow. In the 1% AEP event, this is in the order of 1.6m³/s which is feasible to convey in either an above or below ground stormwater system.

The Flood Assessment Report (Appendix X) finds that the indicative concept is feasible with regard to the requirements of Council's LEP and DCP and subject to further design development and assessment as part of the Development Application process.

Contamination, Geotechnical and Groundwater

A preliminary (Appendix R), additional (Appendix S) and detailed (Round 1) (Appendix Y) Site Contamination Assessments have been prepared for the site which conclude that based on the soil samples assessed on the site are generally unlikely to pose a risk of harm to human health and the environment. Arsenic concentration at one test location was marginally higher than risk based Health Investigation Level B. This has been identified as a hot spot for further investigation and remediation. Some acidic soils were also detected which may influence the footings of structures.

It is anticipated that if excavation extends below the groundwater level (most likely to be RL 0), dewatering may be required, and a specialist dewatering contractor should be contacted during basement excavations.

As basements levels form part of the Architectural Concept Plan, further investigations of groundwater conditions under the site would be carried out as part of any future Development Application based on the recommendations of the Geotechnical Investigation Report prepared for the site.

Q.9. HAS THE AMENDED PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

Housing Supply

The amended Planning Proposal enables a range of housing products to be developed on the site to positively contribute to housing supply within Concord and Canada Bay Local Government Area.

The Concept Plan provides for approximately 400 dwellings, 10% of which will be provided as affordable housing in accordance with a draft Affordable Rental Housing Scheme prepared by Council.

Industrial Land Supply

The Economic Impact Assessment (Appendix O) concludes that given the low levels of demand and new lease activity for the industrial market within the Inner West, and the site's location on Parramatta River surrounded by residential uses with poor heavy vehicle access and isolation from other industrial uses, it is unlikely that the industrial use of the site will continue past its current use. Notwithstanding, the Planning Proposal makes provision for light industry uses within the B1 Neighbourhood Centre zone that will enable a range of emerging 'urban services' to occur that support the local community and reflect the changing uses and character of employment lands in Eastern Sydney.

In addition, the EIA identifies several economic benefits of the amended Planning Proposal:

- New employment creation;
- Additional economic activity during the period of construction, stimulating investment in the locality; and
- Increased proportion of residents living close to employment, retail facilities, amenities and public transport.

Retail Supply

The amended Planning Proposal seeks the rezoning of part of the site to B1 Neighbourhood Centre to enable commercial premises including, but not limited to, neighbourhood shops and neighbourhood supermarkets.

The Retail Demand Assessment prepared by Hill PDA (Appendix P) suggests a total retail floor area of approximately 3,000m² with a retail mix is as follows:

- Approximately 800 to 1,000m² supermarket (small format Coles or Woolworths, IGA, Harris Farm or similar)
- 200sqm to 400m² of specialty food (liquor, bakery, butcher, confectionery, coffee, etc)
- Approximately 800m² of restaurants and fast food/take-aways
- Approximately 500 to 800m² of non-food retailing and personal services (newsagency, arts, hair and beauty, chemist, etc)

Following the recommendations of the SECPP, there will be ample floorspace to accommodate the above retail uses and mix, given the minimum provision of 7,000m² of non-residential floor space on the site.

The Retail Demand Assessment has found \$18.7m out of \$35m growth in the walkable catchment of site between 2016 and 2031 would be captured by retail as proposed in the Concept Plan. The proposed centre is justifiable based on growth alone and would not be reliant upon redirecting significant trade away from existing centres.

The redevelopment of the subject site provide economic benefits in terms of attracting additional retail spend to the area. The proposed extent of retail is aimed at serving the local population but will not take significant trade away from existing centres and will encourage active transport to convenience retail.

Heritage

A Statement of Heritage Impact (Appendix K) has been prepared which found that:

- The following aspects respect the heritage significance of the items in the vicinity:
 - The redevelopment does not propose to alter the curtilage or the physical fabric of the surrounding heritage items;
 - Redevelopment would interpret of the site's distinct character within the local area;
 - The views between the subject site and the heritage items would remain largely consistent with views from the heritage items dominated by the highest elements of the subject site;
 - The proposed higher built forms would be located in the centre of the site which would minimise the visual impact of the proposed building on the existing views, particularly from Concord Road, the waterfront and Massey Park Golf Course;
 - The redevelopment would encourage and facilitate ongoing social use of the heritage items; and
 - Landscaping elements make reference to the nature of the surrounding heritage items and would reinvigorate the local area, particularly through the creation of a publicly accessible foreshore park.
- There are no aspects of the proposal which could be detrimental to the significance of the heritage items in the vicinity.

The SoHI concluded that the proposed development would positively contribute to the surrounding heritage items by encouraging and facilitating their ongoing use and appreciation. By locating the taller building heights in the centre of the site, visual impact of any future development on the nearby heritage items, the waterfront and the streetscape would be minimised.

It is recommended that the Former Bushells Factory Building be listed as an item of environmental heritage in CBLEP 2013. The significance of the subject site is attributed to the Former Bushells Factory Building, including the chimney stack, the 'B' facade, and the landscaped setting.

Heritage Setting

The most important aspects to the current heritage setting are:

- A visually prominent Central Roasting Hall building; and
- The characteristic industrial landscape setting.

The visual prominence of the Central Roasting Hall building, most importantly as seen from the foreshore round, will be retained by ensuring that the maximum height of new buildings does not exceed 21m (6 storeys), which is approximately half the height of the existing building.

The industrial landscape setting, which is typical of Inter-War and Post-War industrial complexes in Sydney, will be maintained in terms of the grassed areas surrounding the retained building and the proposed foreshore park.

Adaptive Reuse

The Former Bushells Factory Building is proposed to be retained, conserved and adaptively re-used to accommodate residential, retail, commercial and community uses in a manner that will not alter the exterior or interior spaces, except where the upper floors are to be converted for residential use. All prominent structural elements, including beams, columns and large internal open area, are to be maintained. This is consistent with adaptive reuse principles of allowing the building's structure and form to be maintained without having to remove, alter or demolish a significant amount of original fabric.

The prominent glazed elements of the northern and southern façades of the factory building will be maintained as an element. Due to BCA and NCC requirements, the existing glass and aluminium framing cannot be retained, however a contemporary style of curtainwall glazing would be introduced that reads closely to that which already exists. A wintergarden is proposed that establishes a secondary line to glazing to minimise impacts of the glazed components of the tower and to meet the specific requirements for residential use.

Social Infrastructure

The amended Planning Proposal will have a positive impact on the community as it responds to the needs that were identified within the Social Infrastructure and Community Uses Demand Assessment (Appendix W).

The amended Planning Proposal seeks to enhance the amenity and public domain of the subject site and surrounding areas via landscaping improvements and the provision of public open space and in turn, increased levels of activity.

The linkages of the site with surrounding uses and facilities would promote a positive flow on effect to the broader community to the benefit of social health and well-being. The co-location of open space and retail facilities on the subject would have a positive impact on the use of the neighbouring Bayview Park and Hen & Chicken Bay Foreshore Walk. The through site link would also increase accessibility from neighbouring Bays, particularly for cyclists, which would have positive benefits in terms of social health and well-being.

5.3.4 SECTION D – STATE AND COMMONWEALTH INTERESTS

Q10. IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE AMENDED PLANNING PROPOSAL?

Public Transport

According to the Traffic Impact Assessment (Appendix F) the amended Planning Proposal is likely to result in development with occupants that will increase demand for the bus services that connect the site to key destinations such as Burwood Train Station and Town Centre.

The recent re-routing of the 466 bus route to travel to the northern end of Burwood Road and frequent services in the peak hour (services every 15 minutes) will help to accommodate the increase in population in the area. The 466 bus provides a connection to Burwood Station where commuters can transfer to the T1 North Shore, Northern and Western Line or T2 Inner West Line and Leppington Line, providing connections to other parts of Sydney including the CBD.

Utilities

The site is within an established urban area, with all urban services provided to the site. While the proposal may require the upgrading of service facilities such as water, electricity or sewer to cater for the proposed increase in density, these can be addressed as part of a future Development Application.

Open Space

The site is well serviced by recreational open spaces with a number of public open space and facilities within walking distance including Bayview Park and Hen & Chicken Bay foreshore walk.

The Concept Plan provides for a new public foreshore park and the enhancement of the Exile Bay frontage (to be rezoned as RE1 Public Recreation).

Health and Education

The site is relatively well-serviced by a range of health facilities with 14 health facilities located within a 2 km radius of the site, included services such as medical centres, physiotherapists, pathologists, orthopaedics, and dental services. Two community health facilities, the Concord Early Childhood Health Centre and the Five Dock Early Childhood Centre, are located within a 2 km radius of the site. The Concord Repatriation General Hospital is located approximately 3km north west of the site.

Similarly, there are a number of primary and secondary educational facilities within 2 km of the site, including seven primary schools and five secondary schools.

Accordingly, it is anticipated that there are adequate health and education facilities and infrastructure in the local area and the wider LGA to support the amended Planning Proposal.

Q11. WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

Appropriate consultation with relevant government agencies will be undertaken as required by Condition 4 of the Gateway Determination.

PART 4 – MAPPING

Proposed LEP mapping consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps have been prepared and are provided in Section 5 Part 2 of this report.

PART 5 – COMMUNITY CONSULTATION

Proponent-led Community Consultation

A communication and community engagement program was undertaken as part of a review of options for the potential future redevelopment of the subject site.

The key aims of KJA's communication and engagement program were to:

- Inform local residents and community stakeholders about the long-term future of the site;
- Help to understand the key areas of community interest; and
- Invite suggestions and feedback into potential community benefits that could be included in future residential development of the site.

The tools and activities that comprised the communication and engagement program included:

- Letter notification to neighbours and residents with an overview of the Proponent's plans and an invitation to a community drop-in event;
- Communication with representatives of Massey Park Golf Course;
- Briefings for FreshFood employees and Unions;
- A media release sent to the Inner West Courier;
- A project website, online survey and 1800 community info line;
- A community drop-in event held onsite on Saturday 11 March 2017; and
- A double sided printed A4 colour project flyer and 12 x AO sized project panels.

More than 190 people attended the community drop-in event and 75 online surveys have been completed as at 30 April 2017.

The key themes that emerged in the feedback included:

- Cultural Hub and Community Neighbourhood Services – broad support for community facilities and activities on the site.
- Industrial Character and Environment – broad support for protecting, preserving and enhancing the site's industrial character, aquatic environment and significant trees.
- Better Public Access and Open Space – overwhelming support for opening up the site for public access and for the recreational benefits it would provide to the community.
- Local Public Transport – participants were generally supportive of improving local public transport to discourage reliance on private cars travelling to and from the site. People indicated the most interest in seeing ferry services reinstated from Bayview Park Ferry Wharf, followed by an interest in improving bus services, with car share facilities receiving little interest.
- Additional Community Benefits – community suggestions for additional community benefits

included community hall/function centre for hire, gym/fitness centre, facilities for seniors, pool facilities, housing (retirement homes and/or affordable housing), movie theatre, country club, bar, primary school, events, large scale obstacle courses and climbing walls, and BBQ areas.

Other key areas of interest that emerged from the feedback included density and site layout, traffic, parking, local Infrastructure, construction impacts, planning and consultation processes, the developer, and the nature of the development.

Feedback from the community was carefully considered and is reflected in the following initiatives:

- Provision of social infrastructure such as:
 - Community market;
 - Multi-purpose cultural and exhibition spaces; and
 - Public open spaces.
- The amended Planning Proposal will provide for the adaptive re-use of the Central Roasting Hall, with future development on the site to respect the 'Factory in a Garden' setting of the site. Adequate building separation will enhance views to and from this central building, converting it into a destination for community and retail uses, while celebrating its industrial heritage.
- 20% of the dwellings are proposed to be design to meet the needs of an ageing population (Silver Level of the Liveable Housing Design Guidelines).
- The amended Planning Proposal will enable the provision of a new public foreshore park connected by pedestrian links to Burwood Road, Zoeller Street, and along the waterfront to Bayview Park in the east and Prince Edward Park in the north. This will facilitate active lifestyles, social interaction, and contribute to a healthy built environment.

Notification of previous amended Planning Proposals

The amended Planning Proposal (dated 7 February 2019) was notified by Council to residents in the immediate vicinity of the site and the public via Council's website. 123 submissions were received.

On 18 June 2019, Council resolved to defer the Planning Proposal to enable further consultation with the community. A meeting of community representatives (5) occurred on 24 July 2019, chaired by a facilitator who subsequently presented the outcome of the resident meeting to Councillors, without involvement of the Proponent.

The amended Planning Proposal dated 11 September 2019 was made publicly available by the NSW Department of Planning, Industry and Environment on as part of the Rezoning Review process.

It is anticipated that the amended Planning Proposal will be publicly exhibited, subject to endorsement by Council to proceed with submission to the Department of Planning, Industry and Environment for Gateway Determination.

PART 6 – PROJECT TIMELINE

The planning proposal is to be finalised 12 months from the issue of the Gateway Determination issued by DPIE in October 2021.

An indicative project timeline is provided below.

Action	Anticipated Timeframe
Gateway determination	Received October 2021.
Revisions to PP in response to Gateway Determination conditions	January 2022 - May 2022.
Commencement and Completion dates for public exhibition period	Timeframe is 28 days as specified in Gateway Determination. Estimate May/June 2022.
Timeframe for consideration of submissions	Four weeks following completion of public exhibition, including two to three weeks to further consult with State Government and servicing authorities. Estimate July 2022.
Report to Council meeting	Preparation of Council report including lead-in time to meeting. Estimate August 2022
Referral to the PCO for drafting	Estimate September 2022
Submission to DPIE for finalisation	Estimate October 2022
Submission to PCO for publication onto NSW Legislation website	Estimate October 2022

6.0 CONCLUSION

This report provides updated information, analysis and justification with respect to the Planning Proposal initially lodged in June 2017. This report responds to matters raised by Council on 2 November 2018 regarding the Planning Proposal submitted in July 2018.

This amended Planning Proposal has been prepared in response to the recommendations made by the Sydney Eastern City Planning Panel (SECPP) in its determination of the Rezoning Review on 31 March 2020, and the Gateway Determination dated 31 October 2021.

This amended Planning Proposal seeks to amend the CBLEP 2013 as applicable to the site as follows:

- Rezone the subject site from the existing IN1 General Industrial zone to part B1 Neighbourhood Centre, part R3 Medium Density Residential, part RE1 Public Recreation;
- Amend Part 6 Additional Local Planning Provisions to:
 - Apply the Foreshore Building Line to the portion of the site proposed to be zoned RE1 Public Recreation; and
 - Introduce a development standard for the site which sets out a minimum provision of 10,000m² GFA for non-residential uses, of which a minimum 3,000m² GFA shall be light industrial uses located on the lower and upper ground floor and subject to minimum floor to ceiling heights.
- Amend Schedule 1 Additional Permitted Uses to permit "Commercial premises" within the portion of the site proposed to be zoned R3 Medium Density Residential;
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Increase the maximum height of buildings from 12m to a range of heights as follows:
 - 18m (5 storeys) to the northern boundary of the site;
 - RL 46.6 to reflect the existing roof height of the Central Roasting Hall building to be retained;
 - 21m (6 storeys) at the centre of the site around the Former Bushells Factory Central Roasting Hall building;
 - 15m (4 storeys with ground floor urban services) between the Central Roasting Hall building and the 3 storey terraces on Burwood Road;
 - 12m (3 storeys), 17m (5 storeys) and 21m (6 storeys) along the eastern boundary; and
 - No change to heights along Burwood Road frontage, the western boundary and immediately north of the Central Roasting Hall.
- Increase the maximum FSR applicable across the whole of the site from 1:1 to 1.25:1 which, when broken down into the proposed blocks, corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each of those blocks.

The objective of the Planning Proposal is to facilitate the urban renewal of this industrial site to become a riverside village that offers a mix of land uses that are more suited and complimentary to the existing local area including residential, retail, commercial, community, recreational and urban support service uses.

The intended outcome is the provision of approximately 400 new dwellings together with 7,000m² of retail, commercial and other non-residential uses and 3,000m² of urban services uses, focused around the retention and adaptive reuse of the Central Roasting Hall building (Former

Bushell's Factory building), which is proposed for heritage listing. The proposed layout of uses will include a new local road and 8,900m² of public open space including a new plaza and foreshore park to Exile Bay. New built form will range from 3 storeys (12m) to a maximum of 6 storeys (21m), reflecting the recommendations of the Canada Bay Local Planning Panel.

While both the Greater Sydney Region Plan and the Eastern City District Plan set out to safeguard the redevelopment of industrial land for residential and other uses, the site's peninsular and residential context pose significant constraints to ongoing industrial uses.

Council's strategic documents, the Canada Bay Local Planning Panel and the Sydney Eastern City Planning Panel acknowledge the limited suitability of the site for continued or intensified industrial land uses.

The amended Planning Proposal demonstrates strategic merit with respect to:

- the Greater Sydney Region Plan and Eastern City District Plan, by achieving the economic and urban support outcomes sought by the 'retain and manage' principle by way of an alternative mix of uses on the site that will include a range of emerging 'urban services' to support the local community and reflect the changing uses and character of employment lands in Eastern Sydney.
- Council's LSPS, with the ability to achieve high quality planning and design outcomes by providing a mix of uses including urban services; providing for a scale of development that is compatible with the existing context and responds to the site's industrial heritage; and contributes to the Green Grid as required under Action 6.3.
- Responding to changes in circumstances, in relation to the cessation of manufacturing uses on site stemming from site specific constraints and broader economic trends in the declining demand for and viability of 'traditional manufacturing'. The proposal responds to the opportunity to provide an alternative mix of uses that includes retention.

The amended Planning Proposal demonstrates site specific merit in its ability to provide for a more complimentary mix of uses that respond to the site's industrial heritage, its unique waterfront location and the existing surrounding residential uses. It provides the opportunity to service the broader local community with new retail and commercial uses together with urban services. The proposed new road will also improve the permeability of the site for pedestrians, bicycles and vehicles.

The proposal supports the District Plan priorities relating to the protection and improving the health of Sydney Harbour; protecting and enhancing scenic and cultural landscapes, particularly the landmark 'B' of the Bushells Factory Building; providing for a minimum 25% urban tree cover and delivering high quality open space at the foreshore of Exile Bay, connecting to the broader Green Grid.

Key environmental, social and economic effects that may result from the amended Planning Proposal have been assessed. The proposed scale and density of the amended Planning Proposal will not adversely impact the visual and landscape setting of the Central Roasting Hall; surrounding properties in terms of views, overshadowing and amenity; or existing traffic conditions.

Furthermore there are a number of environmental, social and economic benefits that would result from the proposal including:

- Improving housing supply and choice in a well-connected location close to public transport, jobs and various amenities;
- Increased and more diverse employment opportunities on the site;
- The activation of the foreshore harbour frontage by improving the site's connectivity, providing new public access and landscape amenity;
- Provision of a neighbourhood-scale centre, providing a walkable alternative to Majors Bay Road shops for existing and future residents;

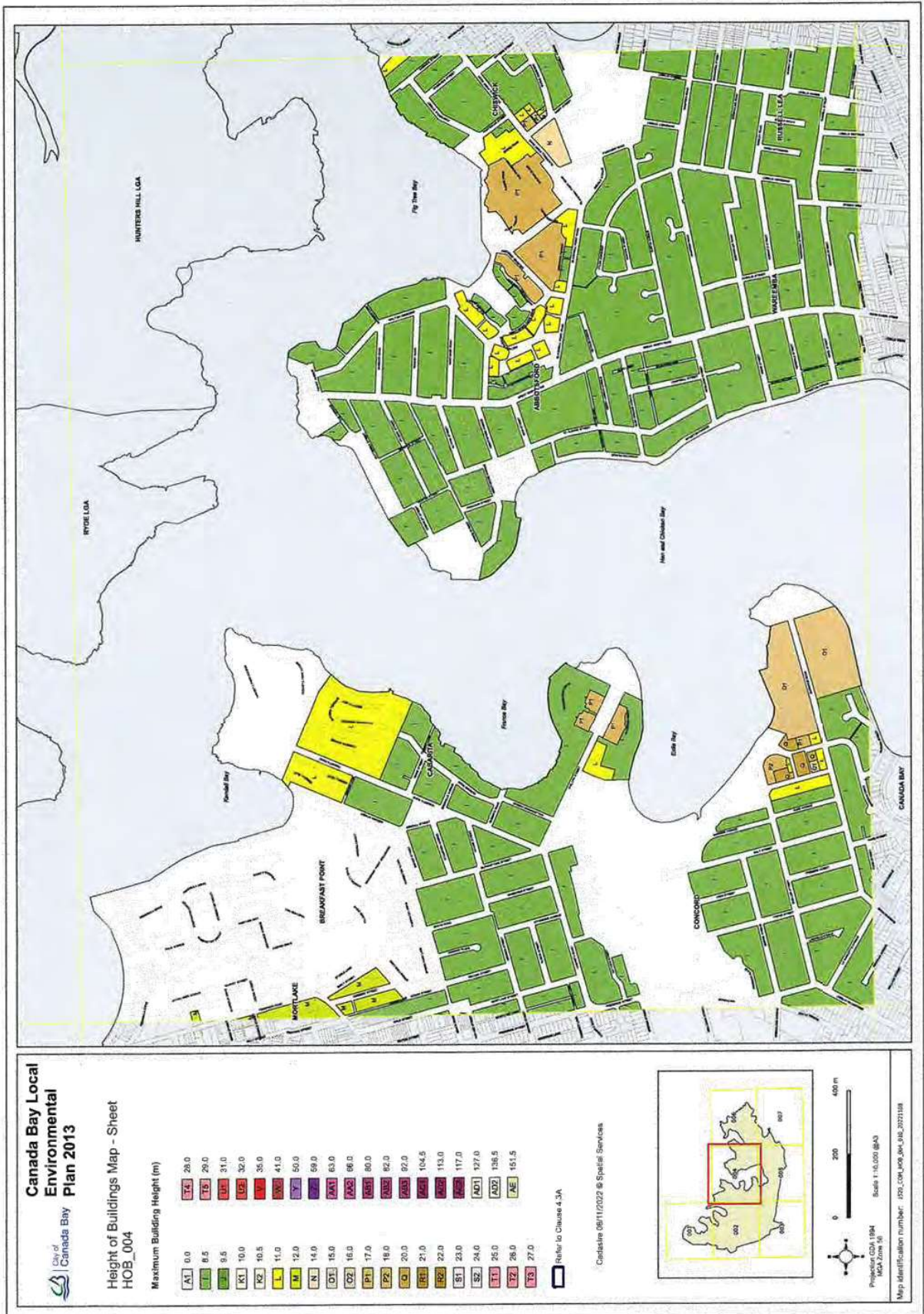
- Removing heavy vehicle movements relating to the industrial uses from the area.

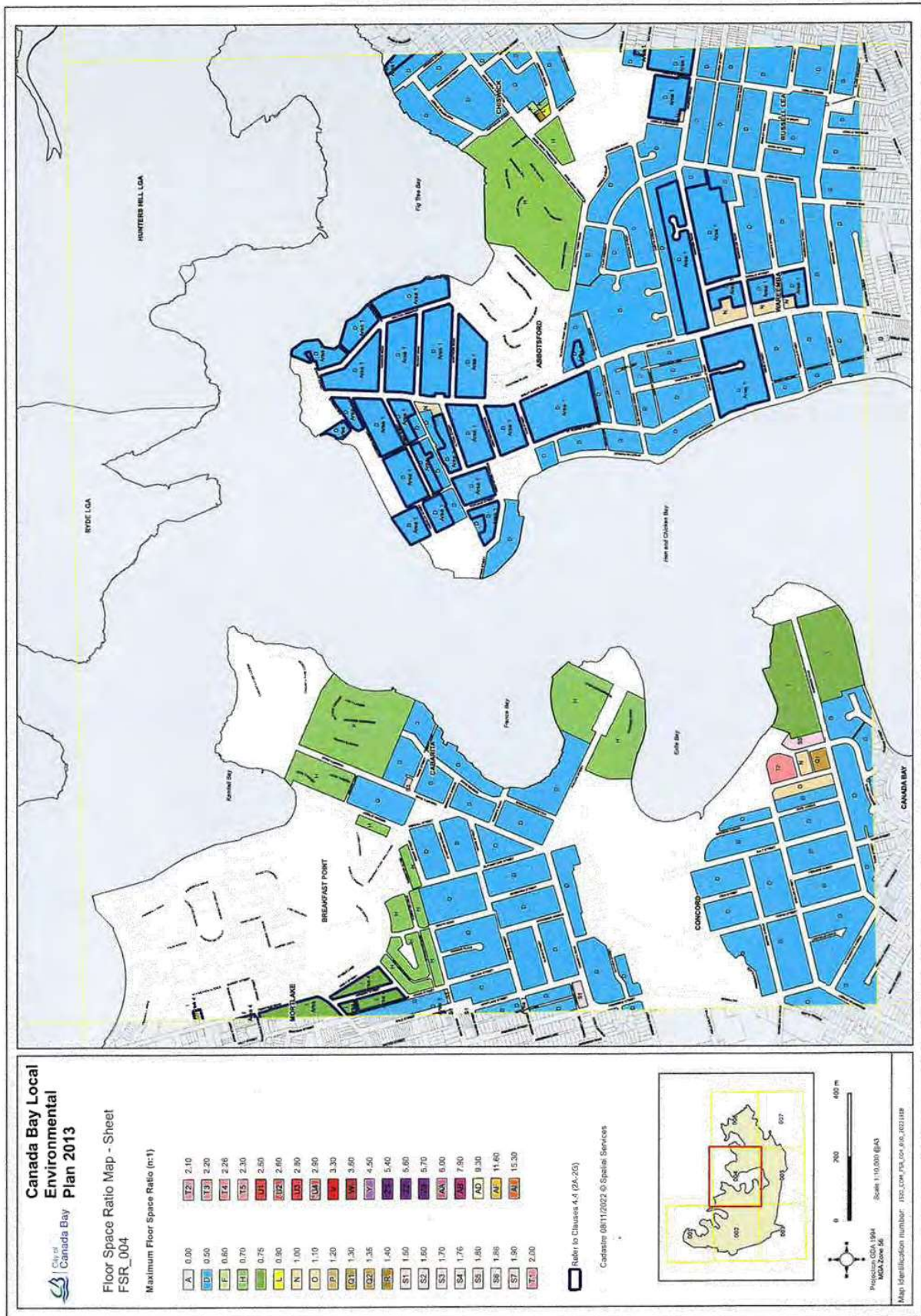
These benefits will be delivered by a Draft Voluntary Planning Agreement, which is proposed to include:

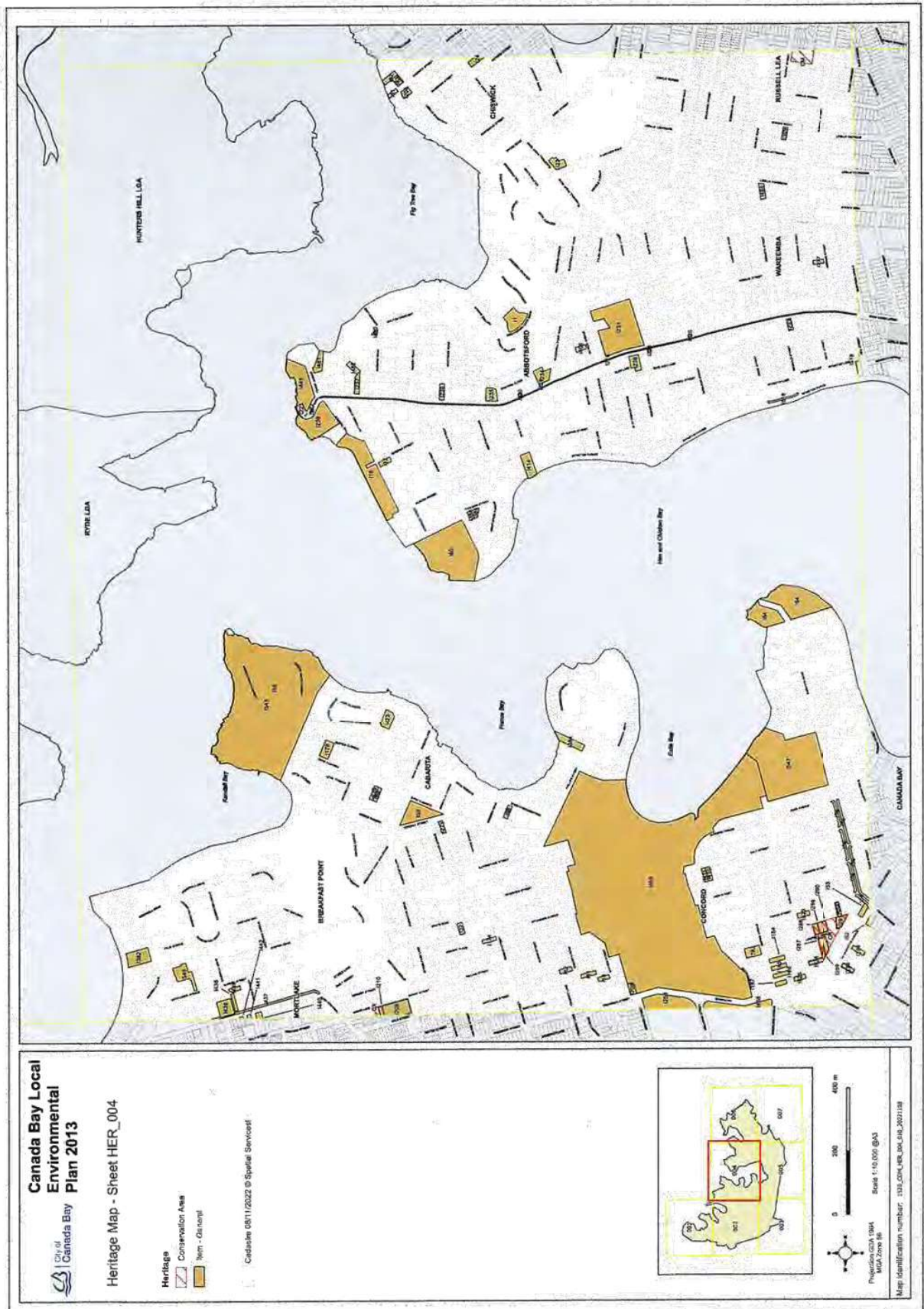
- 5,900m² of land for public open space, including embellishment of that land, to be dedicated to Council upon completion of the development project;
- Restoration works to the seawall and additional waterfront edge landscaping to provide access to the water (estimate \$2,100,000). Agreement will be reached with the Roads and Maritime Service to confirm final scope of works)

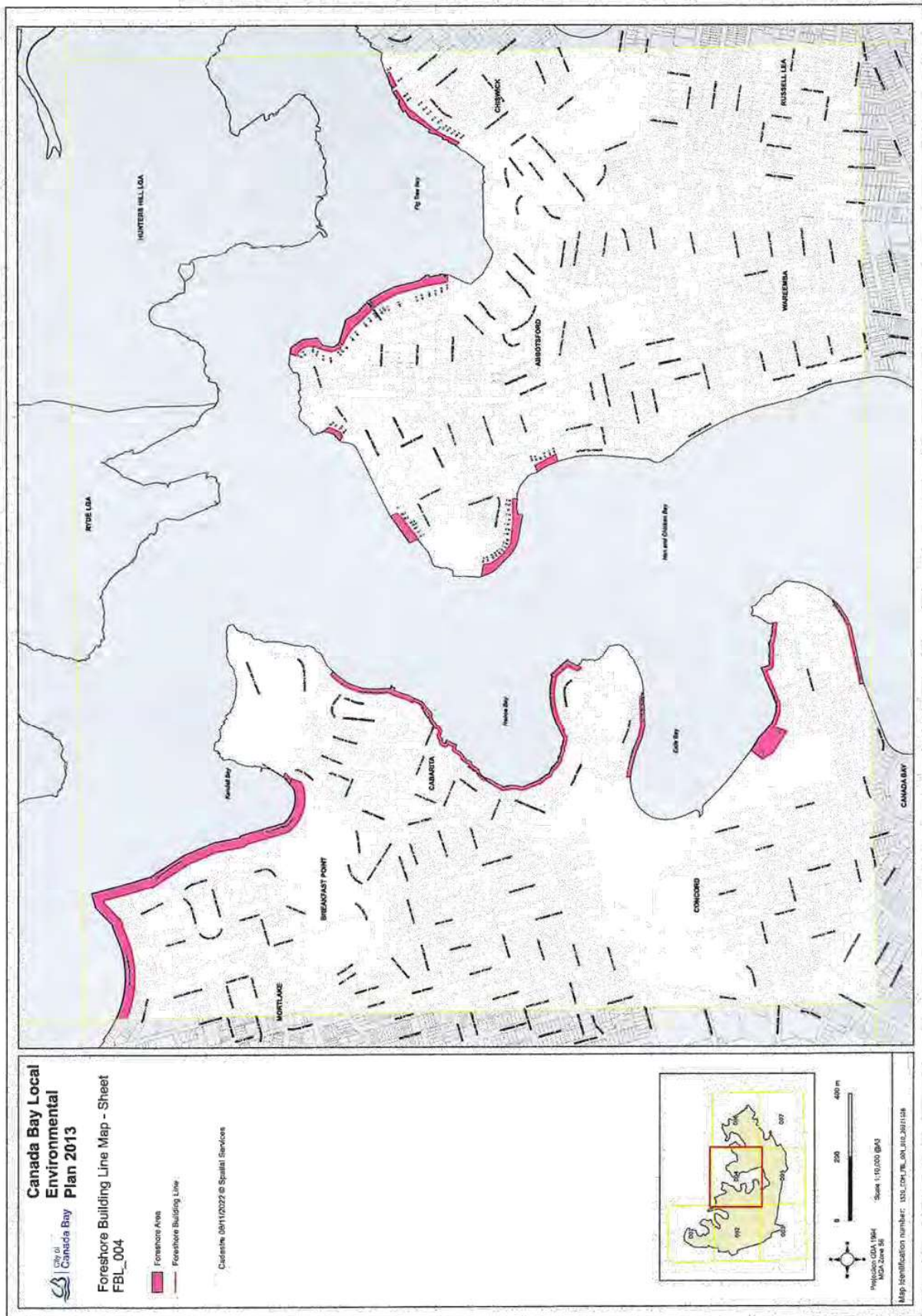
Accordingly, it is recommended that the Planning Proposal be exhibited by Council for public exhibition and finalisation.













Outcome of
Exhibition

Planning Proposal
160 Burwood Road, Concord (Bushells)

Report on Submissions

October 2022

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

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Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

2. Executive Summary

The purpose of this report is to provide a summary of submissions received during the exhibition of the Planning Proposal – 160 Burwood Road, Concord (known as the Bushells site).

The exhibition package was publicly exhibited from 10 June to 08 July 2022, in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the Gateway Determination (for PP-2021-6099) dated 31 October 2021.

The exhibition package was publicly exhibited on the NSW Planning Portal, the City of Canada Bay website and community engagement platform *Collaborate* for 28 days (427 visits).

A notification letter was also sent to 2,317 landowners and residents.

A total of 188 submissions were received during the exhibition period. The primary issues raised in submissions relate to:

- A. Density, scale and height
- B. Traffic and transport
- C. Transport and cycleways
- D. Parking
- E. Heritage
- F. Environmental impacts
- G. Natural environment
- H. Open space
- I. Services, facilities and affordable housing
- J. Ownership and maintenance of foreshore
- K. Draft Development Control Plan

This report provides a summary and a response to submissions.

An independent Urban Design Review was also commissioned by Council, to provide objective feedback about various aspects of the proposal that had urban design implications (refer [Attachment – Urban Design Review](#)). The recommendations of the peer-review have informed responses in Sections 5 and 6 below.

3. Introduction

A planning proposal has been prepared to amend the *Canada Bay Local Environmental Plan 2013* (the LEP) for 160 Burwood Road, Concord (Bushells).

The Planning Proposal seeks to rezone industrial land and amend planning standards to enable a development comprising residential, commercial, recreational uses, together with the provision of compatible, low impact light industrial uses.

The planning proposal is a revised Planning Proposal, with iterations of the planning proposal having been considered by Council on three previous occasions.

The current Planning Proposal responds to Gateway Determination conditions issued by the Department of Planning and Environment (DPE) on 31 October 2021. The major changes required by the Gateway conditions were that, prior to public exhibition, the planning proposal was to be revised to:

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- a. Include provisions to ensure spatial needs of light industry uses are addressed, including requirements for light industry to be located on the lower and upper ground floor levels of the Central Roasting Hall, and appropriate floor-to-ceiling heights.
- b. Update the draft DCP to address the spatial needs of light industrial uses as well as detailed design considerations such as floor to ceiling height spans, loading docks and vehicle access/parking, vehicle circulation, waste disposal, storage and service areas/ corridors, etc.

The key changes from the original planning proposal are shown in the table below.

Overview of Planning Proposal

The planning proposal is seeking to:

- Rezone the land from IN1 General Industrial land to part B1 Neighbourhood Centre, part R3 Medium Density Residential, part RE1 Public Recreation;
- Amend Part 6 Additional Local Planning Provisions to:
 - Apply a Foreshore Building Line to the land; and
 - Introduce a minimum provision of 10,000m² GFA for non-residential uses, of which a minimum 3,000m² GFA shall be light industrial uses.
- Amend Schedule 1 Additional Permitted Uses to permit "Commercial premises" within the portion of the site proposed to be zoned R3 Medium Density Residential;
- List the Bushells Factory Roasting hall building as an item of Local Heritage in Schedule 5 Environmental Heritage;
- Increase the maximum height of buildings from 12m to 12m (3 storeys), 15m (4 storeys), 17m (5 storeys), 18m (5 storeys), 21m (6 storeys) and RL 46.6 (height of Roasting hall building).
- Increase the maximum FSR from 1:1 to 1.25:1, which corresponds to an FSR of 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1 for each block.

This is intended to deliver approximately 384 apartments and approximately 281 jobs provided by 10,278sqm non-residential uses (6,747sqm of retail and restaurants and 3,531sqm of urban services).

The Proponent has also offered to enter into a Voluntary Planning Agreement (VPA) that provides for the following public benefits:

- 5,900m² of land for public open space, including remediation (if required) and embellishment of that land, to be dedicated to Council upon completion of the development project; and
- Restoration works to the seawall and additional waterfront edge landscaping to provide access to the water and completed prior to the dedication of the land to Council for public open space.

Previous planning proposals

The subject planning proposal is a revised planning proposal for the subject site.

It was preceded by a planning proposal submitted in June 2017, which was subsequently refused, and then a series of revisions to a planning proposal submitted in July 2018 (refer to table below).

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The current planning proposal was subject to a rezoning review application and review by the Eastern City Planning Panel (the Panel) on 31 March 2020.

	Date of planning proposal version					
	June 2017 Refused	July 2018	Feb 2019	Sept 2019	June 2020 Gateway Review	May 2022 The subject Planning Proposal
Zoning	B4 Mixed Use		B1 Neighbourhood Centre; R3 Medium Density Residential; RE1 Public Recreation			
Height	121.5m	12m, 22m, 25m, 46m	12m, 16m, 21m, 24m and 30m. RL 46.6 to reflect existing roof height of Central Roasting Hall		12m, 15m, 17m, 18m, and 21m. RL 46.6 to reflect existing roof height of Central Roasting Hall	
FSR	1.95:1	1.6:1	1.5:1	1.25:1	1.25:1, comprising 1.13:1, 1.81:1, 2.1:1, 2.4:1 and 2.74:1	1.25:1, comprising 1.15:1, 1.85:1, 2.1:1, 2.2:1 and 3.05:1
Additional local provisions	No change				Foreshore Building Line in RE1 zone. Minimum 10,000m ² GFA for non-residential uses, of which a minimum 3,000m ² GFA for light industrial uses	
Additional permitted uses	Boat sheds, jetties, moorings, water recreation structures	Multi-unit dwellings	Light Industries in the R3 zone	No change	Commercial Premises in the R3 zone	
Schedule 5 Environmental Heritage	No change			Former Bushells Factory Building		

4. Exhibition of the Planning Proposal

Exhibition period

The planning proposal and supporting information was publicly exhibited from 10 June to 08 July 2022, in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the Gateway Determination (for PP-2021-6099) dated 24 November 2021.

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Exhibition material

The planning proposal was exhibited with LEP maps, draft Development Control Plan (DCP), draft Affordable Housing Contribution Scheme (AHCS) and the following Appendices:

- Appendix A - Survey
- Appendix B – Urban Design Report
- Appendix C - Concept Plan, Analysis and Sepp 65 Certification
- Appendix D – Landscape Master Plan
- Appendix E – Public Domain Plan
- Appendix F – Transport Impact Assessment
- Appendix G - Aborigicultural Development Assessment Report
- Appendix H – Heritage Listing Nomination Report
- Appendix I – Heritage Significance Assessment
- Appendix J – Heritage Response to Local Planning Panel
- Appendix K – Statement of Heritage Impact
- Appendix L – Façade Report
- Appendix M – Draft Letter of Offer
- Appendix N - Affordable Housing Contributions
- Appendix O - Economic Impact Assessment
- Appendix P - Retail Demand Assessment
- Appendix Q - Aboriginal Heritage Due Diligence Assessment
- Appendix R - Preliminary Soil Contamination Assessment
- Appendix S - Additional Contamination Assessment
- Appendix T - Preliminary Geotechnical Investigation
- Appendix U - Additional Geotechnical Investigation
- Appendix V - Sustainability Strategy
- Appendix W - Social Infrastructure and Community Uses Demand Assessment
- Appendix X - Flood Assessment Report
- Appendix Y - Detailed Site Investigation (Round 1)

Note that several of these documents have been revised following completion of the public exhibition and the independent Urban Design Review of the planning proposal:

- LEP maps
- Development Control Plan – General Controls and Site Specific DCP
- Transport Impact Assessment
- Aborigicultural Development Assessment Report
- Affordable Housing Contributions
- Flood Assessment Report

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Public notice

The exhibition package was publicly exhibited on the NSW Planning Portal, and Council's website and community engagement platform *Collaborate* for 28 days (427 visits).

Notification to landowners

A notification letter was sent to 2,317 landowners and residents.

Consultation with public authorities and organisations

The following agencies and organisations were consulted for feedback:

- Environment, Energy and Science Group
- Environmental Protection Agency
- Greater Sydney Commission
- Department of Education
- Ausgrid
- Sydney Water
- Jemena
- Metropolitan LALC and other relevant Aboriginal groups
- Roads and Maritime Service
- Transport for NSW
- Massey Park Golf Club

Submissions were received from Environment, Energy and Science Group; Environmental Protection Agency; Sydney Water; Jemena; and TfNSW.

5. Review of Submissions – key concerns

This section of the report provides responses to key matters raised in submissions received during the exhibition period.

188 submissions were received:

- 150 individual submissions from the general public (including multiple submissions from 19 owners/residents)
- 10 from consortia of residents (strata committees)
- 1 from a Not for Profit organisation
- 6 from State Government agencies

Comments are provided in this section in response to key matters raised under the following headings:

- A. Density, scale and height
- B. Traffic
- C. Transport and cycleways
- D. Parking
- E. Heritage
- F. Environmental impacts
- G. Natural environment
- H. Open space

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- I. Services, facilities and affordable housing
- J. Ownership and maintenance of foreshore
- K. Development Control Plan (DCP)

Part 6 of this report includes a summary of all submissions and a response to any matters that do not fall within the above categories.

A. Density, scale and height

Particular concerns relating to the proposed density, scale and height of the proposed development included that:

- a. The development is too dense and too tall, making it inconsistent with the surrounding low-scale, low-density character of the area. One submission also noted that the height of the structures was originally approved for the operation of the factory, not for residential uses.
- b. The 5 and 6 storey buildings fronting the waterfront are too tall and are inconsistent with the waterfront skyline, comprised of 2 and 3-storey developments.
- c. Heritage listing the Roasting Hall will not prevent its demolition, but enable taller standard residential flat development to be approved in its place and of a height that exceeds what would otherwise be permissible.
- d. The scale and height of the proposed buildings will result in loss of privacy for adjoining residents and overshadowing of adjoining properties.
- e. There is uncertainty about the maximum number of storeys.
- f. The proposed communal roof-top areas will create overlooking, privacy and noise impacts on adjoining residents.
- g. The character of the local area will be impacted.

Other submissions raised concern that the proposed number of new dwellings will create unacceptable impacts on existing residents in the area, in particular from traffic congestion, on-street parking demand, public transport capacity and environmental damage to the parkland and foreshore. These matters are discussed separately under the relevant heading.

Response

The Planning Proposal is seeking to rezone the land from IN1 General Industrial to R3 Medium Density Residential and to increase the maximum building height to 21m and 46.6RL for the Central Roasting Hall. The area to the east of the site is zoned R3 Medium Density Residential and comprises strata apartment buildings and townhouses. The scale of the development to the east is comparable to that sought by the planning proposal and is a better benchmark for local character compatibility than the area to the west of south, which is zoned R2 Low Density Residential.

The planning proposal has been amended several times and the maximum height and density have been successively decreased, reducing the maximum building height of the proposed new buildings from 37 storeys to 6 storeys. The maximum height proposed is 21m and greater than the maximum permissible height to the east of the subject site, which is 15m. However, the tallest buildings on the adjacent property to the east, Pelican Quays, are 6 storeys. This is comparable with the tallest buildings proposed for the subject site, with the exception of the central Roasting Hall which is proposed to be heritage listed and adaptively re-used. A maximum number of 6 storeys is therefore comparable and compatible with the

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immediate adjoining development. This height will also allow the Central Roasting Hall to retain its visual dominance within its setting.

The density sought by the Planning Proposal is an FSR of 1.25:1. This represents an increase compared to the area to the east, which has a maximum permissible FSR of 0.75:1. Given the maximum number of storeys on the subject site and the land to the east are comparable, the main reason for the density difference is due to the development sites to the east include a greater proportion of townhouses than the Planning Proposal.

Impacts from the density, scale and height of the proposed development, including from overlooking, were investigated as part of an Urban Design Review of the planning proposal commissioned by Council. The Urban Design Review recommended that, to ensure consistency with the current local character, *“new buildings should be below the tree height and similar to the adjoining six storey apartments and the Central Roasting Hall should remain the tallest building in the area.”*

The Urban Design Review made a series of recommendations to reduce the overall bulk and visual impact of the proposed buildings. These recommended changes are intended to provide certainty in relation to the scale and built form, improve design outcomes and minimise impacts arising from the development.

It is recommended that the following amendments be made to the planning proposal:

Zoning & Land Use:

- Relocate the proposed B1 Neighbourhood Centre zone and the light industrial uses to be fully within the site. Whilst it is accepted that these uses need to be in proximity to Burwood Road and accessible and visible from Burwood Road, the proposed location does not sufficiently integrate the retail and urban services into the development. Relocating these uses further within the site will ensure activation of the waterfront and consistency with the low-density residential character of Burwood Road.
- Reduce the minimum amount of non-residential floor space to be provided on site from 10,000sqm to 7,500sqm, of which at least 3,000sqm should be required for light industrial uses. This addresses the inconsistency between the amount of non-residential floor space that the Retail Demand Assessment has determined can be supported on the site (3,500 sqm of retail and 3,000sqm of light industrial) and the 10,000sqm of non-residential floor space required to be delivered.
- Limit additional permitted uses to office premises, shops, restaurants and cafes in the R3 Medium Density Residential zone. Limiting the range of uses is recommended to reduce the wide range of uses that would otherwise be permissible as ‘commercial premises’ under the Canada Bay LEP, many of which would not be appropriate for the location and which could include garden centres, hardware and building supplies and vehicle sales or hire premises.

Building Height:

- Three (3) storey development is to have a maximum building height of 11m not 12m.
- Six (6) storey mixed use development is to have a maximum height of 20m not 21m.
- Apply a maximum building height to the Central Roasting Hall block of 20m. This will allow the 9-storey Central Roasting Hall building to be renovated and adaptively re-used and, should the Central Roasting Hall not be retained, a new building in the location of the Hall would be required to be constructed to a maximum height of 20m.
- Assign road reserves with no building height, to achieve greater certainty in relation to location of built form.

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Floor Space Ratio:

- Revise the maximum Floor Space Ratio from 1.25:1 to 0.96:1 for the site. The total FSR comprises the FSR for the individual residential blocks: 1.00:1, 1.10:1, 1.30:1, 1.80:1 and 2.10:1. The individual residential blocks reflect the recommended amended site layout, which reduces the overall building depths, accommodates balconies within the building envelopes, increases building setbacks and introduces upper storey setbacks.
- Provide a bonus 2.0:1 Floor Space Ratio (total of 1.11:1) for Block 4 where the Central Roasting Hall building, chimney and 'B' sign are retained and adaptively re-used, to provide further incentive to retain and protect the building.

Foreshore Building Line:

- Adjust the Foreshore Building Line so that it follows the outer edge of the building footprint facing Exile Bay.

The above recommendations respond to concerns about impacts from the proposed density, scale and height, including loss of amenity (privacy and overlooking, solar access, noise and local character).

The draft DCP has also been updated to include controls to manage impacts:

- Include objectives and controls to require development to exhibit design excellence and reflect the desired future character of the area.
- Require an upper-level set back for buildings facing Exile Bay and the eastern boundary.
- Increase the setback of Building C1 and C2 to Massey Park Golf Course from 3.0m to 4.5m.
- Reduce overall building depths to accommodate balconies within building envelopes and avoid encroachments into side setbacks.
- Increase separation distances where they do not achieve the minimum criteria set out in the Apartment Design Guide.
- Strengthen controls to ensure overlooking and privacy concerns between adjoining buildings are addressed and introduce controls that permit common open space on roof tops only if the area does not adversely impact adjoining residents (noise, visual) and are designed to reduce downward viewing.
- Include additional controls to minimise the impact of light industrial uses on residential uses, including incorporation of acoustic mitigation measures such landscape buffers, screened and acoustically sealed balconies, mechanical ventilation, triple glazing, green walls, and other specific building materials or sound walls that manage noise, for all applications that generate noise adjacent to or located in a building containing residential uses.

The recommended site layout with building envelopes used to calculate the recommended Floor Space Ratio is shown below:

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Figure 72 Recommended site layout prepared by Studio GL with building envelopes used to calculate FSR

B. Traffic

Submissions raised concern that the proposed number of dwellings will create unacceptable traffic impacts and congestion in the area, especially given the land is located at the end of a peninsular. There was concern that there would be increased numbers of private vehicles, shared vehicles and trucks, including large trucks, on Burwood Road generated by the residential, retail/commercial and light industrial uses. There will also be increased road maintenance costs for Council.

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A large number of submissions raised specific concern about:

- a. The Traffic Study, which needs to be updated to reflect the current traffic conditions and to assess weekend parking needs. The Traffic Study also assumes fewer apartments than proposed (384 vs. approximately 400).
- b. The proposed opening of Marceau Drive to Crane Street, which could:
 - create adverse impacts for the residents of Marceau Drive, as residents of Marceau Drive and Durham Street are prohibited by covenant from erecting a front fence;
 - change the established local traffic flow pattern and the character of the area;
 - create rat-running;
 - create safety risks for cyclists, as Marceau Drive is a dedicated cycleway; and
 - create safety risks for pedestrians as Marceau Drive and Durham Street do not have footpaths and pedestrians must walk on the road.
- c. The proposed secondary site access via Zoeller Street, which will require the roadway to be extended into Massey Park Golf Course, resulting in loss of public golf course land, impacting a heritage-listed item, increasing traffic on Zoeller Street and potentially creating a rat run. This is also contrary to a Council Resolution of 15 October 2019 that “*vehicular access and egress to Zoeller Street is to be limited to the existing driveway crossing at the north-western corner of the site so as to minimise encroachment within the Heritage listed Massey Park Golf Course.*”

One submission supported the opening of Marceau Drive and the extension to Zoeller Street, which are described as *important components in a holistic approach to addressing the management of the additional traffic generated by the proposal, benefitting far greater people than those affected*. One submission requested that internal traffic be made to flow one-way through the site, entering from Burwood Road and exiting into Zoeller Street.

Response

Traffic Study

The Traffic Study has been revised following exhibition of the planning proposal to address the conditions of the Gateway dated 31 October 2021, that it reflect the current proposal and feedback from Transport for NSW for the proposal. The revised traffic Study also responds to feedback by Council’s traffic team, including issues raised in public submissions that relate to the Traffic Study. The revisions include:

- Update of the number of proposed apartments to better reflect the number that the development will deliver, approximately 384 apartments (10% as affordable housing) as well as approximately 10,278sqm non-residential uses (6,747sqm of retail and restaurants and 3,531sqm of urban services).
- Expanded traffic counts performed on weekdays for three hours in both AM and PM peak periods, and on Saturdays for four hours during the midday peak period at the intersections of Burwood Road and Crane Street, Gipps Street, and Parramatta Road; and the intersections of Broughton Street and Zoeller Street/Ian Parade, Gipps Street, Crane Street, and Parramatta Road.
- Remove references to potentially re-opening Marceau Drive.
- Remove references to provision of a shuttle bus funded by the proponent.
- Provide justification for the traffic generation rate adopted in the study.

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Council has reviewed the revised Traffic Study and is satisfied that the Study addressed the submission by TfNSW and requests by Council's traffic team.

Opening of Marceau Drive

The proposed reopening of the left turn from Marceau Drive to Crane Street was identified in the Traffic Study prepared on behalf of the proponent as a means by which traffic could be dispersed and to provide an alternative travel choice for vehicles travelling to the east.

The opening of Marceau Drive to Crane Street would attract vehicle movements through this residential street and may have an impact on the amenity and safety of the bicycle route on this street. Providing a new intersection on the bend of Crane Street may also create safety and traffic conflicts that would otherwise be avoided.

This proposal to open Marceau Drive to Crane Street is not supported by Council's traffic team. It is therefore not available as an option to resolve traffic issues. The Traffic Study has been revised to remove reference to this option.

Zoeller Street extension

Concerns raised about the planning proposal being inconsistent with Council resolution of 15 October 2019 are not able to be addressed, as the resolution applied to an earlier version of the planning proposal which was superseded by the submission of the Gateway Review. The decision by the Sydney Eastern Planning Panel therefore supersedes the Council resolution.

The planning proposal includes a proposed extension to Zoeller Street to join a road within the site with the local road network.

The Urban Design Review recommends that the Zoeller Street entrance be modified *"to reduce the loss of golf course area, heritage land and public land. To ensure a legible road network, the connection should be visually and physically continuous and minimise deviations."*

The amendment recommended in the Urban Design Review includes a modification of the footprint of building W1 and the FSR parcel of Block 1.

Requiring future development on the site to utilise the existing egress/entry point off Zoeller Street is not the preferred outcome as this would lead to vehicle movements occurring immediately adjacent to the rear fence of properties on Duke Avenue, thereby increasing impacts in relation to noise and headlights.

It is recommended that the planning proposal and draft Development Control Plan be updated to:

- Modify the footprint of Building W1 as per Figure 72 of the Urban Design Review and amend the Floor Space Ratio of Block 1 to minimise the necessary extension to Zoeller Street.
- Move the primary access to Blocks 1 and 5 to be inside the site and accessed off one of the new roads linking to Burwood Road.
- The Zoeller Street connection is to be a slow speed secondary link with reduced width.
- Truck movements, especially trucks servicing the retail and light industrial uses to occur off Burwood Road.

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Taken from Figure 72 of the Urban Design Review

Maintenance costs

The cost associated with maintaining public roads and footpaths applies to all public works. Council has an ongoing operational budget to undertake maintenance works, including maintenance of RE1 land. Note that all RE1 land in the LGA is owned by Council and maintenance includes landscaping, bushcare and regeneration, litter and rubbish removal, graffiti removal etc.

C. Transport and cycleways

Some submissions expressed concern that the current bus services in the area are inadequate and insufficient, particularly on weekends, to service the proposed increase in population.

Some submissions stated that the proposed provision of a shuttle bus will not be sufficient to cater for the population increase, would not replace or reduce private vehicle usage and it is for only three years.

A number of submissions expressed support for reinstatement of ferry services from Bayview Park and buses to Burwood Station and the future Metro Station, to support commuters and alleviate traffic. However, some submissions objected to private funding of the suggested shuttle bus and ferry services, which would be for three years.

Some submissions expressed concern that the proposed foreshore walkway will encourage cyclists to continue along the pathway in front of properties further to the east that are owned and maintained by adjoining developments and where, for the safety of pedestrians, cyclists are required to dismount.

Proforma Submission #1 from numerous submitters raised concerns that Council's PAMP had not been addressed or considered, either in the proposal or in the Traffic Study.

Response

Public transport (bus and ferry)

The site is serviced by one bus route, Sydney Buses Route 466. The site is also in close proximity to the area serviced by the D400 on-demand service and is within 800m of other Sydney Bus routes. Many of the peninsulas that comprise the LGA, such as Mortlake and Breakfast Point, similarly have access to only one bus service. The limited access to public transport means that residents are more likely to use private vehicles for daily movements.

The original planning proposal for 160 Burwood Road was accompanied by a letter of offer from the applicant that included the provision of a privately funded ferry service for three years. Since this offer was made, the planning proposal has been significantly amended and the draft Planning Agreement does not include the temporary operation of a private ferry service.

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The Bayview Ferry Wharf located between Abbotsford and Cabarita Wharf ceased operation in 2013 as part of an assessment under NSW Government's "Sydney's Ferry Future". Reasons for the closure of the wharf included existing and future demand, costs, levels of frequency and the isolated nature of the wharf. Even with the redevelopment of the site, it is acknowledged that services to the wharf would be unlikely to resume given the lack of long-term demand. Council regularly liaises with TfNSW and advocates for the needs of local residents. Ultimately, reinstatement of the ferry service from Bayview Park is a decision for Transport for New South Wales.

Shuttle bus

The original Planning Proposal was accompanied by a letter of offer to provide a privately funded shuttle bus service for a period of three years. Following revision to the planning proposal, a revised letter of offer was prepared and the draft Planning Agreement does not include the privately funded shuttle bus service. The Traffic Study has therefore been revised to remove references to a proposed shuttle bus.

Cycleways

Whilst the foreshore walkway to the east of the subject site is owned and maintained by the residents of those properties (community property), public access is permitted due to an easement over the land. The easement permits pedestrian access, but requires cyclists to dismount due to the narrowness of the pathway.

Public foreshore access is a priority for the City of Canada Bay, as outlined in the Canada Bay Foreshore Access Strategy. Council has endorsed the Parramatta River Catchment Group's Parramatta River Masterplan and the NSW Government has prepared a [plan](#) for a 91-kilometre foreshore pathway from the Opera House to Parramatta Park. The planning proposal will facilitate public access to the foreshore as part of the redevelopment of the land, including a cycleway within the subject site.

As cyclists are prohibited from riding along the foreshore pathway between the subject site and Bayview Park, they will be required to dismount for this section. Council's Draft Bike Plan for the LGA recognises the limitations on this section of the foreshore pathway for cyclists.

Pedestrian Access Mobility Plan (PAMP)

The City of Canada Bay PAMP identifies pedestrian needs in the Local Government Area and provides a list of prioritised pedestrian infrastructural works to improve accessibility, increase pedestrian activity, and improve amenity. It is an operational document that is implemented as part of capital works and an ongoing maintenance program. It is not implemented through the planning proposal process.

The traffic study accompanying the planning proposal seeks to understand the impact of future development on the local road network and address identified constraints. This includes examining the trips generated, vehicle movements and pinch points in the network.

D. Parking

Some submissions raised concerns that the proposed car parking rates for the residential and commercial uses are inadequate. Concern was also raised that the Traffic Study underestimates the number of car parking spaces necessary for the residents and for the commercial / retail space, thereby placing further pressure on on-street parking. Specifically, 1-bedroom apartments and the affordable housing have been allocated fewer car spaces than required under Council's Development Control Plan.

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Many submissions raised concern that the current on-road car parking in the area is inadequate and it is difficult to find car parking spaces, particularly out of standard working hours and on weekends. The proposed increase in dwellings will further limit the availability of car parking on-street and in Bayview Park, especially during popular times. This could create safety risks for women, especially, who may be returning home late and unable to find a parking space.

Submissions also noted that the Traffic Study had not undertaken night-time surveys of parking or given consideration to the need for on-street parking out of normal working hours.

Response

Future development will be required to provide car parking consistent with the requirements of the Canada Bay Development Control Plan (DCP). The adequacy of parking provision will be assessed when a Development Application (DA) is submitted. Consideration will be given to both residential and commercial/retail car parking.

Following a review and update to the Canada Bay DCP in November 2021, parking rates were established for all residential flat buildings and multi-unit development that are not within the vicinity of a major transport node or a town centre. These areas are identified as being subject to Category A parking controls in the DCP and apply to the subject site. These rates are higher than the parking rates applicable to the Rhodes, Strathfield Triangle or the Parramatta Road Precincts.

The DCP also requires certain parking provision in mixed use areas for offices/businesses and retail, including restaurants/cafes/take-away food and drink premises, recreational and tourist facilities, and health and community services. Refer to Table B-E of the Canada Bay DCP. These rates are intended to provide for the parking needs of the customers, to reduce demand for on-street parking.

E. Heritage

A number of submissions raised concern that consultation with the Metropolitan Lands Aboriginal Lands Council and local Aboriginals had not occurred before public exhibition.

A number of submissions raised concern that providing an extension to Zoeller Street over heritage land comprising Massey Park Golf Course was contrary to Council resolution of 15 October 2019 (refer to section B. Traffic above).

The proposal seeks to list the Central Roasting Hall, chimney and 'B' sign as a local heritage item. Some submissions questioned the heritage value and the proposed listing, suggesting that these elements have no heritage or land-mark value. A submission also objected to classifying the Central Roasting Hall as "heritage" before it had gone through due process.

However, many submissions supported the heritage listing and preservation of the Central Roasting Hall and chimney. Some of these submissions expressed concern that despite the proposed heritage listing, this level of protection may not prevent the demolition of the building. There was also concern that, if the Roasting Hall were demolished, a new development may be able to be approved in its place and to the same height, resulting in a development that exceeds the maximum prevailing height in the area but without the heritage nexus.

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Some submissions suggested that the buildings proposed to surround the Roasting Hall are incompatible with the 'Factory in the Garden Setting'. There would be adverse impacts on the factory building as a landmark and an example of the 'Factory Garden Movement' if it became one block amongst many.

Response

Aboriginal heritage

The Gateway determination required that, prior to public exhibition, the planning proposal was to be revised to address Ministerial Direction 2.3 Heritage Conservation as it relates to the proposal and include the Aboriginal Due Diligence Assessment for public exhibition, subject to the redaction of any culturally sensitive information, and that the Metropolitan LALC and other relevant Aboriginal groups be consulted during the exhibition period.

A notification email was sent to the Aboriginal Land Council via the NSW Planning Portal. No response was received.

Ministerial Direction 3.2 Heritage Conservation requires conservation of Aboriginal areas, objects, places or landscapes identified by an Aboriginal heritage survey. Appendix Q - Aboriginal Due Diligence Assessment was exhibited with the planning proposal and found the potential for Aboriginal objects to be low-moderate and that suitable provisions can be put in place to ensure the conservation of any potential objects or items found.

Council has also commissioned an Aboriginal Cultural Heritage Strategy and Management Plan. A draft of the report is currently being considered by the project RAP (Recognised Aboriginal Parties) and has been referred to the MLALC. The draft report identifies the site as moderate to low archaeological sensitivity, with some reclaimed land. Fieldwork undertaken to produce the draft report included site-visits to all sites registered in the Aboriginal Heritage Information Management System (AHIMS) and additional areas of identified sensitivity across the LGA. The subject site is not an AHIMS listed site.

Massey Park Golfclub

It is recommended that encroachment onto the heritage listed Massey Park Golf course be minimised through the realignment of the proposed new road. (Refer to Section B. Traffic above).

Former Bushells Factory

The proposed heritage listing of the Central Roasting Hall, chimney and 'B' sign is accompanied by a Heritage Listing Nomination Report, Heritage Significance Assessment and a Heritage Response to the Local Planning Panel.

The building construction commenced in 1959 and, due to its dominating height within lower-scale surroundings of buildings and trees, has been a visual local landmark for many years. It is now one of the last remaining industrial buildings on the Parramatta River in the City of Canada Bay. The site has been modified and added to over a number of years, with the Central Roasting Hall constructed in 1961/62.

Council has received various heritage advice since 2017, when the first planning proposal for the site was submitted to Council (and refused). This advice has been provided by Council's heritage advisors and separately to the heritage reports provided by the proponent. In 2016 Council's heritage advisor concluded that the heritage significance of the site related more to the history of the factory and its landmark quality than to its extant built fabric. The primary significance is the building's high-visibility on the skyline, in which it can be seen in numerous significant mid- to long-distance views and from the areas in vicinity of the

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Harbour. The advice was that the site and extant building and stack do not warrant heritage status, as they do not meet relevant criteria for heritage listing.

More recently, however, Council's heritage advisor has concluded that the building is unique both within the Canada Bay LGA and within NSW, as a 1950s-early 1960s industrial building utilizing curtain glass wall techniques, which likely represent the earliest use in NSW of this technology for an industrial building. The Stage 1 administration building, Stage 2 Central Roasting Hall and views of the structure are rated as having an 'exceptional' Grading of Significance, being a 'Rare or outstanding element directly contributing to an item's local or State listing.' It was recommended that the Former Bushells Factory be heritage listed, and further investigated for State Heritage listing, and that the administration building, the Central Roasting Hall (including chimney and 'B' sign) and the gate entry structure be retained and adaptively reused in any future redevelopment of the site.

The Local Planning Panel, Sydney Eastern City Planning Panel and the Department of Planning support the proposed Local Heritage Listing of the Formal Bushells Site, as comprising the Central Roasting Hall, chimney and 'B' sign, its adaptive re-use and protection of the "factory Garden Setting". The Gateway Determination report states that the planning proposal is consistent with Ministerial Direction 2.3 Heritage Conservation.

The Urban Design Review supports the nomination of the Central Roasting Hall, the chimney stack, the 'B' sign on the facade and the landscaped setting for local heritage listing within the LEP, as it is part of the local character of the suburb and provides a visual reminder of the history of the area. It also recommends that the area of the 'landscaped setting' be defined prior to heritage listing to ensure that the 'Factory in a Garden' setting is retained and that, if more detailed heritage advice considers that development will impact on the 'landscape setting', the proposal may need to be altered, which would likely reduce the maximum FSR achievable on the site. Council's heritage advisor has recommended the heritage curtilage be extended to include the whole site. It is therefore recommended that LEP Heritage map be amended to include the whole of the site.

The recommendation to protect and conserve the 1959 administration building (Stage 1) is a late recommendation in the planning proposal process. Council has responded to a sequence of applications in relation to this site over a number of years, of which only the Central Roasting Hall has been identified as being of potential heritage significance.

Therefore, whilst it is acknowledged that the earliest part of the building has historical significance, heritage is one component (albeit an important component) that must be considered when assessing proposals under the NSW planning framework. Council is required to both understand and assess cultural significance and identify all factors and issues to develop a policy response to items for potential heritage listing. The policy response should include the identification of constraints, including the landowner's ability to achieve reasonable or economic use of the land. Council is therefore required to assess whether the conservation of that part of the building should prevail over redevelopment of the site as contemplated by the planning proposal.

A heritage listing of the original part of the factory would have significant implications for the redevelopment of the site and for this planning proposal, which would unlikely be able to proceed in its current form. For example, it is likely to preclude development of the new road proposed through this part of the site and five new buildings. It is also possible that adaptive re-use of the original part of the factory plus the Central Roasting Hall would not be financially feasible, placing both structures at some risk of preservation.

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It is recommended that only the Central Roasting Hall, Chimney and B sign be listed as a local heritage item.

The Urban Design Review recommends that:

- The area of the ‘landscaped setting’ be defined prior to the heritage listing in order to ensure that the ‘Factory in a Garden’ setting is retained, noting that if more detailed heritage advice considers that development will impact on the ‘landscape setting’, the proposal may need to be altered and may reduce the maximum FSR achievable on the site.
- Retention of the industrial building may provide some justification to allow a small increase in height and FSR compared to adjoining sites. However, the land that accommodates the heritage item should have a maximum building height of 20m. In circumstances where the existing building is demolished, any replacement building would be subject to a 20m (six storey) height limit.
- The building footprints of Buildings C7 and C8 are reduced to the south of the Central Roasting Hall due to the proximity of these buildings to the proposed heritage item.
- The DCP for the site be strengthened with regards to the detailed objectives, controls and provisions for the conservation, adaptive reuse and interpretation of the heritage item. The draft DCP has been revised to address the above recommended changes and explain that “The arrangement of new built form, open space and roads is to enable the Central Roasting Hall to retain its landmark quality and ‘factory in the garden’ setting.” (C111)

It is recommended that the Central Roasting Hall, chimney and ‘B’ sign be listed as a local heritage item, a bonus FSR be made permissible if they are retained and adaptively re-used, and the footprints of Buildings C7 and C8 be amended to increase the separation between them and the Central Roasting Hall.

The draft DCP has also been amended to include:

- An objective about understanding the heritage values of the place – e.g. To ensure that changes to the Bushells building are guided by a clear understanding of the heritage values of the place.
- A control that requires a heritage interpretation plan to be submitted with a DA.
- An objective to celebrate the site’s industrial heritage.
- A control that requires compliance with the controls in Part C2 of the Canada Bay DCP, for Development of Heritage Items.

F. Environmental Impacts

Some submissions expressed concern about various environmental impacts that the development will have in relation to overshadowing, flooding, urban heat, safety, construction noise and contamination.

Concern was also expressed that the increased number of dwellings, including affordable dwellings, would lead to an increase in crime and anti-social behaviour in the area and dumping of waste into the Bay.

There was concern about excessive noise anticipated to occur during construction.

There was also concern that the contamination testing undertaken was insufficient in the park area for the proposed seawall steps, or to enable re-purposing of the Roasting Hall or safe construction of the proposed underground carpark.

Response

Overshadowing

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The draft DCP includes controls to manage impacts from overshadowing. The DCP has been further amended to include new controls and strengthen existing controls (refer [Attachment – Draft DCP \(revised post-exhibition\)](#)).

The Urban Design Review found that the overall overshadowing impact of the proposal will be minor, although given the low density nature of the entire area local residents would have a high expectation of excellent access to sunlight, natural ventilation and visual privacy of gardens, balconies and indoor spaces. The review found that:

- The majority of overshadowing impacts fall within the site and on Burwood Road.
- The shadow of the existing Central Roasting Hall casts a shadow across Burwood Road by 3pm.
- The neighbouring properties on the western edge of the site are overshadowed until 9am.
- There is no overshadowing impact on the properties to the south of Burwood Road.
- The properties along the eastern edge of the site are overshadowed from 1pm onwards, reducing their access to afternoon sunlight.
- The depth of the 5 and 6 storey buildings on the Eastern edge (Block 3) be reduced and the uppermost floor be setback to reduce their overall scale and improve solar access in accordance with the requirements of the Apartment Design Guide.

The recommended building heights and development controls will enable surrounding development to achieve solar access in accordance with the requirements of the Canada Bay Development Control Plan.

Flooding

The planning proposal includes a Flood Report, which has been revised following the public exhibition period to clearly show the difference between the existing and proposed building footprints (during a one-in-a-hundred-year flood and a peak flood event) and the flood impacts to other properties. Council's flood engineers have advised that the revised Flood Report demonstrates that flood impacts that will result from the proposed development are able to be satisfactorily managed. However, consideration needs to be given to relocating the pipes that currently bisect the proposed foreshore parkland to adjoining the northern boundary.

Urban heat

There is potential that the development may slightly reduce the urban heat effect due to a decrease of hard and dark surfaces (roofs and roads). The development is also required to increase the tree canopy coverage to 25% and the planning proposal states that it will achieve 26% coverage. Importantly, there will be increased shading of roads and other hard surfaces, which will reduce solar access and heat storage by these areas of thermal mass.

Safety, crime and anti-social behaviour

Crime and anti-social behaviour, such as vandalism, in the City of Canada Bay local government area is statistically low compared to the rest of NSW. Despite population growth, Canada Bay's crime statistics have been stable and/or decreasing. Council has a Community Safety and Crime Prevention Plan which applies across the LGA. This plan found that a major concern of the community was road safety, including for pedestrians as a result of inadequate street lighting. Council investigates problem areas for speeding as they arise and installs traffic calming measures and pedestrian crossings or upgrades where necessary and appropriate.

Construction noise and pollution

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Council acknowledges that construction noise will impact some residents. Construction works are permitted to be undertaken between 7am to 5pm Mondays to Saturdays. The hours of construction are enforced to ensure that impacts on residents are minimised. Complaints will be investigated should breaches of permitted hours of construction occur.

Construction sites are required to manage erosion and sediment control to ensure waterways and local flora and fauna are not impacted or harmed. Council monitors local construction sites to ensure adherence to the required controls for water run-off and sediment control.

Contamination

The Detailed Site Investigation report (May 2022) recommends additional borehole testing and investigation be undertaken following demolition of the existing structures to determine the need or otherwise for remediation and that conditional development consent should be able to be issued. Council is satisfied that the site can be made suitable for the proposed uses subject to the implementation of this approach.

Council is committed to improving the water quality of the Parramatta River and has endorsed the Parramatta River Catchment Group's Parramatta River Masterplan. The Masterplan aims to make the river swimmable again by 2025 and includes Ten Steps to a Living River, including "Maintaining, improving and promoting current Parramatta River swim sites, including Cabarita Park Beach and Chiswick Baths, as well as establishing three new river activation sites by 2025 which include McIlwaine Park at Brays Bay, Rhodes East and Bayview Park, Concord."

G. Natural environment

There was concern that existing mature trees in the north-eastern corner and on the eastern boundary should be retained to protect the privacy of neighbours.

Some submissions expressed concern that the planning proposal does not address fauna habitat and that impacts on resident birds and other wildlife (including migratory, threatened and endangered species) have not been addressed, during or after construction. It was felt that a wildlife survey and strategy for wildlife enhancement be undertaken.

One submission raised concern that the proposed Zoeller Street extension will impact Trees 72, 73, 78, 84 and 85, which are "large *Eucalyptus* species that appear to be in good health and condition" (Aboriginal Report).

Concern was also expressed that the proposed increase in tree canopy coverage to 25% cannot be verified, as the current baseline figure is unavailable. Also, that the coverage should be increased to 40%.

Response

The planning proposal includes a Landscape Masterplan and an Aboriginal Development Assessment Report. The Tree Protection Plan in the Report shows trees that are to be retained and trees that are to be removed. Both the Masterplan and the Report show that existing trees in the north-eastern corner and on the eastern and western boundaries will be retained. The Report has also been updated following public exhibition to confirm that Tree 184, a large dominant weeping fig that is described as the best tree on site, will be retained in situ. The draft DCP also includes controls that require retention of existing trees along the eastern and western boundaries.

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The LEP and DCP include controls to protect and manage habitat for resident birds and wildlife, especially threatened and migratory species. The LEP maps Environmental Conservation land and the DCP maps Biodiversity Corridors, endangered ecological communities (EECs), vulnerable species and areas of high biodiversity significance. The controls are the recommendations of Council's evidence-based Biodiversity Framework, Tree Canopy Strategy, and other Government databases. The subject site does not include any land identified for habitat connectivity or biodiversity, or any environmentally sensitive land.

The Environment, Energy and Science Group and the Environmental Protection Agency (EPA) were consulted during exhibition. Only the EPA provided a submission, in which the Agency advised they had no comment to make about the proposal.

The amendments to the Zoeller Street accessway recommended in the Urban Design Review (refer section B. Traffic above) indicate that Trees 78, 84 and 85 will not be impacted by the roadway extension. Trees 72 and 73 are likely to be impacted. If the trees needed to be removed, Council's DCP requires that they would need to be replaced by at least two trees for every one tree removed and with preference given to tree species in the DCP tree species list.

The proposed urban tree canopy will be assessed at the DA stage to ensure that the trees are planned and planted in accordance with Section B6.10 of the DCP. These controls specify the required number, size, spacing and location for trees and the soil volumes required.

H. Open space

Some submissions expressed the view that a large public park on the foreshore of Exile Bay was not appropriate or necessary, will attract noise and vandalism (these are addressed in section F. Environmental above) and will experience access problems. Also, that construction of a beach is aspirational and there is no mention of the River Pool which council is working towards building at Bayview Park. A number of submissions supported the provision of a park in the proposed location as adding significant improvement to the amenity of the local area.

Some submissions expressed concern about providing public access to the water via steps, due to sediment, contamination and rubbish in the water affecting the water quality. Other submissions expressed concern that the proposed foreshore walkway will create more foreshore traffic, both cyclists (addressed in section C. Traffic and Cycleways above) and pedestrians.

Some submissions raised concern that the dedication of the foreshore open space to Council will result in inadequate private open space for the residents.

Response

Public open space

Engagement undertaken for Council's Community Strategic Plan, identified green spaces, local parks and opportunities to be near the water as being amongst the most valued assets by the Canada Bay community.

The *City of Canada Bay Social Infrastructure (Open Space and Recreation) Strategy*, which was prepared to support Council's long-term planning for open space and recreation found that there is a need to provide additional areas of open space in the City of Canada Bay to meet the needs of a growing population. A key opportunity identified involves requiring new development to provide on-site open space and recreation facilities.

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In determining that the planning proposal should proceed to a Gateway determination, the Sydney Eastern City Planning Panel found that the site represented an opportunity to give effect to the *Eastern City District Plan* and the *City of Canada Bay Local Strategic Planning Statement (LSPS)* by meeting broader strategic objectives and that “*the site, with its residential and waterside open space setting, offers an outstanding opportunity to meet Open space and foreshore access objectives of the local and district strategies.*”

Council’s Urban Design Consultant confirmed that the approach to zone the proposed public open space as RE1 Public Recreation is considered good practice and is supported.

In this instance, the size and location of the proposed open space would create a passive park for the benefit of local residents. Potential activities include walking, picnicking and the casual playing of games. No active sports would occur within the proposed open space.

The provision of public open space adjacent to the foreshore is an outcome that would benefit both future residents on the site and the immediate local community.

Overland-flow and water quality

Future redevelopment of the site will be required to provide stormwater infrastructure, including Gross Pollutant Traps supported by an Overland Flow Study/Assessment.

The Environment, Energy and Science Group and the Environmental Protection Agency (EPA) were consulted during exhibition. Only the EPA provided a submission, that the Agency had no comment to make about the proposal.

Foreshore walkway

Council’s objectives to improve access to and along the foreshore were highlighted in the *Canada Bay Local Strategic Planning Statement (2020)*, which was publicly exhibited from June to July 2019. Council subsequently adopted the *Canada Bay Foreshore Access Strategy*. The Strategy is reinforced by a State Government plan to create a 91-kilometre foreshore pathway from the Opera House to Parramatta Park.

The City of Canada Bay has numerous development sites and precincts that have a frontage to Sydney Harbour, Parramatta River, their bays and inlets. Foreshore access and associated open space has been realised through both easements for public access and the transfer of foreshore land to Council ownership.

Given the contiguous relationship of the foreshore access over the subject site and the location of the new park, it is appropriate that this land be owned by Council (see discussion under heading titled “J. Ownership and maintenance of foreshore”).

Private open space

The planning proposal Urban Design Report identifies 44% of the site area as “Public Realm”, which includes the proposed plaza and foreshore park, the two proposed north-south roads and east-west street connections.

The calculation of open space in the Planning Proposal’s Urban Design Report is slightly inconsistent with the Urban Design Review commissioned by Council, which calculated the “Public Realm” area (excluding building front setbacks) as accounting for 39% of the site area, 38% of which is to be zoned RE1 Public Open Space and 62% of which is occupied by roads and other public accessways.

The Concept Plan submitted with the planning proposal illustrates private open space in the form of balconies and certain land between buildings. The Concept Plan illustrates common open space on the eastern and western boundaries as well as between buildings. In circumstances where the proposal

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includes a substantial area of public open space and makes generous provision for internal streets, the proposed quantum of public and private space is generally supported.

However, it is recommended that the planning proposal be revised to increase the setback to the northern boundary so as to increase the width of the publicly accessible footpath along this frontage. It is also recommended that the location of the proposed basement ramps of the three-storey terraces along Burwood Road be reconfigured to ensure each terrace is provided with the required private open space.

Future development on the site will be required to demonstrate how the private and communal open space requirements of the Apartment Design Guide will be achieved. This will occur when the land is redeveloped and will be subject to review by the Canada Bay Design Review Panel.

I. Services, facilities and affordable housing

Some submissions expressed concern about the commercial/retail services and facilities on the site, which are not seen as a positive contribution to the area, may not be sustainable and will generate noise.

A few submissions discussed the proposed provision of affordable and community housing, expressing both support and concerns. One submission expressed concern about the number of 'needy people' who will move into the area, which would be less if the size of the development were less.

A small number of submissions expressed concern about a lack of consideration of education facilities.

Response

Commercial/retail uses

The Sydney Eastern City Planning Panel recommended that a development standard be imposed that requires a minimum provision of non-residential uses of 10,000 sqm, where a minimum of 3,000 sqm would be provided as 'urban services'. The planning proposal states that it is able to facilitate:

- Approximately 800 to 1,000 sqm of supermarket space (small format Coles or Woolworths, IGA, Harris Farm or similar)
- 200sqm to 400 sqm of specialty food outlets (liquor, bakery, butcher, confectionery, coffee, etc)
- Approximately 800 sqm of restaurants and fast food/take-away outlets
- Approximately 500 to 800 sqm of non-food retailing and personal services (newsagency, arts, hair and beauty, chemist, etc)

The Urban Design Review recommended that, given the limited demand identified in the Retail Demand Assessment, the amount of non-residential uses on the site should be reduced from 10,000 sqm to no more than 7,500 sqm. It is recommended that 3,000 sqm be required for light industrial uses and a minimum of 4,500 sqm be required to serve as convenience retail and commercial services such as a small format supermarket, specialty food and restaurants, and other low impact community facilities.

Affordable housing

The City of Canada Bay *Local Strategic Planning Statement* (the LSPS) includes an action to provide affordable housing where there is an increase in density arising from a planning proposal. Council's *Local Housing Strategy 2019* supports the LSPS, providing an evidence base and the following vision statement:

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Affordability of housing will be addressed through the requirement for major redevelopment sites to provide affordable housing that can be managed by community housing providers. This will allow key workers and households on low-moderate incomes to live within the City of Canada Bay, and retain social and economic diversity.

The Canada Bay Affordable Housing Contribution Scheme (AHCS) requires the site to affordable housing. Also that “Affordable housing is to consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the vicinity.”

In assessing the Gateway Review, the Sydney Eastern City Planning Panel recommended the provision of affordable housing be increased from 5% to 10%. Council has undertaken feasibility testing to test the recommended contribution rate, including the latest changes in the housing market and property values, and has revised the planning proposal to require 7% affordable housing be provided (refer Attachment – Affordable Housing Contribution Scheme v4).

Education facilities

The provision of public education facilities is the responsibility of the NSW Department of Education (DEC) and Schools Infrastructure NSW. Council works with and regularly liaises with DEC to ensure the Department is monitoring and planning for the educational needs of current and future generations of school children.

In January 2022, Council made a submission to the NSW Government’s Inquiry into School Infrastructure in NSW. The submission expressed concern about the immediate and ongoing student capacity issues at Concord High School and the immediate need for a new high school in our area, or for a major redevelopment to accommodate and address the needs of the students at the school. The submission was also followed up with meetings with DEC to discuss the issues.

J. Ownership and maintenance of foreshore

Submissions expressed concern about the public ownership of the proposed foreshore open space and seawall to Council (proposed in the draft Planning Agreement), which will transfer the maintenance costs for this infrastructure to all residents in the LGA and increase the cost of rates. This is in contrast to seawalls in front of adjoining properties, where the foreshore walkway is made accessible to the public by way of an easement and the cost of the maintenance of the seawall is borne by the residents of those properties.

Response

The planning proposal is accompanied by a draft Planning Agreement in which the proponent has offered to provide the following community benefits:

- A new, public park alongside the Exile Bay foreshore.
- Park landscaping and pathways.
- Public access over parts of the site.

The draft Planning Agreement was negotiated and exhibited separately to the planning proposal (20 September to 28 October 2022).

The City of Canada Bay has various foreshore parks located along the Parramatta River with many parks located between the foreshore and private development. Examples of these include parks are located on

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land with a frontage to the Parramatta River at Breakfast Point, Abbotsford Cove and the former BHP Wire Mill site.

Certain open space is located on Community Land that is subject to an easement for public access. Other open space is located on Torrens Title lots, where the land has been transferred to the ownership of Council. There is therefore no single approach applied to the ownership and maintenance of open space through the development of private land on the foreshore of the Parramatta River.

Impacts arising from the use of public land will be offset by the benefit that the park will provide by offering the broader community the opportunity to engage in passive recreational activities on an area of foreshore that faces north. The Urban Design Review supports the proposed public space along the foreshore as RE1 Public Recreation as good practice.

The dedication of foreshore land will lead to Council being responsible for the ongoing maintenance of the foreshore open space and seawall. This is consistent with the maintenance of all RE1 Public Recreation spaces within the LGA. Council has an ongoing operational budget to undertake maintenance works on all areas of public open space and recreational spaces.

K. Development Control Plan (DCP)

The primary purpose of the draft Development Control Plan is to provide guidance and controls that need to be considered in the preparation and assessment of development applications. These controls primarily relate to built-form outcomes and the interface of private development with the public domain.

The following issues were raised in a number of submissions (issues raised in individual submissions are addressed in Section 6 below):

- Uncertainty about the number of storeys.
- Inadequate setbacks for buildings.
- Conflict between heavy vehicles, cars, pedestrians and cyclists.
- Rebuilding the seawall with steps.
- Duplicate the western boundary landscaping controls to the eastern boundary and include “trees” as well as “vegetation”.

Response

The Urban Design Review found that the proposed maximum building heights in the LEP map *“are greater than needed to accommodate the proposed built form and could, potentially, encourage even taller development in the future.”* It is recommended that the LEP and DCP be amended as per the changes recommended in the Urban Design Review to ensure the proposed number of storeys is not exceeded (refer to Figures 66 and 67 in the Urban Design Review).

The Urban Design Review found that *“generally, the minimum setbacks, road reserves and separation distances presented in the draft DCP building envelope diagram are supported and it is recommended that the controls be adopted and reflected in future design development.”*

The final road, footpath, public plaza and cycleway layout will be assessed at the DA stage with consideration given to controls in the DCP, including required widths and pedestrian safety.

The Draft DCP has also been revised to:

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- Incorporate sufficient space for service vehicle turning circles within the site to prevent service vehicles manoeuvring on busy roads.
- Provide a dedicated pedestrian entrance directly from the street and segregate servicing and pedestrian routes.
- Merge the landscaping controls for the eastern and western boundaries to strengthen its role as privacy screening.

Control C18 in the Draft DCP requires that “*the concrete sea wall along the boundary of the site to Exile Bay is to be repaired to a standard acceptable to Council.*” These works will be assessed at the DA stage with consideration given to public safety and the best and safest means to integrate the park and the foreshore.

6. Individual Submissions

This section of the report provides a summary of all submissions received during the exhibition period and a response to any matters raised in submissions that are not addressed in Section 5 above.

All submissions

Submissions did not include any proforma submissions.

No.	Author	Summary of submission	Response
1	Individual	The submission requests that the whole building, including the chimney be retained, as it is considered to be part of Canada Bay heritage.	Response is provided in Item E above.
2	Individual	The submission requests that electric vehicle charging stations be included in the development.	EV charging will be required on site in accordance with Control B3.8 of the Canada Bay Development Control Plan.
3	Individual	The submission expresses concerns about increased traffic. The submission also requests that separated cycleways be built to help address the increased traffic.	Response is provided in Items B and C above.
4	Individual	The submission supports the proposal and states that it will add significant improvement to the amenity of the local area.	Noted

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No.	Author	Summary of submission	Response
5	Individual	<p>The submission supports the proposed removal of boat storage from the foreshore, the mixed use for the site, the provision of open space particularly on the foreshore, and the provision of affordable housing.</p> <p>The submission expresses concern about the capacity of local public schools to accommodate the increased numbers of students, the quality of the affordable housing, the use of e-bikes, and the increased traffic.</p>	<p>Support for the proposed removal of boat storage from the foreshore, mixed use for the site, the provision of open space particularly on the foreshore, and the provision of affordable housing is noted.</p> <p>The use and registration of e-bikes is the responsibility of TfNSW. However, Council will continue to monitor safety issues related to the use of e-bikes.</p> <p>Response is also provided in Items B and I above.</p>
6	Individual	<p>The submission objects to the level of development of the site, which the submission states is overdevelopment based on the proposed number of dwellings and the height.</p>	<p>Response is provided in Item A above.</p>
7	Individual	<p>The submission objects to the proposal due to it being too big for the area and that it will cause traffic chaos and parking issues.</p>	<p>Response is provided in Items A, B and D above.</p>
8	Individual (1 of 3)	<p>The submission expresses concern about preserving the factory building, including the chimney, which the submitter sees no heritage or land-mark value in.</p> <p>The submission states that the internal roasting equipment, assembly line and packing area should possibly be preserved and exhibited.</p> <p>The submission also expresses concern about the location of the main entry and allowing traffic to flow directly from Marceau Dr into the site, and adequacy of on-site parking to support eg. waterfront facilities.</p>	<p>The proposed primary site entry is located at the intersection of Burwood Road and Marceau Drive, which is currently serviced by a roundabout. The location of this site entry and new road is supported as it assists in integrating the new development into the existing street network and it provides new visual links from Marceau Drive to the Central Roasting Hall and a new direct connection to the waterfront.</p> <p>Preservation and exhibition of the internal roasting equipment, assembly line and packing area is not an inclusion of the Heritage Inventory Sheet. Adaptive re-use of the space will therefore be assessed at the DA stage.</p> <p>Response is also provided in Items B, D and E above.</p>

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No.	Author	Summary of submission	Response
9	Individual (2 of 3)	The submission expresses concerns about the proposal to manage traffic flow by opening Marceau Drive at Crane St/ Lyons Rd West. This would create a major community issue, completely destroying the character and safety of Marceau drive. It would also be a major variation contrary to Councils established local traffic flow plans.	Response is provided in Item B above.
10	Individual	The submission objects to the height of buildings on the waterfront boundary, which contrasts with the height limit of the other three boundaries and waterfront properties. The submission requests that the waterfront height be reduced to three storeys.	The dominant building façade facing the foreshore is currently 5-storeys with a recommendation that the upper floor be setback to reduce the visual bulk. This is consistent with the recommendation in the Urban Design Review that, to be consistent with the current local character, <i>“new buildings should be below the tree height and similar to the adjoining six storey apartments and the Central Roasting Hall should remain the tallest building in the area.”</i> Response is also provided in Item A above.
11	Individual	The submission expresses the following concerns: <ul style="list-style-type: none"> • Insufficient on-site parking to cater for residents and visitors. • the peak hour level of service degradation at the intersections of Burwood Rd and Crane St, Burwood Rd and Queens St, and Burwood Rd and Parramatta Rd. The submission objects to opening Marceau Drive to Crane Street, which would represent an unacceptable loss of amenity for residents.	Response is provided in Items B and D above.
12	Individual	The submission states that the bar has been set too high for the normal investor that wants to make a buck.	It is not the role of Council or the planning system to facilitate profit-making for investors.
13	Individual	The submission objects to the planning proposal, particularly increasing the maximum height of the structure, which is contrary to existing residential structures and a quiet waterside area.	The proposed heights of the structures are consistent with the recommendations of the Urban Design Review as consistent with the adjoining development, and also of the current factory building. Response is provided in Item A above.

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No.	Author	Summary of submission	Response
14	Individual (1 of 3)	<p>The submission expresses concerns about adverse traffic impacts on the residential local road network as a result of additional traffic generation. Also there are no binding and enforceable measures in the planning proposal regarding the traffic impact of the proposal and there are safety issues at the Burwood Road and Crane Street intersection.</p> <p>The submission expresses general concern about speeding on Burwood Road and requests traffic calming.</p> <p>The submission suggests certain amendments to the draft DCP, including that it specify a 40km/hr speed limit on Burwood Road.</p> <p>The submission supports the extension of Zoeller Street to create a fair and equitable distribution of traffic and the re-opening of Marceau Drive to enable the new roads within the site to connect with the surrounding local road network. The submission states that the extension of Zoeller Street and the re-opening of Marceau Drive are important components in a holistic approach to addressing the management of the additional traffic generated by the proposal, benefitting far greater people than those affected.</p>	<p>Council investigates problem areas for speeding as they arise and installs traffic calming measures and pedestrian crossings or upgrades where appropriate.</p> <p>Response is also provided in Item B above.</p>
15	Individual	<p>The submission expresses concern that the proposal will place an unbearable traffic load on Burwood road, Zoeller street and all the surrounding streets. Also that the traffic Assessment Impact report needs to reflect the current traffic conditions and assess weekend parking needs. The submission states week-end on-street parking is inadequate due to people accessing Bayview Park.</p>	<p>Response is provided in Item B and D above.</p>
16	Individual	<p>The submission expresses concern about the traffic management plan for Burwood Road and Zoeller Street.</p> <p>The submission recommends reinstatement of the ferry service from Bayview Park for the city commuters to help alleviate traffic.</p>	<p>Response is provided in Items B and C above.</p>

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
17	Individual	The submission expresses concern about the proposed building height and density which are considered to be excessive, retention of the main building due to contamination risks, and insufficient parking for residents and visitors.	Response is provided in Items A, D and G above.
18	Individual	The submission expresses concerns that the development is oversized, streets are already crowded, on-street parking is already causing traffic issues, and the population increase will destroy the neighbourhood character.	Response is provided in Items A, B and D above.
19	Individual	The submission expresses concerns that the development will place additional pressures on parking in Bayview Park, which is already inadequate during popular times, and Majors Bay Road shopping precinct. The submission also expresses concerns that the parking report has underestimated allowances for residents.	Response is provided in Item D above.
20	Individual (1 of 2)	The submission expresses concerns that the development will significantly increase the population in the area	Response is provided in Item A above.
21	Individual	The submission duplicates proforma letter #1. Refer to submission #41 below.	Response is provided in Items B, C and D above.
22	Individual	The submission objects to the proposal due to impacts on residents during construction, the size of the proposed development, potential traffic, parking demand, environmental damage, and increased burden on ratepayers.	Response is provided in Items A, B, D, E and J above.
23	Individual	The submission expresses concern about traffic issues particularly as the land is at a dead end, the proposed height of the buildings which must be at the height of all units nearby in Burwood Road, and heritage consideration of the Roasting Hall which is laughable.	Response is provided in Items A, B and E above.
24	Individual	The submission objects to the proposal as it will bring unwanted traffic to a small suburban street, which will also create pollution and noise. Also it will reduce property values and the street will no longer be neighbourhood friendly.	Council has a responsibility to ensure good planning outcomes, regardless of the impact this may have on property values of existing properties. Council has no direct role in or control of property values. Response is also provided in Items B and F above.

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
25	Individual	<p>The submission expresses concern about the parking needs of residents and visitors to the area, especially night-time parking. Also, the large size of the development and the impact that the opening of Zoeller Street and Duke Avenue will have on the residents of that street.</p> <p>The submission supports reinstatement of the ferry to Bayview Park.</p>	Response is provided in Items A, B and D above.
26	Individual	<p>The submission expresses concern about the increased parking demand from the proposed commercial and retail outlets, increased traffic and congestion and noise, and the lack of public transport in the area which will generate more cars.</p> <p>The submission requests recommencement of ferry services from Bayview Ferry Wharf as well as bus service links to Burwood Station and the new future Metro station.</p>	Response is provided in Items B, C and D above.
27	Individual (3 of 3)	<p>The submission expresses concern about:</p> <ul style="list-style-type: none"> the proposed building heights, which may not be consistent with other buildings in the area. the cost of maintaining the public access park, walkway and sea wall, which should be maintained by the developer. retaining the Roasting Hall, the big B and chimney insitu as items of heritage significance, which should instead become an onsite public museum for the local coffee manufacturing industry. 	Response is also provided in Items A, E and J above.
28	Individual	<p>The submission expresses concern about the size of the proposal, which is out of character for the area and will impact traffic and parking, especially on weekends and after 5.30pm during the week.</p> <p>The submission objects to extending Zoeller St into Massey Park onto heritage listed land, which will turn Zoeller St into a major traffic street and rat run and is contrary to a 2019 Council Resolution.</p>	Response is provided in Items A, B and D above.

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
29	Individual	<p>The submission objects to the size and scale of the proposed development, as the local roads and public transport will not be able to accommodate the increase in traffic.</p> <p>Also there will be reduced useability of local shops and public spaces, which are all already nearing capacity.</p>	<p>Response is also provided in Items A, B and H above.</p> <p>The proposed provision of retail uses is a requirement of the Gateway determination and a recommendation of the Sydney Eastern City Planning Panel (the Panel). The Panel recommended the retail uses as <i>the site is relatively remote being on a peninsula and is several kilometres from the commercial and retail centres at Burwood, along Parramatta Road or at Concord</i>. The Panel also advised that <i>a mix of industrial / urban services, residential and open space uses can take maximum advantage of the characteristics and setting of the site to achieve a very strong net public benefit consistent with outcomes sought from State and local planning strategies</i>.</p>
30	Individual	<p>The submission objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • the density of the proposal, which exceeds that of adjoining development. • it is out of character with neighbourhood. • the traffic will be unacceptable. • on-street parking is at or near full capacity out of normal work hours. • no change is required to the parkland and foreshore. 	<p>Response is provided in Items A, B, D and H above.</p>
31	Individual	<p>The submission expresses concerns about traffic impacts and the proposed opening of Marceau Drive to Crane Street, which will create a rat-run.</p>	<p>Response is provided in Item E above.</p>

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
32	Individual	<p>The submission duplicates and expands proforma letter #1</p> <p>The submission objects to the proposed development for the following reasons:</p> <ul style="list-style-type: none"> • Council's PAMP has not been considered. • Re-opening Marceau Drive will present immediate danger to road users, bicyclists and pedestrians. • Residents of Marceau Drive and Durham Street are prohibited by covenant from erecting any front fence. • Marceau Drive, Durham Street do not have any footpaths and pedestrians/bicyclists must walk on the road. • Marceau Drive and Ward Street is a dedicated cycleway. • The traffic assessment has not considered the number of visitors to Bayview Park for recreational purposes on weekends, or parking needs for the Park. 	Response is provided in Items B and C above.
33	Individual	The submission expresses concern about impacts on traffic, foreshore walks and Bayview Parks.	Response is provided in Items B and H above.
34	Individual	<p>The submission objects to the proposal because it will:</p> <ul style="list-style-type: none"> • grossly exceed the allowed [current] FSR. • place an unbearable traffic load on Burwood Rd, Zoeller St and all the surrounding quiet residential streets. • put unmanageable pressure on street parking in the local area. 	Response is provided in Items A, B and D above.
35	Individual	The submission objects to the proposal because parking will become unmanageable and create safety risks for women coming home late and unable to find parking.	Response is provided in Item D above.

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
36	Individual	The submission objects to the proposal as it will result in high-rise, especially along the water's edge, increased parking demand, traffic and higher property prices and land rates.	<p>The building heights in the planning proposal have been assessed and recommendations are being made to reduce the overall scale, visual bulk and impact of buildings.</p> <p>Council has a responsibility to facilitate the delivery of future housing and housing choices by ensuring there is sufficient housing capacity within the planning framework to accommodate sufficient and feasible new housing. Council has no direct role in or control of property prices.</p> <p>Response is also provided in Items A, B and D above.</p>
37	Individual	The submission objects to the proposal as it will significantly increase traffic, pollution, noise, lack of parking, rates, crime and bad behaviour, and construction noise and pollution.	Response is provided in Items A, B, D, F and J above.
38	Individual	The submission objects to the proposal as it will impact living standards on Burwood Road, is higher density than surrounding developments, and will place an unmanageable traffic load on Burwood Road.	Response is provided in Items A and B above.
39	Individual	<p>The submission objects to the following aspects of the proposal:</p> <ul style="list-style-type: none"> The size of the development is excessive and does not fit with the environment at the end of Burwood Rd. The development will greatly increase traffic on quiet suburban streets, namely, Zoeller St and Burwood Rd. The commercial aspect of the development will attract significant on-street parking. 	Response is provided in Items A, B and D above.
40	Individual	<p>The submission expresses concerns that the proposal will create foreseen overwhelming traffic impact regarding general vehicles, dumping of waste in the Bay, and potential for the foreshore to become a swamp.</p> <p>The submission suggests a bridge be investigated, from Bay View Park to Wymstone Parade in Wareemba to alleviate the traffic from Burwood Road.</p>	<p>Response is provided in Item B above.</p> <p>Council does not have jurisdiction to construct a bridge from Bay View Park to Wymston Parade in Wareemba as the bay is part of Sydney Harbour/Parramatta River, is a public waterway and the responsibility of the NSW State Government.</p>

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
41	Individual	<p>This is proforma letter #1</p> <p>The submission objects to the opening of Marceau Drive for the following reasons:</p> <ul style="list-style-type: none"> • traffic and safety issues for vehicles, bicycles and pedestrians. • properties in Marceau Drive and Durham Street have a covenant that prohibits erection of front fences. • these roads do not have footpaths. • Marceau Drive is a dedicated cycleway. <p>Also the traffic assessment has not given consideration to the number of users of Bayview Park, the proposal has not addressed or considered Council's PAMP, and the parking assessment has not considered the demand for parking on weekdays or weekends.</p>	Response is provided in Items B, C and D above.
42	Individual	The submission expresses concern about the size and density of the proposed development, traffic impacts and increased parking demand.	Response is provided in Items A, B and D above.
43	Individual	The submission expresses concern about the scale and density of the proposed development, dubious heritage value of the Roasting Hall and associated safety concerns, traffic impacts and increased parking demand.	Response is provided in Items A, B, D and E above.
44	Individual (1 of 2)	<p>This is proforma letter #2</p> <p>The submission expresses the following concerns:</p> <ul style="list-style-type: none"> • the scale and density of the proposed development is too large. • traffic and parking demand will increase in a congested area and no night-time surveys of parking were done. • no thorough contamination testing was done. • ratepayers should not have to maintain the seawall and foreshore when other foreshore developments are responsible for that in front of theirs. 	Response is provided in Items A, B, D, F and J above.

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
45	Individual	The submission expressed concern about the proposed high density of the development, the retail / commercial component when there are other facilities that are not fully utilised, and traffic impacts. The submission requests that the Bayview Wharf ferry be re-opened and bus services be reviewed.	Response is provided in Items A, B, C and I above.
46	Individual (1 of 2)	The submission objects to the development due to the current lack of parking in the area and traffic congestion, including at the Majors Bay Road centre.	Response is provided in Items B and D above.
47	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
48	Individual	The submission duplicates proforma letter #2	Refer to submission #44 above
49	Individual	The submission objects to the proposal for the following reasons: <ul style="list-style-type: none"> • Height and scale of the proposed development is excessive and inconsistent with the surrounding area. • The assertion that the proposal will require minimal use of private vehicles is incorrect and naive. It will increase congestion and a shuttle bus will not be sufficient to cater for the population increase. • There is sufficient parking within the development and this will result in reduced on-street parking for existing residents. 	Response is provided in Items A, B and D above.
50	Individual (1 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
51	Individual	The submission objects to the proposal as it is excessive, will negatively impact the current tranquillity of the area, and increase congestion.	Response is provided in Items A and B above.
51	Individual (1 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
53	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
54	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
55	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
56	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.

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No.	Author	Summary of submission	Response
57	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
58	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
59	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
60	Individual (2 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
61	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
62	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
63	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
64	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
65	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
66	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
67	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
68	Individual (1 of 2)	The submission expresses concerns that the proposed development will increase traffic congestion on Burwood Road, impact available parking and increase road safety risks.	Response is provided in Items B and D above.
69	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
70	Individual (2 of 2)	The submission duplicates submission #68	Refer to submission #68 above
71	Individual (2 of 2)	The submission expresses concern about the following aspects of the proposal: <ul style="list-style-type: none"> • the conclusion that the standard amount of parking normally allocated to developments of this nature. • findings in the traffic assessment that are contrary to parking on Burwood Road and down to the waterfront being insufficient. • that the commercial development is a bonus for the area. • the reintroduction of the ferry. 	Response is provided in Items C, D and I above.
72	Individual (1 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
73	Individual	<p>The submission expresses the following concerns that the parking allocation needs to be doubled, specifically:</p> <ul style="list-style-type: none"> • The retail and restaurant will require more car spaces than proposed. • The 1-bedroom apartments have been allocated fewer car spaces than under Council rules. • Bus services are minimal on weekends, when residents rely on private vehicles. <p>The submission also expresses concerns about contamination issues relating to the Roasting Hall.</p> <p>The submission recommends another level of parking underground be included for commercial parking and visitors, and also reducing the number of trees in the internal parking areas.</p>	<p>Council has a target to achieve 25% urban tree canopy coverage, which is necessary to reduce urban heat and is a requirement under the Eastern City District Plan. To achieve this target, it is necessary to encourage mature trees wherever possible, including particularly in common parking areas.</p> <p>Response is also provided in Items D and F above.</p>
74	Individual	<p>The submission expresses concern that the height and density are too large and traffic volumes will increase.</p>	<p>Response is provided in Items A and B above.</p>
75	Individual	<p>The submission objects to the revised planning proposal, regarding:</p> <ul style="list-style-type: none"> • The inclusion of commercial/ industrial premises. • The increased height from 12m to 21m and increased FSR. • Lack of night-time studies/surveys of current parking spaces and road use given the current lack of on-street parking. • The exhibition occurring during school holiday and lodgement of a planning proposal to DPE that Council had not reviewed. 	<p>The planning proposal was approved as a Gateway Review by the State Planning Panel. Council was therefore not involved in the independent assessment approval process or the approval.</p> <p>The exhibition package was publicly exhibited from 10 June to 08 July 2022, in accordance with the requirements of the EP&A Act and the Gateway Determination. The school holidays ran from 4 July to 15 July 2022, representing an overlap with the exhibition period of 4 of the 28 days. This was considered acceptable.</p> <p>Response is also provided in Items A, D and I above.</p>

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No.	Author	Summary of submission	Response
76	Individual	<p>The submission expresses concern about the following:</p> <ul style="list-style-type: none"> • The size of the proposal is too large. • It will have the environmental impacts from water run-off, heat generation and noise. • Traffic and parking demand will increase. • The amenity impact on Zoeller Street will be unreasonable. • The design is not sympathetic with the surrounding area. • Retention of the Roasting Hall for heritage reasons is absurd. • Lack of contamination testing. • Increased rates from gifting the foreshore parkland to Council. 	<p>Response is provided in Items A, B, E, F and J above.</p>
77	Individual	<p>The submission expresses the following concerns:</p> <ul style="list-style-type: none"> • The 5 and 6 story buildings across the foreshore, where the proposals states there are only 2 to 3 story buildings along the foreshore. • The number of apartments is not stated. • There will be less car parking than the recommended/benchmark levels and on-street parking be unmanageable. • Traffic load on Burwood Road, Zoeller St, and surrounding streets will be unbearable. • Security booth/ gatehouse and boom gates at the Burwood Road frontage appears contrary to the parkland being publicly accessible. • Dedication of the seawall and foreshore land to Council will be a burden on ratepayers forever. • Lack of clarity about where the proposed solar panels will be located and how much energy will they create. 	<p>The proposal proposes approximately 400 dwellings comprising terraces and Apartments, of which 10% will be as Affordable Housing. The Urban Design Report and the Concept Plan state that 384 apartments will be delivered.</p> <p>The Urban Design Report states that <i>“It is particularly important to learn from the mistakes of the past where waterfront developments have created internal “gated” communities and poor quality, isolated areas of public foreshore land”</i>. The Planning Proposal is not proposing the development to be a ‘gated community’. The Urban Design Report states that <i>“The site presents an ideal opportunity for place-led renewal in order to create a publicly accessible waterfront destination for locals providing daily needs and amenity, as opposed to continuing a pattern of largely private, gated enclaves with little public benefit.”</i></p> <p>The location of solar panels will be assessed at Development Assessment (DA) stage.</p> <p>Response is also provided in Items A, B, D, H and J above.</p>

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
78	Individual (2 of 3)	<p>The submission expresses concerns that there are no binding and enforceable measures to address the traffic impacts on local roads and streets.</p> <p>The submission also expresses concern that the proposal is not consistent with the Gateway determination condition of 31 October 2021 that required the Transport Impact Assessment to reflect the current proposal, which increases the number of dwellings from 384 apartments to approximately 400 and includes 10,000sqm of non-residential uses.</p>	Response is also provided in Item B above.
79	Individual	The submission expresses concerns that the density is above normal, and regarding traffic congestion and parking for the commercial / retail component of the proposal.	Response is provided in Items A, B, and D above.
80	Individual	<p>The submission objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • The proposed 1.25:1 FSR exceeds the 0.6:1 or 0.7:1 of other waterfront sites in the LGA, and the current industrial zoning FSR of 1:1, which is acceptable. • The 10,000 sqm of commercial / retail space is in addition to the proposed 368 units. • The 793 car spaces will need to be located in a substantial basement in order to retain the Roasting Hall, there is no street parking within the new development, and the internal roads are not wide enough. • The Roasting Hall is not a heritage building but, if the hall is not retained, the 13-storey height limit and FSR will still be permissible. • The site will be car dependent and surplus cars will create congestion. • Residential buildings over 8 storeys should be no more than 750m from a rail station. • Gifting the open space to Council, including maintenance of the wall, means there is no private recreation space for residents. 	Response is provided in Items A, B, and D, E, H and I above.
81	Individual (1 of 2)	The submission supports submission #82	Refer to submission #82 below

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No.	Author	Summary of submission	Response
82	Individual	<p>The submission expresses the following concerns:</p> <ul style="list-style-type: none"> • The scope is too large and not sympathetic with the area. • The proposed commercial space is not needed. • The statement that there is “ample on street parking” in the vicinity is incorrect, particularly at night-time and adding commercial will exacerbate the parking problem. • Re-claiming heritage land at the end of Zoeller St should not be permitted and is contrary to a Council resolution. • Heritage listing the Roasting Hall will not prevent its demolition, but the building height will still be permissible. • Donating the parkland, seawall and paths to Council transfers the maintenance costs to ratepayers. • Contamination testing has not been sufficient for the proposed underground carpark. 	<p>Response is provided in Items A, B, and D, E, G, I and J above.</p>
83	Individual	<p>The submission expresses the following concerns:</p> <ul style="list-style-type: none"> • The submission will create major parking problems, especially at night. • Solar provision is insufficient, construction of a beach is aspirational, soil sampling has been minimal, and asbestos is likely to be present on site. • The proposed height and density exceed what has been approved in the past. • There will be increased residential and commercial traffic and the existing roads are already congested. • Donation of land and the seawall to the public abrogates the developer’s responsibility for their maintenance. • Heritage listing is not appropriate and repurposing the Roasting Hall is unlikely due to contamination. 	<p>Response is provided in Items A, B, D, E, F and J above.</p>

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
84	Individual (1 of 2)	<p>The submission expresses concern about increased traffic, including trucks and especially during peak hour on Burwood Road generated by the increased residential, retail / commercial and light industrial. And the traffic study assumes fewer apartments than proposed (384 vs. approximately 400).</p> <p>There is also insufficient on-site parking, especially for the retail / commercial.</p>	Response is provided in Items B and D above.
85	Strata Plan 46633 within the Community Association of Pelican Point	The submission objects to the over-development of the site in comparison to other developments in the immediate vicinity, the worsening of traffic and parking issues, lack of reporting on parking at night-time, the “heritage” classification without due process, ratepayers having to maintain the foreshore where other developments maintain their own.	Response is provided in Items A, B, D, E and J above.
86	Individual	The submission expresses concerns that the proposed development is oversized compared to adjacent development, the traffic and parking demand that will be generated will be unreasonable, and the Roasting Hall does not warrant heritage listing.	Response is provided in Items A, B, D and E above.
87	Individual	<p>This is proforma letter #3</p> <p>The submission expresses concern about the size of the proposed development, traffic and local parking, heritage listing the Roasting Hall without thorough contamination testing, and the burden placed on ratepayers to maintain the seawall and foreshore.</p>	Response is provided in Items A, B, D, E and J above.
88	Individual	<p>The submission objects to:</p> <ul style="list-style-type: none"> • the size of the development, which is out of character with the area and will create overshadowing. • the roof top communal space will create overlooking and privacy issues. • The lack of parking for visitors and the retail / commercial. • Impacts on local traffic. • Private funding of a shuttle and ferry services for 3 years. 	Response is provided in Items A, B, C and D above.

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No.	Author	Summary of submission	Response
89	Individual	<p>The submission objects to the size and scale of the proposed development, especially noting the location at the end of a peninsular as it will generate increased traffic, rat-running and parking chaos.</p> <p>The submission also objects to an access roadway from Zoeller Street via Massey Park Golfclub and the passing on of costs to maintain the seawall and park to ratepayers.</p>	Response is provided in Items A, B, D and J above.
90	Individual	The submission expresses concern about the size of the proposed development and the increased traffic and congestion it will generate, and also opening up of Marceau Drive and Lyons Rd.	Response is provided in Items A and B above.
91	Individual (1 of 4)	The three submissions object to opening Marceau Drive to Crane Street as there are no footpaths in Marceau drive, the properties have covenants that prohibit front fences, the street is an established bike route, and it would create rat-running.	Response is provided in Items B above.
92	Individual	<p>The submission expresses the following concerns:</p> <ul style="list-style-type: none"> Heritage listing the Roasting Hall does not limit its demolition of future development potential. The heights and density are too high. The traffic assessment underestimates the number of cars and likely impact. People will not use the shuttle. Parking is insufficient, especially at night, and existing residents will lose amenity. Providing public access to the water via steps, due to the sediment quality, contamination and rubbish in the water. <p>The submission supports the retention of mature trees, including the fig tree.</p>	Response is provided in Items A, B, D, E, F and H above.
93	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
94	Individual	The submission duplicates proforma letter #2	Refer to submission #44 above
95	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
96	N/A		

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
97	Individual (3 of 3)	The submission expresses concern about the size of the trucks that are likely to use the local roads to service the retail / commercial component of the proposal. It includes a .MOV file that shows a truck on Burwood Road.	Response is provided in Items B above.
98	Strata Executive Committee for DP 270058 at 164 Burwood Road, Concord	<p>The submission objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • It is substantial over-development relative to other developments in the area and the heights are open-ended. • The commercial uses will generate problems. • Traffic and parking are a major concern, especially regarding visitor and commercial parking, and night-time parking on the local streets. • Classifying the Roasting Hall as “heritage” has not gone through due process and increases the permissible building heights without assurity it will be retained. • “Gifting” the foreshore land to Council ignores other developments that maintain their own foreshore • The secondary access road via Zoeller Street will occupy heritage and public land. • The extra parkland will increase local traffic and parking problems and it is not needed in this location. 	<p>The building heights will be limited to the maximum permissible building heights in the Canada Bay LEP. It is also recommended that the planning proposal be revised to ensure that the maximum building height of six-storeys will only be able to be exceeded if the Roasting Hall is retained, heritage-listed and adaptively re-used.</p> <p>Response is also provided in Items A, B, D, E, H, I and J above.</p>
99	Strata Committee – Strata Plan No 57914 - The Somerset, 162c Burwood Road, Concord	The submission expresses concern about the size and height of the proposed development, traffic and parking impacts, traffic safety, and the proposed public space which is not necessary.	Response is provided in Items A, B, D, H and I above.
100	Individual	The submission expresses concern about the proposed size of the development, traffic and parking impacts, and the proposed public space which will attract noise, access problems and vandalism and which is not necessary or positive.	Response is provided in Items A, B, D, F and H above.
101	Individual	The submission duplicates proforma letter #3	Refer to submission #87 above
102	Individual	The submission expresses concern about privacy and safety issues associated with high-rise apartments, overshadowing particularly of the submitter’s solar panels, traffic and parking impacts, and increased noise, pollution and other higher density issues.	<p>Provision and location of solar panels will be assessed at Development Assessment (DA) stage.</p> <p>Response is also provided in Items A, B, D and F above.</p>

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No.	Author	Summary of submission	Response
103	Individual	The submission requests that the proposal not be supported due to traffic and parking impacts and concern that a heritage building may be destroyed.	Response is provided in Items A, B and E above.
104	Individual	The submission expresses concern about traffic impacts that will be created by the scale of the proposed development. The submission also includes proforma letter #3	Response is provided in Items A, B, D, E and J above.
105	Individual	The submission expresses concerns that the proposed number of apartments and commercial facilities is excessive, the impact on local traffic and on-street parking particularly at night-time will be highly negative, and the lack of significantly improved public transport with no ferry service proposed will be detrimental.	Response is provided in Items A, B, C and D above.
106	Individual	The submission expresses concern about the inclusion of commercial uses, the proposed height and density which is not consistent with the locality, proposed heritage listing, potential for asbestos in the Roasting Hall, traffic and parking impacts, and the proposed accessway on public and heritage land at the end of Zoeller Street.	Response is provided in Items A, B, D, E, F and I above.
107	Individual (2 of 2)	The submission duplicates #91 above	Refer to submission #91 above
108	Individual (2 of 2)	The submission duplicates #91 above	Refer to submission #91 above
109	Individual	The submission expresses concern about the impact on traffic, parking, the environment and that there will be a financial burden.	Response is provided in Items A, D, F and J above.
110	Individual (2 of 4)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
111	Individual	The submission lists the following issues for consideration: <ul style="list-style-type: none"> • The discrepancies in the number of units proposed and that the number in the concept plan and the VPA should be made to be the same. • Maintenance of the seawall should be the responsibility of the future residents and not as part of the VPA or an ongoing burden for ratepayers. • The value of the public park should be discounted in the VPA to offset the long-term maintenance cost. • There will be traffic and parking issues. 	Response is provided in Items A, B, D, H and J above.

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No.	Author	Summary of submission	Response
112	Individual	The submission expresses concern about parking, the impact on the factory building as a landmark if it becomes one block amongst many, loss of solar access for existing residences, and the removal of the earlier condition to re-instate the ferry service.	Response is provided in Items B, C, E and F above.
113	Individual	The submission duplicates proforma letter #3	Refer to submission #87 above
114	Individual	The submission expresses concern about parking, traffic impacts and the scope of the proposal which is different to other development.	Response is provided in Items A, B, and D above.
115	York Building, Pelican Quays Strata Plan 62772	The submission expresses the following: <ul style="list-style-type: none"> • The scale of the proposed development is greater than previous developments in the area. • The proposed buildings on the eastern boundary are too high, too close to the boundary and will impact overshadowing and privacy of the adjacent existing development. • Rooftop living areas will also impact the privacy and peace of neighbours. • Traffic will increase. • Parking will become problematic, especially at night-time, and may result in other developments having to install gates. • Existing mature trees in the north-eastern corner and eastern boundary should be retained to retain privacy for neighbours and for birds. 	Response is provided in Items A, B, D and F above.
116	Individual	The submission expresses concern about the high number and scope of units, the scale of the commercial space, the impact on the natural environment, parking especially at night-time, traffic impacts and that there is no mention of the River Pool which will be built at Bayview Park, and lack of contamination testing for the Roasting Hall.	Response is provided in Items A, B, D, F and I above.

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No.	Author	Summary of submission	Response
117	Individual (2 of 2)	<p>The submission objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • Increase in traffic on Burwood Road and generated by the retail / commercial component, including trucks. • A shuttle bus will not replace private car useage. • The proposed parking is insufficient, especially for the retail / commercial. • The Traffic Study differs in number of units and non-residential floor space to the proposal. 	Response is provided in Items B, C and D above.

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No.	Author	Summary of submission	Response
118	Pelican Quays Community Association, 162 Burwood Road, Concord (DP270150)	<p>The submission objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> Some of the Gateway conditions have not been met. The scale of the development compared with other developments in the area. The increase in the FSR from Council resolution of October 2019 and the unclear number of storeys. Rooftop communal areas will cause overlooking. Parking, especially at night. Traffic impacts, including on Zoeller Street. Loss of public golf course land to provide an internal accessway to Zoeller Street. The retail space may not be sustainable and will create noise. The parkland and seawall will be an on-going cost to ratepayer. The public park will add increased pedestrian and cycle traffic to the pathways owned and maintained by adjoining developments. The environmental testing is incomplete. Impacts on resident fauna have not been addressed, during and after construction. Lack of clarity about heritage status of the Roasting Hall and chimney, which could create uncertainty about height limits. <p>The submission recommends the DCP be amended to:</p> <ul style="list-style-type: none"> specify the number of storeys. prohibit rooftop living (private or communal). prohibit internal roads from accessing golf course land. increase security measures. prohibit pedestrian and cycle connectivity to the pathways that are owned and maintained by Pelican Quays (as these are too narrow). duplicate C23 for C24 for the eastern boundary and include not only “vegetation” but “trees” as well (in addition to C32). 	<p>Council Officers are satisfied that the Gateway conditions have been met. Several conditions required revisions to be made to the planning proposal prior to exhibition and two conditions required</p> <p>Revisions prior to finalisation. The planning proposal addressed all except one condition prior to exhibition. Following public exhibition, the planning proposal has been revised to also now include a revised Traffic Study to “reflect the current proposal and following consultation with Transport for NSW.”</p> <p>The planning proposal permitted to proceed to public exhibition following a Gateway Review by the State Planning Panel. This decision superseded previous resolutions of Council.</p> <p>The DCP has been amended to clarify the number of storeys, ensure communal rooftop areas do not overlook or impact on adjoining properties, and duplicate the landscaping requirements on the western boundary to the eastern boundary.</p> <p>The DCP General Control includes controls for crime prevention through environmental design.</p> <p>Response is also provided in Items A, B, C, D, E, F, H, I, J and K above.</p>
119	Individual	The submission duplicates submission #118	Refer to submission #118 above

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No.	Author	Summary of submission	Response
120	Community Committee of Cape Cabarita Community Association DP270193	The submission expresses concern about the size of the proposed development, traffic, parking, remediation of site contamination, and the ongoing impact on ratepayers of maintaining the foreshore walk and seawall.	Response is provided in Items A, B, D, F and I above.
121	Individual	The submission expresses displeasure about the proposal due to associated traffic and parking impacts, possible re-opening of Marceau Drive, the size of the development, and uncertainty about who will fund the road improvements.	Internal roads and any external roads that form part of the development will be funded as part of the development. Response is provided in Items A, B and D above.
122	Individual	The submission objects to re-opening Marceau Drive as it is a bike route, there are no footpaths and there are safety risks. The submission also expresses concern about public transport and the traffic study. The submission also requests the traffic report be revised with respect to current conditions. The submission also includes 3x duplicates of proforma letter #1	Response is provided in Items B, C and D above. Refer also to submission #41 above
123	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
124	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
125	Residents of Marceau Drive, Ward Street and Durham Street	These submissions have been extracted and registered separately.	N/A
126	Individual	The submission also includes 6x duplicates of proforma letter #1	Response is provided in Items B, C and D above.
127	Individual	The submission objects to the proposal due to the size and density, commercial aspects and local impacts on traffic and parking.	Response is provided in Items A, B, D and I above.
128	Individual (3 of 4)	The submission objects to the scale, height and density of the proposed development.	Response is provided in Items A above.
129	Individual (2 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
130	Individual (2 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
131	Individual (2 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.

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No.	Author	Summary of submission	Response
132	Individual	<p>The submission makes the following comments:</p> <ul style="list-style-type: none"> • The Arboricultural Report states that <i>Along the northern border trees are all large Eucalyptus species that appear to be in good health and condition. These trees are growing within the Golf Course and will be affected by the construction of a new road.</i> • The purported increase in canopy coverage to 25% cannot be verified, as the current baseline figure is unavailable and should be increased to 40%. • The planning proposal does not address fauna habitat or include a strategy for its enhancement. It should include a wildlife survey and measures to ensure the safety of legally protected animals. • The traffic study of private vehicle usage appears to be derived from one day's data in 2019, but Gateway condition 5.1 requires an update to reflect the 2022 planning proposal. • Re-opening Marceau Drive would degrade existing pedestrian and cycling infrastructure. • There is no evidence that the proposed shuttle bus will reduce private car usage. The cost would be better redirected into public transport. 	<p>Response is provided in Items B, C and F above.</p>
133	Individual	<p>The submission expresses concern about the size of the proposed development, traffic impacts, parking congestion especially in the evenings, overshadowing on the eastern boundary including of solar panels of adjoining properties, loss of privacy, noise, ongoing impacts on ratepayers to maintain the parkland and seawall, and increased pedestrian and cycle traffic to the pathways owned and maintained by the adjoining properties that are for pedestrians only and not bicycles.</p>	<p>The location of solar panels will be assessed at Development Assessment (DA) stage.</p> <p>Response is also provided in Items A, B, D, F and J above.</p>
134	Individual	<p>The submission expresses concern about traffic and parking impacts, contamination testing, problems associated with heritage listing the Roasting Hall, and maintenance of the seawall at ratepayers' expense.</p>	<p>Response is provided in Items B, D, E, F and J above.</p>

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No.	Author	Summary of submission	Response
135	Oxford Strata Committee, SP57498	<p>The submission requests that Council refuse the planning proposal for the following reasons:</p> <ul style="list-style-type: none"> • The current proposal is the result of a Gateway Review rather than support of Council. • The density scale and height of the proposed development. • The unclear height limit, including no height limit for the roasting oven. • Traffic impacts. • Parking impacts, especially at night and including lack of service vehicle parking on-site. • Donation of the parkland to Council and maintenance by ratepayers, including for increase security and water quality. • Lack of consideration of education facilities. • The non-residential space will compete with other centres and will cause noise. • Lack of consultation with Aboriginal peoples, which is required. • Lack of reference to existing fauna on-site. <p>The submission objects to the rooftop communal areas due to privacy and overlooking.</p>	<p>The Gateway Review approved the planning proposal progressing to Gateway determination by the Department of Planning and Environment (DPE). Council Officers are satisfied the planning proposal has met the conditions of the Gateway Determination. Council has not been delegated authority to be the local plan-making authority.</p> <p>Response is also provided in Items A, B, E, F, G, I and J above.</p>
136	Individual	<p>The submission objects to the proposal due to the proposed density, impacts on water quality, parking impacts, and maintenance of the seawall by Council.</p>	<p>Response is provided in Items A, D, F and J above.</p>
137	Individual	<p>The submission expresses concern about the proposal for the following reasons:</p> <ul style="list-style-type: none"> • The size and inconsistency relative to the area. • Dedication of public open space to Council given the uncertainty about contamination and necessity for more open space, and cost to ratepayers. • Inadequacy of the traffic assessment. • Issues with the proposed shuttle bus. • Reliance on car-share. • Potential re-opening of Marceau Drive. 	<p>Response is provided in Items A, B, C and F above.</p>

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No.	Author	Summary of submission	Response
138	Individual	The submission expresses concern about the proposed commercial / light industrial space, height and density, retention of the Roasting Hall which has no heritage significance, proximity to Duke Avenue properties and height of adjacent buildings, traffic and parking issues including insufficient parking, and opening of Zoeller Street. Also impacts including overlooking, loss of privacy, overshadowing, loss of light.	Response is provided in Items A, B, D, E, F, H and I above.
139	Individual (1 of 2), Individual (1 of 2)	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
140	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
141	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
142	Individual (2 of 2), Individual (2 of 2)	The submission duplicates submissions #139	Response is provided in Items B, C and D above.
143	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
144	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
145	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
146	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
147	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
148	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
149	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
150	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
151	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
152	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
153	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
154	Individual	The submission makes comments about the size of the proposal being ludicrous, out of proportion to existing developments, will set a precedent for future developments, and attract too many residents, visitors, vehicles and domestic animals. Also traffic and parking will be severely affected, and gifting the seawall will be a burden on ratepayers.	Response is provided in Items A, B, D and J above.

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No.	Author	Summary of submission	Response
155	Individual	The submission objects to the proposed height which does not blend into the surrounding area, parking impacts, the visual impact on the area, congestion and traffic, and the huge increase in amenities that will be required (child care, schools, community facilities)	Response is provided in Items A, B, D and I above.
156	Individual	<p>The submission objects to the proposal due to the following concerns:</p> <ul style="list-style-type: none"> • The height and density which is not compatible with surrounding context. • Uncertainty about maximum number of storeys. • Traffic and parking, including that the report does not consider the increased commercial space, it says that recreational facilities will not require parking and it offers vague solutions. • The 0.2 car spaces per affordable dwelling is not consistent with the DCP's requirement that it be of the same standard and quality as market housing. • Parking figures are underestimated and over-flow parking will impact the local area. • Rooftop communal spaces will create overlooking and loss of privacy. • Giving the seawall to Council will create inequity. • The contamination studies are incomplete, especially in the park area. • Maintenance, security and waste collection will be an added cost to Council and ratepayers. • The adjacent foreshore pathways will get increased useage and add cost to the owners of those developments. • There is very little private open space. • 10,000m² of non-residential space is possibly not viable and will create noise. • Aboriginal due diligence and consultation did not occur before public exhibition. • There has been no assessment of educational needs. • There has been no mention of impacts to the unique bird life and animals. 	<p>Waste collection is a normal function of Council and the cost is covered in general revenue.</p> <p>Response is also provided in Items A, B, D, E, F, G, H, I and J above.</p>

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No.	Author	Summary of submission	Response
157	Individual (2 of 2)	<p>The submission objects to the following:</p> <ul style="list-style-type: none"> • The scope of the proposed development which will destroy the amenity of the area. • Road access to Zoeller Street is 'not on' and contrary to earlier land dedications. • There will be a massive increase in traffic. • There is currently no on-street parking, especially at night. • Retention of the Roasting Hall is questionable. • Contamination testing has not been sufficiently thorough, including for the proposed seawall steps. • Future residents will have no private open space. • There has been no consultation with Community Associations about the Sydney to Parramatta shared pathway. • Ratepayers do not need the burden of maintaining another general park. 	Response is provided in Items A, B, D, E, H and J above.
158	The Salvation Army (NSW) Property Trust	<p>The submission expresses concern that:</p> <ul style="list-style-type: none"> • the planning proposal has inadequately addressed the bulk, height & setbacks and will create visual, acoustic. • The commercial / retail operational impacts will need further assessment. • Vehicle and pedestrian access, and parking will need to be considered. • The flora & fauna need to be considered in greater detail. 	Response is provided in Items A, B, D, F and I above.
159	Individual (4 of 4)	The submission duplicates submission #128	Refer to submission # 128
160	Individual	<p>The submission expresses concerns about traffic, potential re-opening of Marceau Drive, the proposed building height, and noise during construction.</p> <p>The submission requests that:</p> <ul style="list-style-type: none"> • traffic flow one-way through the site, entering from Burwood Road and exiting into Zoeller Street. • there be restrictions on trucks parking on street during construction. • Public transport be encouraged by eg. bike lanes. 	Response is provided in Items A, B, C and F above.
161	Individual	The submission expresses concern about parking impacts, lack of public transport, opportunity for reinstalment of a ferry, and traffic impacts.	Response is provided in Items B and C above.

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No.	Author	Summary of submission	Response
162	Individual	The submission objects to the proposal due to the proposed bulk and scale, the commercial component, traffic and parking impacts, proposed heritage listing of the Roasting Hall, and cycleway along the foreshore.	Response is provided in Items A, B, C, D, E, H and I above.
163	Individual	The submission objects to the proposal due to the impact it will have on a quiet area, on-street parking by visitors, and overuse of the foreshore walkway.	Response is provided in Items A, D and H above.
164	Individual	The submission objects to ratepayers especially adjoining residents having to fund the upkeep of the foreshore, traffic impacts, and parking impacts especially after 5pm.	Response is provided in Items B, D and J above.
165	Lexington-New Hampshire Strata Committee, 20-32 Phillips Street, Cabarita	The submission expresses concern about the overall scope and size of the proposed development, the pressure on parking and traffic flow, and the provision of support services (water, gas, electricity, telecommunications and so on) which may not be able to be expanded to support existing and new residents.	<p>The following Government Agencies were consulted during the public exhibition:</p> <ul style="list-style-type: none"> • Ausgrid (no submission received) • Sydney Water (refer to submission #186) • Jemena (refer to submission #185) <p>Response is provided in Items A, B, D and I above.</p>
166	Individual	<p>The submission raises concern about:</p> <ul style="list-style-type: none"> • the disproportionately large proposed development and its inconsistency with the surrounding area, noting that the height was originally approved for the operation of the factory, not for residential uses. • Privacy issues for surrounding buildings will arise from the establishment of roof top communal areas. • the risks and costs associated with the Council accepting a “gift” of land from the proponent to Council. • lack of evidence of contamination testing for remediation. • traffic issues, including methodological errors in the traffic analysis, a privately funded frequent shuttle bus, and reliance on speculative transport options without detail. 	Response is provided in Items A, B, C, F and J above.

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No.	Author	Summary of submission	Response
167	Individual	The submission objects to the density of the proposed development given its location and traffic difficulties, the proposed parking spots which should be 3 per dwelling plus commercial spaces, gifting of the foreshore to Council rather than treating its maintenance the same as adjacent developments, and the proposed jetty which is not needed in view of the Bayview Park ferry.	Response is provided in Items A, B, D, H and J above.
168	Individual	The submission expresses concern about the proposed number of apartments, changes to Zoeller Street, increase in noise, and parking impacts.	Response is provided in Items A, B and D above.
169	Individual	The submission objects to the scale and nature of the proposed development. The submission includes a duplicate of submission #166	Refer to submission #166
170	Individual	The submission expresses concern about: <ul style="list-style-type: none"> • The creation of a main entrance on Marceau Drive. • Traffic issues. • Opening of Marceau Road into Lyons Road West. • Privacy impacts from overlooking into private roof terrace. • The proposed density and number of apartments. • Parking issues. • Introduction of a large block of community housing. 	The proposed primary site entry is located at the intersection of Burwood Road and Marceau Drive, which is currently serviced by a roundabout. The location of this site entry and new road is supported as it assists in integrating the new development into the exiting street network and it provides new visual links from Marceau Drive to the Central Roasting Hall and a new direct connection to the waterfront. Response is also provided in Items A, B, D and I above.
171	Individual	The submission expresses concern about the density of the proposed development, the increase in traffic including along Zoeller St, potential re-opening of Marceau Drive, and parking impacts.	Response is provided in Items A, B and D above.

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172	Bayview Action Group	<p>The submission raises the following concerns:</p> <ul style="list-style-type: none"> • Overdevelopment of the site (FSR of 1.25:1) relative to other medium density developments in the immediate area (0.75:1). • Parking issues, particularly lack of parking after 5pm, at night and on weekends. • The reduced parking requirement (short by 81 spaces) which will increase on-street parking demand. • The statement in the proposal that people will travel by bus but also that there will be a heavy reliance on vehicles. • Traffic issues, which are exacerbated by the two schools in the area, and the inability of the local road network to cope with the proposed additional apartments and non-residential uses. • The proposal to extend Zoeller Street regardless of previous Council resolution. • Handing the park over to Council to be responsible for its continual maintenance, security issues, and noise from park users. • Creation of the park in lieu of providing private open space. • Uncertainty about the VPA inclusions. • The height and scale of the development will detract from the heritage aspects of the Roasting Hall and is contrary to its significance as an example of the "Factory Garden Movement". • The Foreshore Building Line needs a greater setback to create a sensitive transition. • Uncertainty about the viability of the non-residential uses. • Lack of consideration of wildlife, including threatened and endangered species. • Insufficient contamination testing. • Lack of school capacity in the area. • Unreliable internet services. <p>The submission expressed concerns about consistency with the Gateway determination:</p> <ul style="list-style-type: none"> • Lack of consultation with the MLALC and local Aboriginals. 	<p>The Council resolution of 15 October 2019 was superseded by the Gateway Review by the Eastern City District Panel of 22 April 2020. Therefore, the previous resolution does not apply to the current iteration of the planning proposal.</p> <p>Council's DCP includes General Controls that are intended to manage waste and service vehicles, conflict between road users and pedestrians.</p> <p>DCP C51 has been replaced with C57, which, in addition to FSR controls in the LEP, is regarded as sufficient to ensure maximum permissible FSRs are not exceeded.</p> <p>DCP C36 and C64 have been replaced with a new C35 that states <i>"Consultation is to occur with the Massey Golf Course to determine if golf safety fences/ netting will be required to be constructed to protect people, vehicles and structures from potential stray golf balls. All fences would need to be of high design quality and visually unobtrusive."</i> The provision of a fence would be a consideration when a development application is submitted and where necessary may form a condition of development consent. This approach will ensure appropriate consideration is given to the safety of residents.</p> <p>Short-term accommodation is controlled under <i>State Environmental Planning Policy (Housing) 2021</i>. This is a statewide regulatory framework that has been developed to achieve a balanced approach for homeowners and visitors.</p> <p>Response is also provided in Items A, B, C, D, E, F, G, H, I, J and K above.</p>
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No.	Author	Summary of submission	Response
		<ul style="list-style-type: none"> Reliance on communal rooftop space to achieve solar access requirements for communal space. Traffic report pre-dating the planning proposal. Inconsistency with the Council resolution to limit encroachment of Zoeller Street accessway into Massey Park Golf Course. <p>The submission expressed concern about the draft DCP:</p> <ul style="list-style-type: none"> Inconsistency with Council resolution to limit FSR to 0.99:1. Inadequate setbacks for buildings. Uncertainty about service vehicle access. Secondary access via Zoeller Street (C4). Conflict between heavy vehicles, cars, pedestrians and cyclists (C6). Rebuilding the seawall with steps (C18). Uncertainty about Massey Park Golf Course fence (C35). Uncertainty about FSR (C51). Controls not applying to the building facing the golf course (C64). Uncertainty about who determines alterations to building layout (C89). Incompatibility of buildings surrounding the Roasting Hall, which is an example of the Factory Movement in the Garden setting (C109). Permissibility of short-term accommodation (C113). 	
173	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
174	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
175	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
176	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
177	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
178	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
179	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.
180	Individual	The submission duplicates proforma letter #1. Refer to submission #41.	Response is provided in Items B, C and D above.

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No.	Author	Summary of submission	Response
181	Individual	<p>The submission objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • Overshadowing, particularly of properties to the east. • Construction that encroaches on the nature corridor from Burwood Road to the waterfront. • Environmental impacts, including strain on existing services, traffic, parking, and noise. • The proposed height and density, particularly on the eastern boundary. • Aesthetic considerations of high-rise apartments. • It will exacerbate the existing illegal parking, dumping, and road and pavement damage. <p>The submission also supports the submission the Bayview Action Group (#172)</p>	<p>Response is provided in Items A, B, D and F above.</p> <p>Council is currently working to introduce Design Excellence requirements into the DCP, as required by the LSPS. This will ensure that aesthetics and good design will be assessed as part of a future DA.</p> <p>Refer also to submission #172 above</p>
182	Individual (2 of 2)	<p>The submission raises concern about the condition of Council roads and inadequate maintenance, which will be exacerbated if the proposed development is approved.</p>	<p>Response is provided in Items B above.</p>

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
183	Biodiversity and Conservation (DPE)	<p>The agency states that the Flood Assessment Report does not include the information required to support the proposal and that an adequate flood assessment provides a comprehensive understanding of flood behaviour for both existing and developed scenarios, as well as the flood hazard and risk to people and property for a full range of floods up to the PMF event. However, the Report merely outlines existing flood behaviour.</p> <p>The flood assessment should identify and analyse:</p> <ul style="list-style-type: none"> the impacts of the proposed development on the flood behaviour and flood risk to the existing community. the impacts and risks of flooding on the development and its future users. how these impacts can be managed to minimise the growth in risk to the community due to the development. the emergency response issues and required management measures for the full range of flooding. <p>The Agency advises that a 'shelter in place' flood emergency strategy, as proposed, should not be considered for the new development as it intensifies risk to life and that the NSW State Emergency Service (SES) should be consulted in this regard.</p>	<p>The Flood Assessment Report has been updated following the public exhibition to show:</p> <ol style="list-style-type: none"> The difference between the existing and proposed building footprints during 1%AEP and the PMF storm event. Flood impacts to other properties based on the block and street pattern contemplated by the planning proposal. <p>The Flood Assessment Report has also been revised to include the minimum finished floor levels (FFL) for ground floor in each proposed building giving consideration to the 1% AEP plus 500mm freeboard. Council's flood engineers have advised that the draft FFLs are acceptable.</p> <p>A request for feedback was sent to the SES in response to the agency's concern about the proposed 'shelter in place'. The SES provided no submission. This will be further pursued with the SES should this Planning Proposal progress.</p>
184	NSW Environment Protection Authority	The agency has no comment on the proposal.	Noted
185	Jemena Gas Networks (NSW)	Jemena does not object to the development application, subject to there being no threats to the integrity of the Jemena assets during construction and operation of the development.	Noted
186	Sydney Water	<p>The agency recommends the proponent:</p> <ul style="list-style-type: none"> lodge a Feasibility as soon as possible for water servicing and wastewater servicing, in light of the potential for uplift and amplification of services to meet the future demand. approach Sydney Water for an updated capacity assessment. 	Noted

Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

187	Transport for NSW (TfNSW)	<p>The agency has the following concerns:</p> <ul style="list-style-type: none"> • There will be a change in the level of service (LOS) for the southbound movement at the Burwood Road / Crane Street intersection during the PM peak from LOS C to D. This will result in a LOS F in 2036 of F, which is unacceptable. However, TfNSW does not support intersection interventions merely to benefit the viability of the proposed development. • 70% of the development's south outbound traffic will be using the Burwood Road/ Crane Street as their exit strategy. This is a potential issue for Burwood Road / Crane Street, as well as Broughton Street/Crane Street. <p>The agency makes the following comments:</p> <ul style="list-style-type: none"> • Further sensitivity testing is required with additional modelling at critical intersections and with displaced traffic re-assigned to adjacent intersections and all modelled for the future 2036 development year with full development in place. • More transparency is needed in regard to the proposed changes to the network operation (traffic signalling) at each intersection and a review of the modelling outcomes of those changes. The draft plan should not be finalised until the outcome of this additional modelling is known. • Clarification is required on the reason(s) for there being no assessment of the development's impact to the Parramatta Road/Burwood Road intersection, as this intersection is a key access point to/from the regional road network.. • There is opportunity to provide car-share within the site. • There needs to be substantiation of the statement "<i>With the development of the site providing convenient links to the existing walking and cycling network ... it is anticipated that there will be less reliance on private vehicles and a higher uptake of public transport and active transport modes of travel</i>" • Clarification is required in relation to future walking or cycling mode share targets proposed. The proposed target of 5% is relatively low and conservative and lower than the Sydney Greater Metropolitan region targets. 	<p>The Gateway determination required that, prior to finalisation, the planning proposal is to be revised to <i>update the Transport Impact Assessment to reflect the current proposal and following consultation with Transport for NSW.</i></p> <p>The proponent has been requested to update the Traffic Impact Assessment to address issues raised in the TfNSW submission and also by Council's traffic team.</p> <p>The Traffic Study has been revised and Council is satisfied that the revisions adequately address the submission by TfNSW and requested changes by Council's traffic team.</p> <p>Response is also provided in Item B above.</p>
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Planning Proposal – 160 Burwood Road, Concord – Report on Submissions

No.	Author	Summary of submission	Response
		<ul style="list-style-type: none"> • Clarification is sought in relation to the proposed shared pedestrian and vehicle zone, between the Bushells factory building and the foreshore, and how the proposed shared zone aligns with TfNSW's Cycleway Design Toolbox requirements and if it will resemble a quietway. Projects occupying/providing access to the foreshore will be required to allow public access to the foreshore and adjoining paths. • Clarification is required for the proposed shared path south of the Bushells building, specifically the extents and configuration of this path and if it can be changed to a separated facility. 	



160 BURWOOD RD, CONCORD URBAN DESIGN REVIEW

Final Report

November 2022
Prepared for the City of Canada Bay Council
by Studio GL



Document Information

Job title	Urban Design Review 160 Burwood Road, Concord
Client	City of Canada Bay
Job number	20063
Report title	Draft Urban Design Review Report
File name	20063_BurwoodRd_UrbanDesignReview_PP2022.indd

Revision	Date	Prepared by	Approved/Reviewed by
Draft	23/08/22	NH, DG, AN	DG
Final	31/08/22	AN	DG
Re-issue	4/11/22	AN	DG

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Appendix



CHAPTER 1
INTRODUCTION

01 INTRODUCTION

1-1 Background

Background

Studio GL have been commissioned by the City of Canada Bay to undertake an Urban Design Review of the amended Planning Proposal (May 2022) for the "Bushells Factory Redevelopment", a 3.9 ha site located at 160 Burwood Road, Concord. Studio GL have been providing urban design advice to Council regarding this site since 2016.

The amended Planning Proposal (PP) submitted in May 2022 responds to recommendations made by the Sydney Eastern City Planning Panel (SECPP) in its determination of the Rezoning Review on 31 March 2020 and the Gateway Determination conditions issued by the Department of Planning, Industry and Environment on 31 October 2021. The amended Planning Proposal (PP) revised a previously revised Planning Proposal, submitted in February 2019.

This report reviews the revised Concept Plan and assesses the key urban design issues on this large and significant site. Specifically, this report considers whether the proposed layout, massing and built form of the development, as outlined in the amended PP, provides an appropriate response given the location and surrounding context of the site. The report also considers best practice urban design; SEPP 65, the Apartment Design Guide; and Better Placed, an integrated design policy for the built environment of New South Wales.

The site is located in Concord on the southern edge of Exile Bay. It lies within the City of Canada Bay Local Government Area (LGA) and is subject to the Canada Bay Local Environmental Plan (CBLEP) 2013 and the Canada Bay Development Control Plan (DCP) 2017. As per CBLEP 2013 the site is currently zoned IN1, General Industrial, and contains a working factory (Freshfood Services Pty Ltd). Development in the surrounding area consists of low and medium density residential uses.

The amended PP (May 2022) outlines demolition of most of the current structures, except the large Central Roasting Hall, and the construction of multiple buildings with heights ranging from 12m to 21m. The proposed uses include residential and mixed-use with commercial and retail uses at the lower levels and residential uses above.

Approach and methodology

This urban design review has taken the following approach:

- A review of the site context. This review considers both the physical context and the planning context of the site.
- An explanation of what is considered best practice urban design. This is particularly important on larger, mixed use sites as SEPP 65 and the Apartment Design Guide provide some guidance on the master-planning of mixed use sites but less consideration of wider issues such as urban structure, urban grain and the public realm.
- A review of the amended PP (May 2022) particularly considering the nine Design Quality Principles set out in SEPP 65, namely:
 - Principle 1: Context & neighbourhood character
 - Principle 2: Built form and scale
 - Principle 3: Density
 - Principle 4: Sustainability
 - Principle 5: Landscape
 - Principle 6: Amenity
 - Principle 7: Safety
 - Principle 8: Housing diversity & social interaction
 - Principle 9: Aesthetics

This review focusses on the critical purpose of a planning proposal, which is to amend the planning controls which outline the future development possible on the site. These controls, both key controls in the LEP including Height, FSR, Land Use and Heritage, and the more detailed considerations in the DCP need to provide sufficient confidence that the proposal is suitable for the site. This is consistent with the Local Environmental Plan Making Guideline (2021) which states, "the planning proposal is to demonstrate that the proposal is suitable for the site and the site is (or can be made) suitable for the resultant development".

01 INTRODUCTION

1-2 Documents reviewed

The following documents were reviewed during the review of amended PP (May 2022):

A Metropolis of Three Cities- Greater Sydney Region Plan	Greater Sydney Commission, March 2018
Eastern City District Plan	Greater Sydney Commission, March 2018
SEPP 65 and the Apartment Design Guide	NSW Government
Better Placed - An integrated design policy for the built environment of New South Wales	Government Architect NSW, May 2017
Amended Planning Proposal for 160 Burwood Road, Concord	LFA Pacific Pty Limited, May 2022
Part A: Survey	CMS Surveyors, May 2015
Part B: Amended Urban Design Report 'Bushells 3.0'	HATCH Roberts Day, April 2022
Part C: Concept Plan, Analysis & SEPP 65 Certification	AJC Architects, May 2022
Part D: Landscape Master Plan	AJC Architects, June 2020
Part E: Public Domain Plan	BVN Architects, June 2020
Part F: Traffic Impact Assessment	Stantec, April 2022.
Part G: Arboricultural Development Assessment Report	Kinesis, September 2019
Part H: Heritage Listing Nomination Report	Heritage 21, February 2019
Part I: Heritage Significance Assessment	Heritage 21, April 2016
Part J: Heritage Response to Local Planning Panel	Heritage 21, September 2019
Part K: Statement of Heritage Impact	Heritage 21, September 2019



01 INTRODUCTION

Part L: Facade Report	AJC Architects, September 2019
Part M: Draft Letter of Offer	LFA, February 2022
Part N: Draft Affordable Housing Contributions Scheme	City of Canada Bay Council, June 2020
Part O: Economic Impact Assessment	HillPDA, February 2019
Part P: Retail Demand Assessment	HillPDA, January 2019
Part Q: Aboriginal Due Diligence Assessment	Heritage 21, June 2017
Part R: Preliminary Soil Contamination Assessment	Geotechnique, September 2014
Part S: Additional Contamination Assessment	Geotechnique, August 2015
Part T: Preliminary Geotechnical Investigation	Geotechnique, September 2014
Part U: Additional Geotechnical Investigation	Geotechnique, August 2015
Part V: Sustainability Strategy	Kinesis, February 2019
Part W: Social Infrastructure & Community Uses Demand Assessment	Urbis, August 2015
Part X: Flood Report	Northrop, May 2022
Part Y: Detailed Site Investigation (Round 1)	Geotechnique, May 2022
Part Z: Draft DCP - K19 160 Burwood Rd, Concord	City of Canada Bay Council & Studio GL, June 2022



01 INTRODUCTION

1-3 Previous schemes

Overview

The scale, design and character of development envisaged for this site has been under consideration for many years and has changed significantly over this time. The original Planning Proposal (PP) was submitted in June 2017. Amendments to this proposal were submitted in July 2018, February 2019 and May 2022. A brief summary of these proposals and how the scheme has changed is provided in this introduction.

Planning Proposal, June 2017

The original Planning Proposal, dated 20 June 2017, prepared by Urbis sought to achieve the following outcomes:

- Amendment of the Canada Bay Local Environmental Plan (CBLEP) 2013 'Land Zoning Map' as it applies to the subject site, from IN1 General Industrial to B4 Mixed Use.
- Insertion into Schedule 1 of additional permitted uses for the subject site, including 'boat sheds', 'jetties' and 'moorings'.
- Amendment of the CBLEP 2013 'Height of Buildings Map' as it applies to the subject site, from a 12m maximum height limit to a 125m maximum height limit (p32 of the PP) or a maximum height of 121.5m (p36 of the PP).
- Amendment of the CBLEP 2013 'FSR Map' as it applies to the subject site, from an FSR of 1:1 to an FSR of 1.95:1.



Figure 1 Concept plan in the original PP (June 2017)
(Source: AJ+C and BVN 2017)

The original PP (June 2017) did not seek to amend the CBLEP 2013 'Heritage Map' to include the existing factory buildings. However, the original PP (June 2017) stated that the Heritage Significance Assessment "provides measures to facilitate the adaptive reuse of this building to retain its heritage context and character (...) and will inform the design response (...) as part of any future DA on the site".

The Concept Plan in the original PP (June 2017) prepared by Allen Jack + Cottier Architects and BVN Architects incorporated 69,095m² of residential GFA (683 apartments), 3,718m² of retail and commercial GFA, 18,900m² of publicly accessible open space, 2,769m² of community facilities (in the lower levels of the 'Roasting Hall' and 'Boiler House') and a 660m² childcare facility. 1,205 car parking spaces were proposed in two to four levels of basement parking.

The concept plans in the original PP show five key buildings:

- Building 1 was an eight (8) storey apartment building approximately 155m long and located along the western boundary of the site.
- Building 2 was a twenty-five (25) storey apartment building with a six (6) storey podium along Burwood Road.
- Building 3 was an eight (8) storey apartment building approximately 130m long adjacent to the eastern boundary of the site.
- Building 4 was the retained industrial 'Central Roasting Hall' or Former Bushells Factory Building.
- Building 5 is a thirty-seven (37) storey apartment building with a six (6) storey podium.



Figure 2 Impression of the development on the site as outlined in the original PP (June 2017) (Source: AJ+C and BVN 2017)

01 INTRODUCTION

Amended Planning Proposal, July 2018

An amended Planning Proposal, dated 30 July 2018, prepared by LFA Pacific Pty Limited sought to achieve the following outcomes:

- Amendment of the Canada Bay Local Environmental Plan (CBLEP) 2013 'Land Zoning Map' as it applies to the subject site, from IN1 General Industrial to B4 Mixed Use.
- Amendment of Schedule 1 Additional Permitted Uses to permit 'Multi dwelling housing' on the subject site.
- Amendment of the CBLEP 2013 'Height of Buildings Map' as it applies to the subject site, from a 12m maximum height limit to a range of heights including 12m along Burwood Road, 18m along the northern portion of the site, 22m along the western boundary, 25m along the eastern boundary and a maximum of 46m towards the centre of the site.
- Amendment of the CBLEP 2013 'FSR Map' as it applies to the subject site, from an FSR of 1:1 to an FSR of 1.6:1.

The amended PP (July 2018) did not seek to amend the CBLEP 2013 'Heritage Map' to include the existing factory buildings, similar to the original PP (June 2017).



Figure 3 Key buildings identified over the Roof Plan amended PP (July 2018) (Source: BVN 2018)

The Concept Plan in the amended PP (July 2018) had 60,780m² of total GFA including 535 residential apartments, and 3,557m² of retail and commercial GBA. 1,600 car parking spaces over two basement levels were also proposed. The scheme incorporated two new through-site public streets between Burwood Road and Zoeller Street, bicycle and pedestrian access to the foreshore and publicly accessible open space in the form of a new plaza and foreshore park.

Based on the concept plans, the buildings can be grouped into the following blocks:

- Block 1 included buildings along the western edge of the site that are predominantly six (6) storeys high with a step down to three (3) storey terraces along Burwood Road. Three (3) storey terraces are proposed as infill development between the six (6) storey buildings.
- Block 2 included buildings along the southern edge of the site with three (3) storey terraces facing Burwood Road and three (3) and five (5) storey apartments behind.
- Block 3 included buildings along the eastern edge of the site that are predominantly six (6) and seven (7) storeys high with a step down to three (3) storey terraces along the foreshore and along Burwood Road.
- Block 4 was the retained industrial 'Central Roasting Hall' or Former Bushells Factory Building.
- Block 5 included buildings along the northern edge of the site and comprised a curvilinear building facing the foreshore to the north that is four (4) and five (5) storeys high, and a thirteen (13) storey high apartment building adjoining the retained Boiler House to the same maximum height.



Figure 4 Built form and massing diagram (Source: Roberts Day 2018)

01 INTRODUCTION

1-3 Previous schemes

Amended Planning Proposal, February 2019

The amended Planning Proposal, dated 7 February 2019, prepared by LFA Pacific Pty Limited sought to achieve the following outcomes:

- Amendment of the Canada Bay Local Environmental Plan (CBLEP) 2013 'Land Zoning Map' as it applies to the subject site, from IN1 General Industrial to part B1 Neighbourhood Centre, part R3 Medium Density Residential and part RE1 Public Recreation.
- Amendment of Schedule 1 Additional Permitted Uses to permit 'Light Industries' in the proposed R3 Medium Density Residential zone.
- Amendment of the CBLEP 2013 'Height of Buildings Map' as it applies to the subject site, from a 12m maximum height limit to a range of heights including 12m along Burwood Road; 16m along the western and northern boundaries of the site; 12m, 21m and 24m along the eastern boundary; and a maximum of 30m towards the centre of the site.
- Amendment of the CBLEP 2013 'FSR Map' as it applies to the subject site from an FSR of 1:1 to an FSR of 1.5:1

The amended PP (Feb 2019) also proposed to list the Former Bushells Factory Building as an item of Local Heritage in CBLEP 2013 Schedule 5 Environmental Heritage.

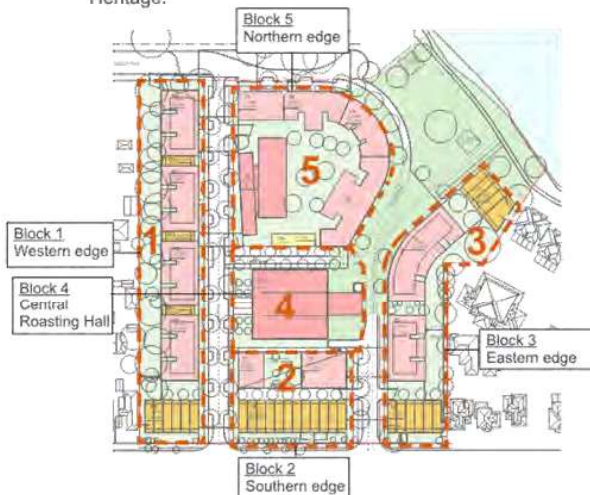


Figure 5 Key buildings of the amended PP (Feb 2019) identified over the Roof Plan (Source: BVN 2019)

The Concept Plan in the amended PP (Feb 2019) retained an identical building layout to the amended PP (July 2018) with reduced building heights. The Concept Plan proposed 55,968m² of total GFA including 475 residential apartments, 3,500m² of retail and commercial GBA, and 813 car parking spaces over two basement levels. The plan retained the proposed through-site public streets between Burwood Road and Zoeller Street, along with bicycle and pedestrian access to the foreshore. The plan also proposed an RE1 Public Recreation zone fronting the foreshore to provide a public plaza and foreshore park.

Based on the concept plans, the buildings can be grouped into the following blocks:

- Block 1 included buildings along the western edge of the site that are predominantly five (5) storeys high with a step down to three (3) storey terraces along Burwood Road and four (4) storeys along Zoeller Road. Three (3) storey terraces are proposed as infill development between the five (5) storey buildings.
- Block 2 included buildings along the southern edge of the site with three (3) storey terraces facing Burwood Road and four (4) and six (6) storey apartment buildings behind. One (1) storey of 'Urban Services' has been proposed on the ground level linking the four (4) and six (6) storey apartment buildings.
- Block 3 included buildings along the eastern edge of the site that are predominantly six (6) and seven (7) storeys high with a step down to three (3) storey terraces along the foreshore and along Burwood Road.
- Block 4 was the retained industrial 'Central Roasting Hall' or the Former Bushells Factory Building.
- Block 5 included buildings along the northern edge of the site and comprises a five (5) storey high curvilinear building facing the foreshore and a nine (9) storey high apartment building adjoining the retained Central Roasting Hall.

Note: The 3-D models and views in the Urban Design Report (Roberts Day 2019) showed the curvilinear building along the foreshore split into four (4) and five (5) storeys although the amended PP (Feb 2019) sought a consistent five (5) storey building along the foreshore.

01 INTRODUCTION

Amended Planning Proposal, September 2019

An amended Planning Proposal (PP), dated 10 September 2019, prepared by LFA Pacific Pty Limited sought to achieve the following outcomes:

- Amendment of the Canada Bay Local Environmental Plan (CBLEP) 2013 'Land Zoning Map' as it applies to the subject site, from IN1 General Industrial to part B1 Neighbourhood Centre, part R3 Medium Density Residential and part RE1 Public Recreation.
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage.
- Amendment of Schedule 1 Additional Permitted Uses to permit 'Light Industries' in the proposed R3 Medium Density Residential zone.
- Amendment of the CBLEP 2013 'Height of Buildings Map' as it applies to the subject site, from a 12m maximum height limit to a range of heights including 12m along Burwood Road; 18m along the northern boundary; 16m along the western boundary; 12m, 17m and 21m along the eastern boundary; 15m between the Central Roasting Hall and the terraces on Burwood Road; and a maximum of 21m towards the centre of the site.
- Amendment of the CBLEP 2013 'FSR Map' as it applies to the subject site from an FSR of 1:1 to an FSR of 1.25:1.

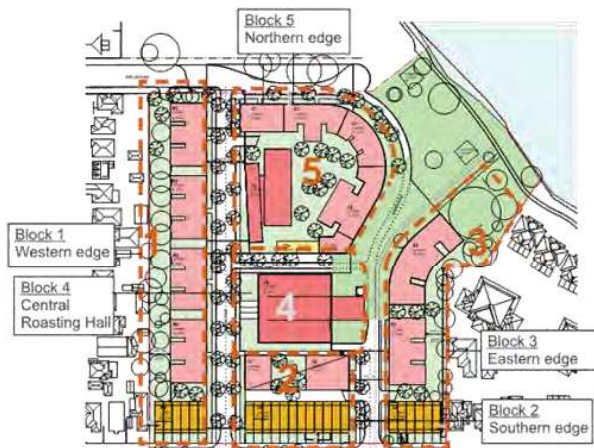


Figure 6 Key buildings identified over the Roof Plan amended PP (Sept 2019) (Source: BVN 2019)

The amended PP (Sep 2019) sought to enter into a Voluntary Planning Agreement (VPA) that provides 8,900m² of land for public open space, proposed to be dedicated to Council upon completion of the development project. Other provisions proposed in the draft VPA include restoration works to the seawall with waterfront edge landscaping, a minimum 5% of dwellings to be dedicated to an independent affordable housing provider for the provision of Affordable Housing, funding for a bus service for three years, and funding of protective golf nets to be installed on the golf course lands near the northern boundary of the site.

Based on the concept plans, the buildings can be grouped into the following blocks:

- Block 1 included buildings along the western edge that are three (3) storeys high.
- Block 2 included buildings along the southern edge of the site with three (3) storey terraces facing Burwood Road and four (4) and six (6) storey apartment buildings behind, with 'urban services' on the ground floor.
- Block 3 included buildings along the eastern edge that are five (5) and six (6) storeys high reducing to three (3) storeys on Burwood Road.
- Block 4 was the retained industrial 'Central Roasting Hall' or the Former Bushells Factory Building.
- Block 5 included buildings along the northern edge of the site and comprises a five (5) storey high curvilinear building facing the foreshore and a six (6) storey high apartment building adjoining the retained Central Roasting Hall.

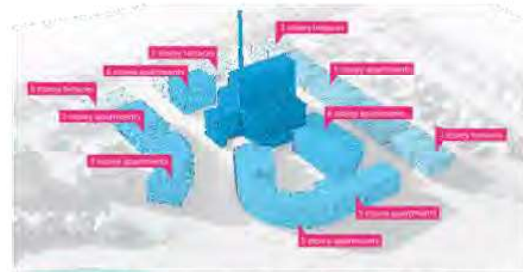


Figure 7 Built form and massing diagram (Source: Roberts Day 2019)

01 INTRODUCTION

1-3 Previous schemes

Rezoning Review (March 2020)

The Sydney Eastern City Planning Panel (SECPP) conducted a rezoning review of the planning proposal on 31 March 2020.

The SECPP determined that the planning proposal demonstrated both strategic and site-specific merit and should be submitted for a Gateway determination, subject to the following recommended conditions:

- A local planning provision be introduced into the instrument for the site to allow light industrial (IN2) uses to be permissible on the site. This is in the absence of a definition in the standard instrument of 'urban services'.
- A development standard be introduced into the instrument to increase the minimum provision of non-residential uses to 10,000m², where a minimum 3,000m² shall be provided for 'urban services' (aka light industrial uses).
- Satisfactory arrangements be in place prior to the instrument being made to allow for, at least, the maintenance on the site of a minimum of 8,900m² of Public Open Space, and a minimum of 10% affordable housing to be provided in perpetuity.
- A DCP shall be prepared and exhibited concurrently with the planning proposal to include urban design criteria; increased setbacks relative to building/wall height adjacent to existing lower density residential uses; increased building separation; height distribution relative to boundaries; building mass distribution; deep soil landscaping; sustainability measures and heritage and curtilage.

Gateway Determination (October 2021)

On October 31 2021 the Department of Planning, Industry and Environment determined that the planning proposal is to be revised to address the following:

- Ministerial Direction 2.3 Heritage Conservation as it relates to the proposal and inclusion of the Aboriginal Due Diligence Assessment for public exhibition.
- Ministerial Direction 2.6 as it relates to the proposal and preparation of a Detailed Site Investigation (DESI) to address the recommendations of report

13188/2, prepared by Geotechnique Pty Ltd.

- Ministerial Direction 4.3 Flooding by assessing the proposal against the requirements of the Direction.
- Demonstrate that future development is capable of achieving the minimum solar access requirements in the Apartment Design Guide (3D and 4A) to apartments and communal open space.
- Clarify the proposed FSR controls. The planning proposal is to include a FSR map showing the proposed site FSR, and a supporting plan showing the resulting block by block distribution of FSR across the site.
- Include provisions to ensure spatial needs of light industry uses are addressed, including requirements for light industry to be located on the lower and upper ground floor levels of the Central Roasting Hall, and appropriate floor-to-ceiling heights.
- Update the Explanation of Provisions to acknowledge the need to amend Clause 6.12 Affordable Housing in the LEP in accordance with the Affordable Housing Contribution Scheme.
- Update the draft DCP to address the spatial needs of light industrial uses as well as detailed design considerations such as floor to ceiling height spans, loading docks and vehicle access/parking, vehicle circulation, waste disposal, storage and service areas/ corridors, etc.
- Address the inconsistency with Ministerial Direction 6.3 to provide further justification that the inconsistency with Direction 6.3 is a minor inconsistency.
- Update the Transport Impact Assessment to reflect the current proposal and following consultation with Transport for NSW.

The time frame for completing the LEP is to be 12 months from the date of the Gateway Determination.

01 INTRODUCTION

Amended Planning Proposal, May 2022

The amended Planning Proposal (PP), dated May 2022, prepared by LFA Pacific Pty Limited seeks to achieve the following outcomes:

- Amendment of the Canada Bay Local Environmental Plan (CBLEP) 2013 'Land Zoning Map' as it applies to the subject site, from IN1 General Industrial to part B1 Neighbourhood Centre, part R3 Medium Density Residential and part RE1 Public Recreation.
- Amend Part 6 Additional Local Planning Provisions to apply the Foreshore Building Line to the portion of the site proposed to be zoned RE1 Public Recreation.
- Amend Part 6 Additional Local Planning Provisions to introduce a development standard for the site which sets out a minimum provision of 10,000m² GFA for non-residential uses, of which a minimum 3,000m² GFA shall be light industrial uses.
- Amend Schedule 1 Additional Permitted Uses to permit "Commercial Premises" within the portion of the site proposed to be zoned R3 Medium Density Residential.
- Listing of the Former Bushells Factory Building as an item of Local Heritage in Schedule 5 Environmental Heritage.
- Amendment of the CBLEP 2013 'Height of Buildings Map' as it applies to the subject site, from a 12m maximum height limit to a range of heights including 15m along Burwood Road; 12m

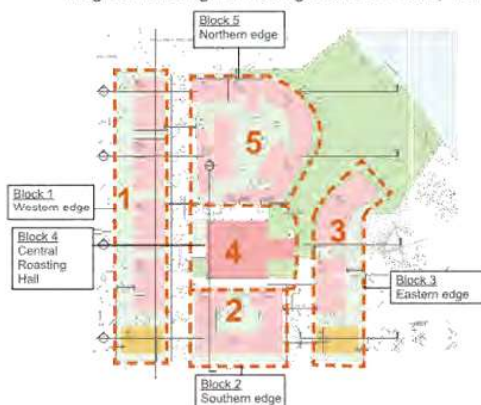


Figure 8 Key buildings of the amended PP (May 2022) identified over the Roof Plan (Source: AJC 2022)

along the western boundary and southern boundary, 18m along the northern boundary of the site; 12m, 17m and 21m along the eastern boundary; and a maximum of 21m towards the centre of the site.

- Amendment of the CBLEP 2013 'FSR Map' as it applies to the subject site from an FSR of 1:1 to an FSR of 1.25:1.

The amended PP (May 2022) seeks to enter into a Voluntary Planning Agreement (VPA) that provides 5,900m² of land for public open space, and restoration works to the seawall with waterfront landscaping. The public open space is proposed to be dedicated to Council upon completion of the development.

The Concept Plan proposes 48,551m² of total GFA including 384 residential apartments, 7,000m² of retail and commercial GFA, and 3,000m² of light industrial uses/urban services. There are 774 car parking spaces proposed over two basement levels. The plan retains the proposed public streets through the site between Burwood Road and Zoeller Street and bicycle and pedestrian access to the foreshore. The plan also proposes an RE1 Public Recreation zone fronting the foreshore to provide a public plaza and foreshore park.

Based on the concept plans, the buildings can be grouped into the following blocks:

- Block 1, Western Edge - Buildings along the western edge that are three (3) storeys high.
- Block 2, Southern Edge - Buildings along the southern edge with three (3) storey buildings facing Burwood Road and four (4) and five (5) storey buildings behind. One (1) storey of 'Urban Services' has been proposed on the ground level linking the four (4) and five (5) storey apartment buildings.
- Block 3, Eastern Edge - Buildings along the eastern edge that are five (5) and six (6) storeys high reducing to three (3) storeys on Burwood Road.
- Block 4, 'Central Roasting Hall' - The retained Former Bushells Factory Building.
- Block 5, Northern Edge - Buildings along the northern edge comprising a five (5) storey high curvilinear building facing the foreshore, stepping down to two (2) and three (3) storeys facing the Roasting Hall, and a six (6) storey high building behind.

01 INTRODUCTION

1-4 Comparison table

The following table outlines the key differences between the submissions in June 2017, July 2018, Feb 2019, Sep 2019 and the current proposal of May 2022, and highlights the changes that have been made in response to the matters raised.

Key consideration	PP (June 2017)	Amended PP (July 2018)	Amended PP (Feb 2019)	Amended PP (Sep 2019)	Amended PP (May 2022)
LEP Controls					
Total site area	3.9 ha	3.9 ha	3.9 ha	3.9 ha	3.9 ha
Proposed FSR	1.95:1	1.6:1	1.5:1	1.25:1	1.25:1
Proposed zones	B4 Mixed Use		B1 Neighbourhood Centre R3 Medium Density Residential RE1 Public Recreation		
Maximum building height	112.5m (37 storeys)	46m (13 storeys)	30m (9 storeys)	21m (6 storeys)	21m (6 storeys)
Additional permitted uses	Boat shed, jetties, etc	Multi unit dwellings	Light Industries (in R3 zone)	No change	Commercial Premises (in R3)
Numeric standards					
Number of apartments	683	535	475	399	384
Total GFA	75,500m ²	60,780.32m ²	55,968.04m ²	48,033.73m ²	48,551m ²
Residential GFA	69,095m ²	Not provided (Assumed 52,070 m ²) (HillPDA 2018, p7)	Not provided (Calculated value 51,210 m ²)	Not provided	29,000m ² (LFA >P) 39,000m ² (Architectural Concept Plans)
Retail & Commercial GFA	3,718m ²	Up to 3,500m ²	3,500m ²	3,500m ² (plus 1,200m ² urban services)	10,000m ² (3,000m ² light industry)
Population density	372.5 people/ha	Not provided	Not provided	Not provided	Not provided
Car parking spaces	1,205	1,600	813 (proposed) 871 (required)	774	774 (proposed) 793 (required)

01 INTRODUCTION

Key consideration	PP (June 2017)	Amended PP (July 2018)	Amended PP (Feb 2019)	Amended PP (Sep 2019)	Amended PP (May 2022)
Public domain considerations					
Public Open Space	18,900m ² (48.4%) in private ownership	15,700m ² (40.25%) in private ownership	7,400m ² (19%)	8,900m ² in public ownership	9,740m ² In public ownership See Note 1 below
Factory Heritage listed	No	No	No	Yes	Yes
Private bus service 3 years	Yes	Yes	Yes	Yes	Yes
Private ferry 3 years	Yes	Yes	Yes	No	No
Publicly accessible roads	No	2 new roads	2 new roads	2 new roads	2 new roads
Reduced rate housing	68 (10%)	53 (10%)	10% with 25% discount	5%	10%
Community facility	2,769 m ² (Exclusive area)	2,148 m ² (in commercial GFA)	2,148 m ²	Not specified	Not specified
Childcare facility	660m ²	No	No	No	Not specified

Note 1: 9,740m² of proposed open space (including a plaza, a shared road and a foreshore park) to be dedicated to Council. Of this, approximately 5,900m² lies within the proposed RE1 Public Recreation zone (green open space).



CHAPTER 2 CONTEXT

02 CONTEXT

2-1 Metropolitan Context

The site is located in the suburb of Concord, approximately 15km to the west of the Sydney CBD and lies in the Eastern City District of Greater Sydney. The site has limited connectivity by public transport; it is 2.6km away from the closest train station at Burwood and 3km away from Strathfield Train Station. There are a few bus routes that service the site. Burwood Road is the major road for vehicular access to and from the site. This section of the Canada Bay foreshore is currently not serviced by ferry.

Greater Sydney Region Plan

The Greater Sydney Regional Plan 2018-2056 'A Metropolis of Three Cities' (the Plan) was released in March 2018 and identifies certain growth centres and development precincts in the strategic vision for metropolitan Sydney.

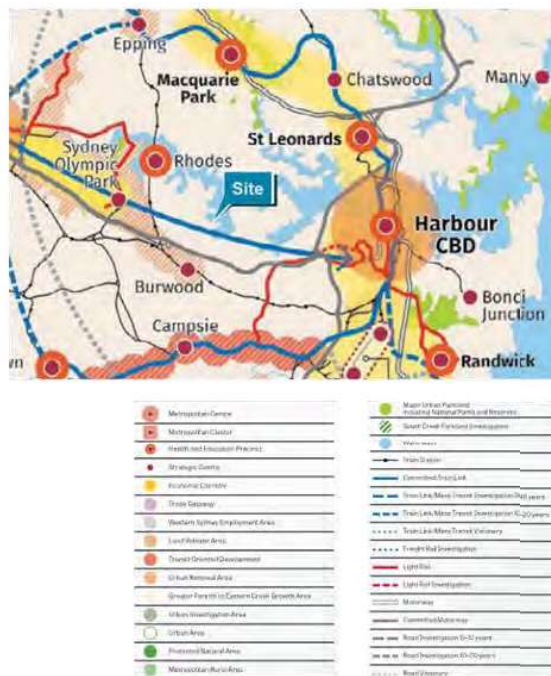
The Plan states that "creating capacity for new housing in the right locations requires clear criteria for where capacity is to be located". The Plan identifies an opportunity for urban renewal around regional transport and strategic centres where links for walking and cycling promote a healthy lifestyle.

As per the Plan, Rhodes has been identified as a Health and Education Precinct and Burwood as a Strategic Centre. Rhodes and Burwood are located 5.5km and 2.6km away from the site respectively. Concord does not feature as a Strategic Centre in the Greater Sydney Regional Plan. The Concord Hospital, located 5km away from the site, has been identified as important healthcare infrastructure that needs redevelopment.

The Plan also identifies the Eastern City District as an area where industrial land should be retained and states that "the provision of services and jobs close to business and where people live are considered critical to Greater Sydney's productivity. In the past substantial tracts of industrial land in the Eastern Harbour City were converted to mixed-use residential zones, in response to unprecedented demand for residential supply. There is now considered to be a shortage of industrial and urban services land in the Eastern Harbour City."



Figure 9 Structure Plan for Greater Sydney (Map source: Greater Sydney Region Plan, A Metropolis of Three Cities 2018)



02 CONTEXT

2-2 Regional context



Figure 10 Eastern City District Plan 2056 (Source: Greater Sydney Commission 2018, p.11)

Eastern City District Plan

The Eastern City District Plan released in March 2018 by the Greater Sydney Commission provides a 20-year plan to manage social, economic and environmental growth in the Eastern City suburbs in order to achieve the 40-year vision for Greater Sydney.

Within this Plan, Concord is identified as a Local Centre (p.10). The Plan identifies five housing market demand areas that influence the housing market in the Eastern City District, but the area of Concord is not identified amongst these (p.37).

The Plan also states that new developments along the foreshore should enhance community access to and provide connected green space around the foreshores (p.101).

02 CONTEXT

2-3 Local context



Figure 11 Local context plan showing the location of the site

The site is situated on a small peninsula of land between Exile Bay and Canada Bay. Access to the site is provided off Burwood Road which is a key local access road that runs east to west down the centre of the peninsula to a small public park, Bayview Park, which is located at the eastern most tip of the peninsula.

The site is located to the north of Burwood Road and is generally rectangular in size. The site slopes gently down to a small area of land fronting onto Exile Bay. A small section of the north west corner of the site connects to Zoeller Street.

The site adjoins low density housing to the west and south and medium density housing to the east. Massey Park Golf Course, a publicly owned golf course, lies along the northern boundary of the site.

02 CONTEXT

2-4 Photographic Study

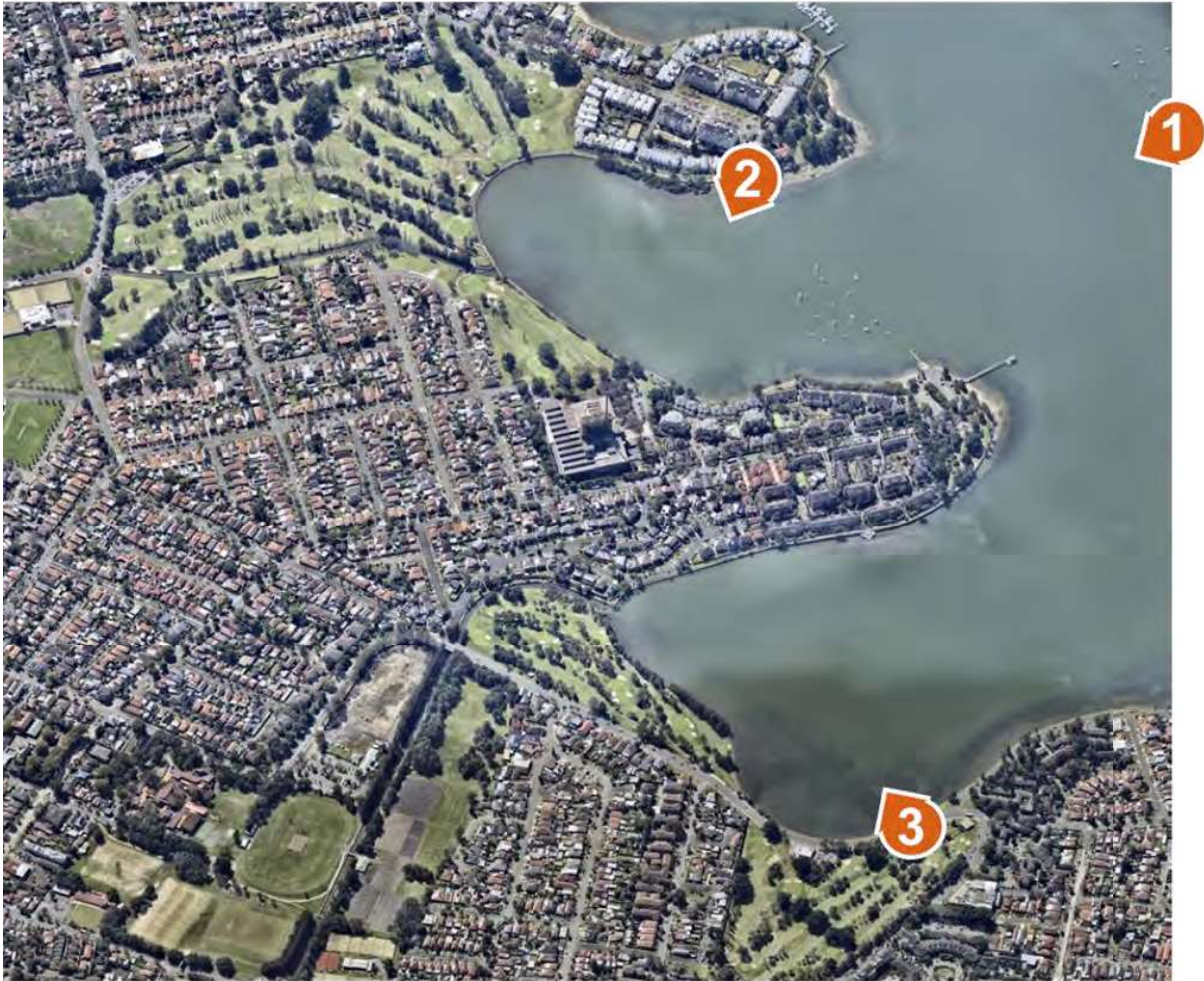


Figure 12 View locations shown over an oblique aerial (Source: nearmap.com 2016)



02 CONTEXT



◀ **View 1 - from Henry Lawson Park looking south west**

The Bushell's Central Roasting Hall is a local landmark as it is substantially taller than other buildings in the surrounding context. This contrast is particularly noticeable as most buildings in the area are not higher than the tallest tree canopy.



◀ **View 2 - from Prince Edward Park looking south west**

The view from the other side of Exile Bay, as seen from Cabarita and Prince Edward Park, provides a clearer view of the detail of the Central Roasting Hall. This view clearly shows that this part of the factory is substantially taller than adjacent 2 and 6 storey buildings and the tallest trees on the peninsula.



◀ **View 3 - from Lyons Road looking north**

The view from the southern side of Canada Bay looking north. The Central Roasting Hall forms a silhouette against the skyline and is significantly taller than surrounding buildings. The chimney is a thin sculptural element that does not contribute to the bulk and scale of the development.

02 CONTEXT

2-4 Photographic Study



◀ View 4 - Halliday Park

Halliday Park is one of three popular parks in the area, the others being Quarantine Reserve and Henry Lawson Park, located on the eastern side of Hen and Chicken Bay with views of the site.

▶ View 5 - from Halliday Park looking north west towards the site



02 CONTEXT



Figure 13 View locations over an aerial oblique view of the context (Source: nearmap.com 2016)



◀ **View 6 - from Wymston Parade**

Continuous public access is provided along the eastern foreshore of Hen and Chicken Bay linking Quarantine Reserve to the south with Henry Lawson Park. Much of this access is provided along the western side of Wymston Parade.

Views from this eastern foreshore place the site in the larger context of a wide, low lying and predominately horizontal context. The surrounding land form is relatively flat and few buildings are higher than the tallest trees. Distant apartment towers can be seen at the District Centre of Burwood and the Strategic Centre of Sydney Olympic Park.

02 CONTEXT

2-4 Photographic Study



Figure 14 View locations over an aerial map (source: nearmap.com 2016)

02 CONTEXT



◀ **View 7 - from Pelican Quays development looking west**

The Central Roasting Hall and the "B" sign can be seen from private roads within the Pelican Quays development.



◀ **View 8 from Duke Avenue looking east-north-east**

The Central Roasting Hall can be seen through the gaps between buildings and above the roof tops of houses along Duke Avenue.



◀ **View 9 - from Duke Avenue looking east**

The Central Roasting Hall can be seen through the gaps between buildings and above the roof tops of houses along Duke Avenue.

02 CONTEXT

2-4 Photographic Study



◀ **View 10 - from the foreshore of Exile Bay looking west**

The Central Roasting Hall and the "B" sign can be seen from the publicly accessible foreshore of Exile Bay above the 2-6 storey development at Pelican Point.



◀ **View 11 - from the Massey Park Golf Course looking north**

The view from Massey Park Golf Course looking north across Exile Bay towards development at Cape Cabarita. This view will be available from the northern boundary of the proposed development.



◀ **View 12 - from Burwood Road looking north west into the site**

The Central Roasting Hall and the "B" sign can be seen from Burwood Road over the entry gates into the factory.

02 CONTEXT



Local Character

The area surrounding the site is characterised by low density detached and semi detached housing that is 1-2 storeys high, and medium density townhouses and apartments set back from the street and the waters edge that range from 2-6 storeys in height.



02 CONTEXT

Canada Bay Development Control Plan

The Canada Bay DCP identifies many controls that apply to this development. This report highlights key sections from the DCP that are particularly relevant to the future development of this site including Section D Heritage, Section E Residential Development, and Section F Mixed Use Areas and Neighbourhood Centres.



02 CONTEXT

2-5 Key planning controls

DCP - Section D Heritage

Although the factory is not currently listed as a heritage item, much of the justification in the amended PP (May 2022) for the scale and type of development on this site is based on the heritage and cultural values of the factory and retention of key buildings on the site. To ensure long term protection of important buildings it is therefore expected that these buildings (or parts of) will become heritage items and therefore the heritage controls in the DCP will apply. Relevant controls include the following:

D2.1 Setting

Setting is the area around a heritage item that contributes to its heritage significance and may include the visual catchment of a heritage item. Topography, trees, gardens, fencing, and pavement can all contribute to the setting of a heritage item. Where a heritage item is a landmark, it is particularly important that new development does not obscure its visual presence in the streetscape and/or townscape.

Objectives	
O1	To provide an appropriate visual setting for heritage items, including landscaping, fencing and car parking.
O2	To ensure that new development respects the contribution of a heritage item to the streetscape and/or townscape.

D2.2 Scale

Scale is the size of a building and its relationship with surrounding buildings or landscape. It is important that new development at places of heritage significance respects the scale of the existing buildings and/or landscape elements that contribute to the significance of the place.

Objectives	
O1	To ensure that additions to a heritage item and new buildings on the site of a heritage item are of a scale consistent with the heritage item
O2	To ensure that the heritage item remains the visually dominant element on the site.

Controls	
C1	Alterations and additions to a heritage item should not be larger in scale than the heritage item.
C2	Development of a larger scale than the heritage item is allowable only if it can be demonstrated that the new development will not detract from the aesthetic quality and important views of the heritage item.

D2.3 Form and Detailing

The form of a building is its overall shape and volume and the arrangement of its parts. The roof lines of buildings and elements such as chimneys, parapet walls, verandahs etc. are often important elements of the form of a heritage item.

Objectives	
O1	To ensure that important elements of the form of a heritage item are not obscured or destroyed by alterations and additions.
O2	To ensure that the form of a heritage item retains its importance in the streetscape and/or townscape.

Controls	
C1	Important elements of the form of a heritage item such as main roof forms, chimneys, parapet walls, verandahs etc. should not be demolished or obscured by alterations and additions.

02 CONTEXT

DCP - Section E Residential Development

The DCP contains controls regarding the development of residential flat buildings. Should the site be rezoned to allow residential flat buildings, the DCP controls will be relevant to development on this site. Controls of particular relevance to the Concept Plan are E1.2 Design of residential and multi dwelling housing, E2.2 Harbour foreshore development and access, E2.6 Safety and Security, E3.3 Site Coverage, E3.4 Density, and E3.6 Height of buildings. Excerpts of these controls can be found below.

E1.2 Design of residential and multi dwelling housing.

The Objectives and controls contained within this part of the DCP support the design quality principles of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65).

E2.2 Harbour foreshore development and access

Objectives	
O1	To recognise, protect and enhance the natural, scenic, environmental, cultural and heritage qualities of the foreshore of the City of Canada Bay.
O2	To ensure the Parramatta River foreshore is developed and promoted as a community asset in public ownership or with unrestricted access.
O3	<p>Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good:</p> <ul style="list-style-type: none"> The public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour and its foreshores. Protection of the natural assets of Sydney Harbour has precedence over all other interests. The public good includes but is not restricted to the existing views, vistas and amenity available from the public and private domain.

Controls	
C1	Building forms should follow the natural topography and maintain and enhance vegetation cover as viewed from the Parramatta River. For example, buildings are not to be cantilevered.
C2	Roof lines should be below the tree canopy backdrop to maintain the importance of any tree-line.
C3	Buildings should be designed and constructed to present a recessive appearance when viewed from the Parramatta River through the use of materials, colours, wall articulation, building form and landscaping. Glass elevations and excessive use of windows resulting in reflectivity and glare will not be permitted.

Foreshore Access

Objectives	
O1	To ensure that new development and alterations and additions to existing development result in a site coverage that is consistent with the existing character of adjoining dwellings and those found in the wider locality.
O2	To ensure that new development and alterations and additions to existing development result in site coverage which allows adequate provision to be made on site for infiltration of stormwater, deep soil tree planting, landscaping, footpaths, driveway areas and areas for outdoor recreation.
O3	To minimise impacts in relation to overshadowing, privacy and view loss.

02 CONTEXT

2-5 Key planning controls

E2.6 Safety and security

Objectives	
O1	To facilitate a safe physical environment by promoting crime prevention through design.
O2	To facilitate the security of residents and visitors and their property and enhance community safety and well-being.
O3	To ensure a development relates well with the public domain and contributes to an active pedestrian-orientated environment.
O4	Effective use of fencing or other means to delineate private and public areas.

Controls	
C4	Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.

E3.3 Site Coverage

Objectives	
O1	To ensure that new development and alterations and additions to existing development result in a site coverage that is consistent with the existing character of adjoining dwellings and those found in the wider locality.
O2	To ensure the security of residents and visitors and their property and enhance community safety and well-being.

E3.4 Density

Council's Floor Space Ratio (FSR) and site coverage controls aim to facilitate an acceptable bulk and scale of development that maintains a satisfactory relationship with adjoining development and the wider street context.

Objectives	
O1	Provide a low to medium density residential environment which will accommodate a variety of building forms.

E3.6 Height of buildings

Height of buildings is an important control because it has a major impact on the physical and visual amenity of a place. Building height is also critical in addressing impacts from development such as solar access, privacy and view loss.

Objectives	
O1	To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.
O2	To minimise visual impact, disruption of views, loss of privacy and loss of sunshine to existing residential development.
O3	To minimise the adverse impact on Conservation Areas, Heritage Items and contributory buildings.
O4	To reduce the visual impact of development when viewed from the Parramatta River as well as other public places such as parks, roads and community facilities.

02 CONTEXT

DCP - Section F Mixed Use Areas and Neighbourhood Centres

Should part of the site be rezoned to B1 Neighbourhood Centre the DCP controls regarding neighbourhood centres will be relevant to development on this site.

F1.1 General Objectives

The controls in this section of the DCP apply to permissible development in mixed use areas and neighbourhood centres. It contains general controls that apply to all commercial development and specific controls that apply to selected commercial precincts.

Objectives	
O1	To facilitate the development of ALL commercial areas in a way that is economically sustainable and environmentally sensitive.
O3	To ensure development contributes to the improvement and amenity of public spaces.
O4	To maintain the heritage values through appropriate alterations and additions.

F1.2 Building Design and Appearance

Objectives	
O1	Alterations and additions respect the identified heritage and conservation values of the place.
O2	To ensure new development maintains a pedestrian scale and provides weather protection at street level.

Controls	
C4	Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.

F1.7 Building envelope controls and site specific design controls

The building envelope aims to ensure that the scale and bulk of future development is compatible with site conditions and the desired future character.

The building envelope helps achieve the LEP and DCP's objectives of:

- Ensuring a scale of commercial development that is compatible with the amenity of surrounding areas;
- Ensuring the bulk and scale of development reflects the character of the streets which define these precincts; and
- Ensuring that the bulk and scale of development is compatible with the amenity of surrounding areas.

Objectives	
O2	To ensure buildings are of a height and scale which is consistent with the character of the area.
O3	To maintain the privacy and amenity of adjoining and nearby residential developments.



CHAPTER 3
URBAN DESIGN REVIEW

03 URBAN DESIGN REVIEW

3-1 Approach

In order to undertake an urban design review of the concept design identified in the amended PP (May 2022), it is necessary to understand the key considerations for successful urban design.

This review looks beyond SEPP 65 and the Apartment Design Guide in order to assess the urban design success of the proposed concept design. This is to ensure that the focus reflects the issues that need to be considered in the master-planning of larger mixed use sites and the elements relevant to planning at a neighbourhood level, as identified in the Urban Design Protocol for Australian Cities and Better Placed - An integrated design policy for the built environment of New South Wales.

To structure this urban design review, the issues which are most relevant to the amended PP (May 2022) have been considered first. These issues have direct links to the proposed LEP amendments (including land use zoning, maximum Height of Buildings and Floor Space Ratios), and are as follows:

- Context and neighbourhood character
- Built form, scale and aesthetics
- Density, FSR and land use

The remaining issues that have been considered are as follows:

- Landscape and amenity
- Safety
- Sustainability and diversity

The considerations in each section have been sourced from a combination of the Apartment Design Guide (Chapter 1 and 2), the SEPP 65 Design Quality Principles, the elements of urban design relevant to planning at a neighbourhood level set out in the Urban Design Protocol for Australian Cities and the design objectives identified in Better Placed- An integrated design policy for the built environment of New South Wales.



SEPP 65 and the Apartment Design Guide

The NSW Government has been focused on improving the design of residential apartments for many years. SEPP 65 and the Residential Flat Design Code (RFDC) first came into force in 2002. Revisions to SEPP 65 and the release of the new Apartment Design Guide (ADG) occurred in July 2015.

03 URBAN DESIGN REVIEW

3-1 Approach



'Urban design is concerned with the arrangement, appearance and function of our suburbs, towns and cities. It is both a process and an outcome of creating localities in which people live, engage with each other, and the physical place around them.

It involves many different disciplines including planning, development, architecture, landscape architecture, engineering, law and finance.

'Urban design operates from the macro scale of the urban structure (planning, zoning, transport and infrastructure networks) to the micro scale of street furniture and lighting.'

(An Urban Design Protocol for Australian Cities 2011, p5)

Creating Places for People

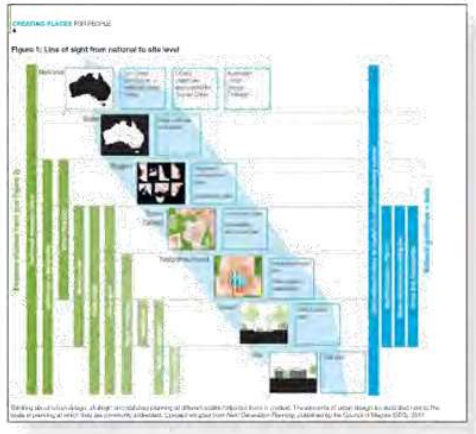
Creating Places for People - An Urban Design Protocol for Australian Cities was produced in 2011 to provide a framework to identify, implement, measure and improve best practice in urban design. The protocol was developed in response to an agreement by the Council of Australian Governments (COAG) in 2009 to reform the planning systems of Australia's capital cities "to ensure Australian cities are globally competitive, productive, sustainable, liveable and socially inclusive and are well placed to meet future challenges and growth".

Nine criteria were listed in the COAG agreement and the Protocol was specifically created to address the 8th criteria which was "to encourage world-class urban design and architecture".

The Protocol provides a definition of urban design and the objective of the document is to encourage the highest standard of urban design across all Australian suburbs, towns and cities.

Founded on five pillars (productivity, sustainability, liveability, leadership and design excellence), the Protocol establishes twelve broadly agreed principles for quality urban places in Australia. Four of the principles (Context, Engagement, Excellence and Custodianship) relate to process while the other eight design principles relate to the desired outcomes of development (Enhancing, Connected, Diverse, Enduring, Comfortable, Vibrant, Safe and Walkable).

03 URBAN DESIGN REVIEW



The Protocol identifies that the following elements of urban design are relevant to planning at a neighbourhood level:

- Urban structure**
 The overall framework of a region, town or precinct, showing relationships between zones of built forms, land forms, natural environments, activities and open spaces. It encompasses broader systems including transport and infrastructure networks.
- Urban grain**
 The balance of open space to built form and the nature and extent of subdividing an area into smaller parcels or blocks. For example, a 'fine urban grain' might constitute a network of small or detailed streetscapes. It takes into consideration the hierarchy of street types, the physical linkages and movement between locations, and modes of transport.
- Density and mix**
 The intensity of development and the range of different uses (such as residential, commercial, institutional or recreational uses).

- Height and massing**
 The scale of buildings in relation to height and floor area, and how they relate to surrounding land forms, buildings and streets. It also incorporates the building envelope, site coverage and solar orientation. Height and massing create the sense of openness or enclosure, and affect the amenity of streets, spaces and other buildings.
- Details and materials**
 The close-up appearance of objects and surfaces and the selection of materials in terms of detail, craftsmanship, texture, colour, durability, sustainability and treatment. It includes public and private structures and space, street furniture, paving, lighting and signage. It contributes to human comfort, safety and enjoyment of the public or private domain.
- Public realm**
 Much of urban design is concerned with the design and management of publicly used space (also referred to as the public realm or public domain) and the way this is experienced and used. At times, there is a blurring of the distinction between public and private realms, particularly where privately owned space is publicly used.
- Topography and landscape**
 The natural environment includes the topography of landforms, water and environment.
- Social and economic fabric**
 The non-physical aspects of the urban form include social factors (culture, participation, health and well-being) as well as the productive capacity and economic productivity of a community.

03 URBAN DESIGN REVIEW

3-1 Approach



"Better Placed confirms our collective wishes for the future design of our infrastructure, architecture, and public spaces, and endorses the power of design to enable a better and resilient future for our communities". (Better Placed 2017. p5)

Better Placed

Better Placed - An integrated design policy for the built environment of New South Wales is a state-wide built environment design policy developed by the Government Architect of NSW in 2017. The design policy aims to deliver a strategic approach to achieve good design of infrastructure, architecture and public spaces for the towns and cities of New South Wales.

The recent amendment to the Environmental Planning & Assessment Act 1979 incorporates object (g) to promote good design and amenity of the built environment. The *Better Placed* policy provides clarity on what the NSW government means by good design.

Good design has the ability to make future developments more liveable, productive, healthy and sustainable. For this, the policy identifies key priorities in six challenge areas including health; climate resilience; rapidly growing population; changing lifestyles and demographics; infrastructure and urban renewal; and providing consistent and timely review of major projects.

The *Better Placed* design policy advocates for a shared responsibility in achieving better design outcomes and is intended to be used by a large range of stakeholders including State and Local Government, politicians, architects, design professionals, developers, planners, engineers, builders, businesses, as well as the community.

03 URBAN DESIGN REVIEW



Better Placed advocates seven key objectives for achieving a better design of the built environment:

- Better fit**
 Every place has distinctive qualities and characteristics which should be retained even with significant growth. It is desirable for buildings to resonate with the local community. New developments can also contribute to character and add further quality and diversity to the existing context.
- Better performance**
 New developments should incorporate systems to create positive environmental benefits through use of sustainable building materials, energy efficiency, water recycling and higher overall performance to create positive environmental benefits.
- Better for community**
 Growing social and economic inequity needs to be addressed by advocating diverse uses and housing types, inclusive economic frameworks and places for social engagement and recreation.
- Better for people**
 Accessible public spaces for people should be designed with a focus on safety, well-being and enjoyment. Buildings and spaces that are liveable and respond to people's needs will be better maintained and cared for.
- Better working**
 Functionality and efficiency in buildings, streets and spaces is essential. Good design must support long-term usability and productivity for both formal and informal activities.
- Better value**
 Design of urban precincts, spaces and buildings to maximise long-term returns in terms of financial, social and environmental value. Good design can result in more user-friendly, high-performance and lower-maintenance places and buildings.
- Better look and feel**
 Buildings, places and spaces should be welcoming, engaging and attractive to the community. For this, the built environment must consider a balance of materials, finishes, proportions and details that bring a sense of local pride and identity.

03 URBAN DESIGN REVIEW

3-2 Context and neighbourhood character

**SEPP 65 Design Principle 1:
Context and Neighbourhood Character**

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

**Commentary:
Metropolitan context**

The Greater Sydney Region Plan sets out the future context for metropolitan Sydney, and identifies suburbs where future housing, employment and transport infrastructure should be provided. This site is not located within any of the target locations for housing densification or employment opportunities.

The Plan states that there is a shortage of industrial land in the Eastern City District and identifies that industrial land should be retained and managed. In response to this, the previous PP (Feb 2019) stated "There is recognition from Council that the site is considered an ill-suited location for the purpose of growing industrial employment, however there remains potential for low-impact urban services and light industrial uses to be integrated on the site. So as to retain this opportunity provision has been made in the amended Concept Plan for some light industrial uses that would service the growing resident population in this locality" (p41). The Sydney Eastern City Planning Panel recommended light industrial (IN2) uses remain permissible on the site. The recommendation used "light industrial" as the standard instrument does not have a definition of "urban services". This report takes a similar approach and uses "light industrial".

The amended Concept Plan (May 2022) locates light industrial uses under the former Central Roasting Hall and in Block 2 - Southern Edge and within the proposed B1 Neighbourhood Centre zone. The inclusion of light industrial uses is supported as there is a lack of these types of facilities in the local area, however the potential for land use conflict remains and close attention needs to be given in the design and planning controls to ensure the servicing, access and realistic functioning of the light industrial uses can coexist with the predominantly residential future use of the site.



Figure 16 Greater Sydney Regional Plan's approaches to planning for industrial and urban services land in existing and planned urban areas (Greater Sydney Commission 2018, p.134)

Activity	Roles and uses	Location and infrastructure requirements
Light industry	Wide range of business that service other business and populations. Include warehousing, freight and logistics, construction and building supplies, and domestic storage.	Mixed lot sizes depending on the sizes and needs of the business. Close to the surrounding residential and commercial community they directly serve.

Figure 17 Industrial and urban services activity types defined in 'A Metropolis of Three Cities' (Greater Sydney Commission 2018, p.128)

03 URBAN DESIGN REVIEW

Regional context

The Eastern City District Plan (Planning Priority E12) develops further on the Greater Sydney Region Plan and notes that "Industrial and urban services land in the Eastern City District is highly constrained due to the development of residential dwellings and large-scale retail, which are higher-return land uses, and the lack of opportunities for new supply".

Action 51 of the plan states "Retain and manage industrial and urban services land, in line with the Principles for managing industrial and urban services land in the Eastern City District by safeguarding all industrial zoned land from conversion to residential development, including conversion to mixed use zones". The plan notes that "Specifically these industrial lands are required for economic and employment purposes" and that "Small, inner-city industrial precincts have relatively affordable rents and provide high proportions of urban services jobs for local communities. The value of these precincts should not be underestimated". While the Sydney Eastern City Planning Panel appear to have accepted that the entire site cannot be retained for employment purposes it did support the retention of up to 10,000m² of employment generation uses on the site.

A key challenge for the long term success of light industrial uses on this site will be to ensure the design mitigates noise and air pollution and visual and traffic conflicts and to ensure that the light industrial spaces remain affordable for the long term.

The Eastern City District Plan (EDCP) also identifies precincts where housing supply should be provided via detailed Planning Priorities. This site is not identified as a priority precinct in the District Plan. In response to this, the amended PP (May 2022) states, "it is noted that the EDCP envisages new housing is to be delivered in the Sydenham-Bankstown, Parramatta Road and Redfern to Eveleigh urban renewal corridors, as well as the Bayside West Precincts and The Bays" (p64).

The amended PP (May 2022) justifies the development on the site by stating - "Although the site is not within these precincts, future residential development on the site will be in accordance with the 30-minute city aspiration given recently improved bus services to Burwood Town Centre" (p.64). However the application also proposes a privately funded shuttle bus for the first three years after occupation which appears to indicate that the current public transport provision is insufficient. This appears also to be confirmed by the traffic study which states that residents of the wider area have a private vehicle mode share of 76% for journeys to work, which is higher than the Sydney Greater Metropolitan Area average (p.10). The traffic assessment also recommends considering providing electric bicycles to residents of the development to access future transport connections such as the future metro station and a car share pod of a minimum of 10 vehicles.

Sydney Metro West

Since the original Planning Proposal was submitted in 2017 the NSW Government has announced a commitment to build Sydney Metro West, a new metro line linking central Sydney to Greater Parramatta. Although this site is not within the walkable catchment of one of the new stations, Burwood North Station is approximately 1.5km south west of the site and Five Dock Station is approximately 2km south east (by and). This would mean both stations would be within a 10 minute bicycle ride of the site.



Figure 18 Plan of Sydney Metro West with approximate location of site added (Sydney Metro West Environmental Impact Statement p.1-3)

03 URBAN DESIGN REVIEW

3-2 Context and neighbourhood character

Local character

Areas to the south and west of 160 Burwood Road are a mix of single and two storey detached and semi-detached houses. To the east of the site, development on former industrial lands consists of two storey townhouses and apartments up to six storeys in height. The area has seen a lot of change over the last twenty years as former industrial sites have been redeveloped, and it is not expected to undergo further change in the foreseeable future. The scale of the buildings outlined in the amended PP (May 2022) therefore are likely to have the same impact on the local context over a long period of time.

The local character of the area is defined by more than just the scale of the existing buildings and surrounding dwellings. The site is located on a small peninsular of land between Exile Bay and Canada Bay. The shape of the peninsular, combined with the generally flat topography of the surrounding area and buildings along the foreshore, which are between 2-6 storeys, creates a landscape that has a strong horizontal dominance. This combined with the predominantly wide horizontal views from streets and public open spaces emphasises the impact of the existing Central Roasting Hall and the chimney as such a clear landmark in the landscape.

This horizontal nature of the surrounding landscape is not unique to the local context. Development along both sides of Sydney Harbour is typically higher on

the ridge lines (away from the foreshore), reducing in height along the foreshore. Where taller development is located close to the foreshore (such as Barangaroo South or Rhodes) it tends to occur in urban centres and in the context of other taller buildings, not on an isolated site surrounded by low rise housing.

The amended PP (May 2022) proposes a range of building scales from two (2) storeys up to six (6) storeys in height. With regard to the visual impact of the new buildings, the amended PP (May 2022) states, "New buildings as a consequence of the amended Planning Proposal will not cause significant public domain view loss or blocking effects. Primary view loss of key public domain locations are likely to be restricted to upwards views of open sky. Whilst new buildings will alter the composition of foreground views from close public and private viewing locations, they will not block views to scenic or more highly valued items. The visual impact when viewed from the across the bay (north and east of the site) may also be reduced with careful selection of materials and finishes" (p98-99).



The height of the Central Roasting Hall building breaks the horizontal datum of the area created by the landform, buildings and trees, providing an opportunity for some increased height in this zone however new buildings should be below the tree height and similar to the adjoining six storey apartments and the Central Roasting Hall should remain the tallest building in the area.

03 URBAN DESIGN REVIEW

Heritage

The amended PP (May 2022) nominates the Former Bushells Factory Building, including the Central Roasting Hall, the chimney stack, the 'B' sign on the facade, and the landscaped setting, be added as an item of environmental heritage in the Canada Bay Local Environmental Plan 2013. According to the amended PP (May 2022), the heritage listing of the site "will provide for the adaptive re-use of the Central Roasting Hall, with future development on the site to respect the 'Factory in a Garden' setting of the site. Adequate building separation will enhance views to and from this central building, converting it into a destination for community and retail uses, while celebrating its industrial heritage" (p.106).

A Heritage Listing Nomination Report prepared by Heritage 21 (2019) identifies that the site meets seven of the NSW heritage assessment criteria provided by the NSW Office of Environment & Heritage (OEH). The report assesses the site's significance and compares the site with other industrial sites in the area.

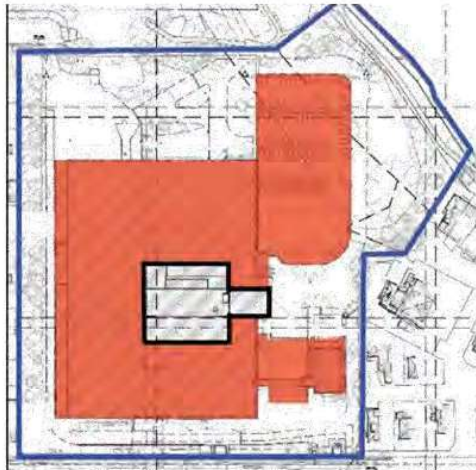


Figure 19 Plan of the existing site with the Former Bushells Factory Building core outlined in black as shown in the Heritage Listing Nomination Report (Heritage 21 2019).

As per the report, "the subject site is a rare extant example of a factory operating during the twentieth century in the Concord local area. Other factories which were operating in the Concord area during the twentieth century, such as the Farleigh, Nettheim & Company Tannery and Austral Bronze Factory, have undergone demolition" (Heritage 21 2019, p.37).

With regards to the site's setting, the report states that "the overall nature of the subject site, the large industrial building set amidst soft landscaping on the water's edge, creates a pleasing juxtaposition enabling a physically loud structure to sit quietly within its surrounding environment" (p26).

The report also mentions that "the factory's eastern facade is distinctive due to the 'B' signage that is located on the upper storeys of the factory wall. The signage can be seen for some distance and contributes to the views of the factory, particularly from Hen and Chicken Bay and further east" (p27).

The Heritage Listing Nomination Report states that "it is imperative that the landscaped setting is maintained, regardless of the proposed use of the subject site" (p47).



The Roasting Hall with the distinctive 'B' sign in its landscape setting viewed from Exile Bay foreshore

03 URBAN DESIGN REVIEW

3-2 Context and neighbourhood character

Heritage Impact

With regards to the impact of the proposed development on the nominated heritage item, the Statement of Heritage Impact (Heritage 21 2019) states that since the site is not currently listed as an item of environmental heritage there has been no consideration of the impact of the proposed development on the retained Former Bushells Factory Building. As a result of this approach, the assessment of heritage impact only considers the impact of the development on the existing heritage items in the vicinity of the site, such as item 1259 (Massey Park Golf Course and Grounds and Sanders Reserve), item 154 (Bayview Park) and item 156 (Street trees along Burwood Road).

As the Former Bushells Factory Building (including the Central Roasting Hall, the chimney stack, the 'B' sign on the facade, and the landscaped setting) is nominated for heritage listing, Heritage21 was asked to address the issues raised at Council's Local Planning Panel Extraordinary Meeting (June 2019).

- What is the appropriate curtilage for the retained building?
- What are the principles around adaptive reuse?

- How the Concept Plan responds to the elements of a "factory in a garden setting"?

Curtilage - In the Heritage Response to Local Planning Panel (September 2019) Heritage21 argues the curtilage is maintained by the visual prominence of the Roasting Tower, the open space and the smaller scale built forms surrounding the Roasting Tower. The response notes that "Much of the grassed area surrounding the Roasting Tower will be maintained and therefore, it is our opinion that the historical landscape setting will continue to be understood and interpreted by future owners and visitors to the site".

Adaptive Reuse - The Concept Plan shows the Central Roasting Hall with ground floor 'urban services', with two storeys of light industry or retail above, and the remaining five (5) storeys as residential. Heritage21 states the "Roasting Tower is proposed to be adaptively reused to accommodate residential, commercial and community uses. AJ+C has prepared drawings which indicate how the existing structure of the Roasting Tower could be adaptively reused without altering the exterior or interior spaces except where the upper floors are to be converted into residential apartments" (Heritage21, p3).



Figure 20 Extract of the existing Heritage LEP map as shown in the Heritage Listing Nomination Report (Heritage 21)

03 URBAN DESIGN REVIEW

The Heritage21 report also notes that there will be a retail food hall on the ground floor and community workshops and studios on the first floor, and that "all of the original structural elements (beams, columns and large internal open area) will be maintained" (p4).

However, the existing glass and aluminium framing on the northern and southern façades cannot be retained, due to BCA and NCC requirements. Heritage21 states that when the building is "viewed from a distance, the contemporary curtain wall, in our opinion, would read closely to that which already exists" (p5).

'Factory in a Garden' Setting - Heritage21 states that by "converting the factory building into retail, commercial and community uses, with appropriate interpretation, the public will begin to have greater access to the building than that which currently exists. Large areas of private open space will also be provided. Consequently, the factory building will become a public facility rather than its current inaccessible and limited use" (p6). The report also mentions the proposed winter garden, and the proposed residential blocks being broken into smaller forms will also contribute to the 'factory in a garden' setting.

Views - Another highly significant aspect of the proposed heritage site is the views to and from the Roasting Tower from the foreshore and surrounding area. Heritage21 states that "the most important aspects to the current heritage setting is (...) a visually prominent roasting tower; and (...) the characteristic industrial landscape setting" (Sept 2019, p2).

Noting that all of the buildings in the current proposal are lower in height than the Roasting Tower, Heritage21 states that "we are of the opinion that these views will be maintained in the context of the proposed residential accommodation. We stress that views from the foreshore constitute the most important heritage aspect of the subject site" (Sept 2019, p1).

Conclusion

While rezoning of the existing industrial site to primarily medium density residential does not align with the Metropolitan vision to 'retain and manage' existing industrial land in the Eastern City District it is noted that the site is in an isolated peninsula location, with limited connectivity making it less desirable for long term industrial uses. The development of a large increase in residential dwellings on this site is also not in line with the metropolitan and regional plans, which outline strong criteria for locating future housing in the right location, however the amenity of the site does make some provision of housing justifiable although connecting the site long term with services and public transport remains a challenge.

Development on this site predominantly ranges from three (3) to six (6) storey buildings. This is higher than the predominantly single and two storey detached and semi-detached houses in the neighbourhood. However, the building heights are considered appropriate given the dominant height of the Former Bushells Factory Building and the size of the site which allows development to reduce towards sensitive interfaces.

From an urban design perspective the nomination of the Former Bushells Factory Building (including the Central Roasting Hall, the chimney stack, the 'B' sign on the facade, and the landscaped setting) is supported as it is part of the local character of the area and provides a visual link to the history of the area. The retention of the tall Central Roasting Hall building, in the centre of the site, and the provision of views to the building from the water allows the preserved industrial building to retain its landmark quality within a landscaped setting.

It is recommended that the extent of the 'Factory in a Garden' landscape setting is clearly defined within the Heritage Listing Nomination Report to ensure its preservation during detailed design and long term maintenance of the site. It is also recommended that the site-specific Development Control Plan for this site provides detailed objectives and provisions for the conservation, adaptive reuse and interpretation of the heritage item similar to the Sydney Development Control Plan (Harold Park) 2011 which retains the Former Rozelle Tram Depot.

03 URBAN DESIGN REVIEW

3-3 Built form, scale and aesthetics

**SEPP 65 Design Principle 2:
Built Form and Scale**

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

SEPP 65 Design Principle 9: Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Commentary:

Scale

The scale of the existing neighbouring buildings along the western boundary of the site and to the south are typically one (1) to two (2) storeys in height. Existing buildings along the eastern boundary (Pelican Quays development) are two-three (2-3) storeys along the interface with the road and waterfront, rising to six (6) storeys within the centre of the site.

The desired future character of the area is expected to remain substantially as it is now. It is not an area identified as a suitable location for housing intensification and urban renewal as it is not close to a strategic centre, a priority precinct or a key public transport corridor.

The Concept Plan in the amended PP (May 2022) shows buildings with a range of heights and typologies.

- Block 1, Western Edge includes buildings that are three (3) storeys high, with three (3) storey terraces along Burwood Road.
- Block 2, Southern Edge includes three (3) storey building facing Burwood Road and a four (4) and five (5) storey building behind, incorporating a one storey 'Urban Services' podium.
- Block 3, Eastern Edge includes buildings that are five (5) and six (6) storeys high with a step down to three (3) storey terraces along Burwood Road.
- Block 4 is the retained industrial 'Central Roasting Hall' of the Former Bushells Factory Building.
- Block 5, Northern Edge comprises a five (5) storey high curvilinear building facing the foreshore, stepping down to two (2) and three (3) storeys as it wraps around adjacent to the neighbourhood centre zone, and a six (6) storey high apartment building to the west.

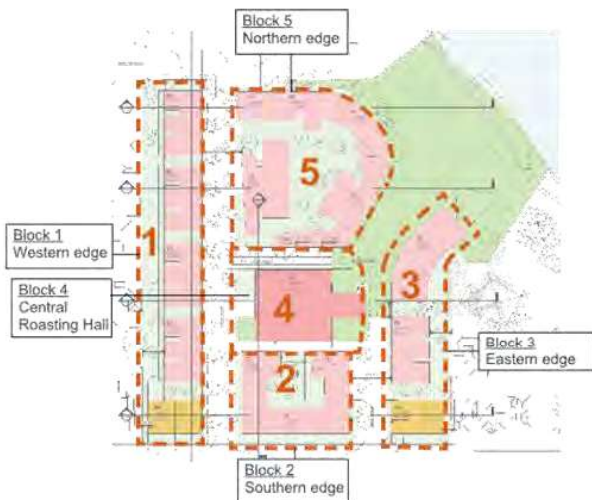


Figure 21 Key buildings identified over the Roof Plan, amended PP (May 2022) (Source: BVN 2019)

03 URBAN DESIGN REVIEW

The heights proposed in the amended PP (May 2022) are similar to the amended PP (Sep 2019). The tallest buildings are now six (6) storeys which is appreciably lower than the 'landmark' Central Roasting Hall.

The Central Roasting Hall is a landmark structure of significant industrial heritage, and creates a datum that sharply contrasts with the horizontal nature of the surrounding area. The proposed six (6) storey block supports this contrast by allowing the Central Roasting Hall to be prominent against the surrounding development.

The three (3) storey apartments in Block 1, Western edge are broken into four separate buildings, each approximately 36m long and 21m deep, with a 6m separation between each building. The reduced height and provision of four separate building with gaps between is an improvement to an earlier concept (Feb 2019) which proposed a single apartment building with a continuous 160m long wall. However, further consideration needs to be given to the design of the buildings and how this will impact the visual scale of the apartments. For example four identical buildings are likely to be 'read' together and will be more visually prominent than four buildings each designed by different architects.

The scale of the built form is also linked to the potential for overshadowing of neighbouring properties. Appendix C (BVN, p11) in the PP (May 2022) provides drawings showing the overshadowing impact of the proposed development on the surrounding streets and neighbouring sites in mid winter from 9am to 3pm. The shadow diagrams show the following:

- A revised shadow diagram provided shows some additional overshadowing of a few front gardens on the southern side of Burwood Road after 2pm.
- The majority of overshadowing impacts fall within the site and on Burwood Road.
- The shadow of the existing Central Roasting Hall casts a shadow across Burwood Road by 3pm.
- The greatest impact is found along the eastern boundary of the site.
- A five (5) storey building in Block 3, Eastern Edge will overshadow smaller one (1) and two (2) storey detached dwellings by 3pm in mid winter.

Height

The Concept Plan (May 2022) shows the heights of buildings across the site, with the tallest buildings, located in Block 3, Eastern Edge and Block 5, Northern Edge up to six (6) storeys in height.

The PP (May 2022) identifies a change in building heights in the buildings in Block 2, Southern Edge when compared to the PP (Sep 2019) as follows:

- Building C8 - Reduced height on plan from 6 storeys to 5 storeys with a small reduction in height from RL 27900 to RL 26900.
- Building C4 - Remains at 4 storeys but has an increase in height from RL 21900 to RL 23800
- Building C9 - Remains at 3 storeys but has an increase in height from RL 16500 to RL 17600

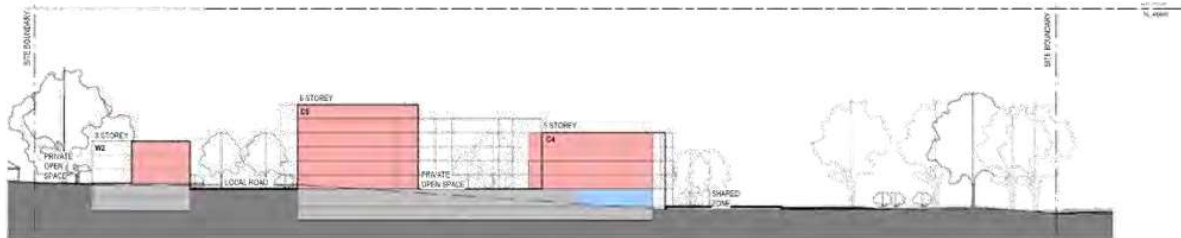
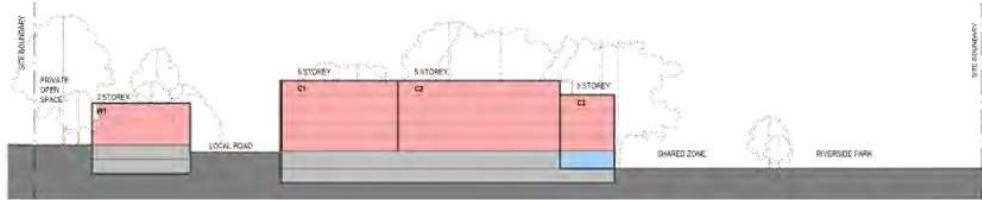
It is noted that while Building C8 is identified as 5 storeys on the architectural plans the PP (May 2022) proposes increasing the building height to 21m (six storeys) in this part of the site and while Elevation 3 states this building is 5 storeys it retains a RL 27900 height and indicates a six storey building over ground level parking. The FSR calculations assume 6 storeys so it is assumed that six storeys of development, not five, is intended.

It is accepted that if light industrial uses are located in Block C7 and C8 the recommended 5m ceiling height will result in a taller built form and so the slight increase in proposed building height is reasonable however this should be linked to the provision of industrial uses and a lower height provided for commercial and/or residential uses. To ensure a built form that fits within the proposed height limits and provides industrial space with 5m high ceilings, basement parking may need to be excavated lower into the site.

Block C9 is an important building for this development as it is located on Burwood Road and is opposite smaller one (1) and two (2) storey detached dwellings. The previous PP (Sep 2019) located 3 storey terraces in this sensitive location. The amended PP (May 2022) has replaced these with apartments over ground level retail/commercial uses. This changes the visual character of the street and externalises some of the potential impacts of retail such as noise and servicing of the site onto the surrounding neighbourhood.

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3-3 Built form, scale and aesthetics



Proposed LEP maximum Height of Building (in blue) and Studio GL's recommended maximum building heights - Aug 2022 (in red)

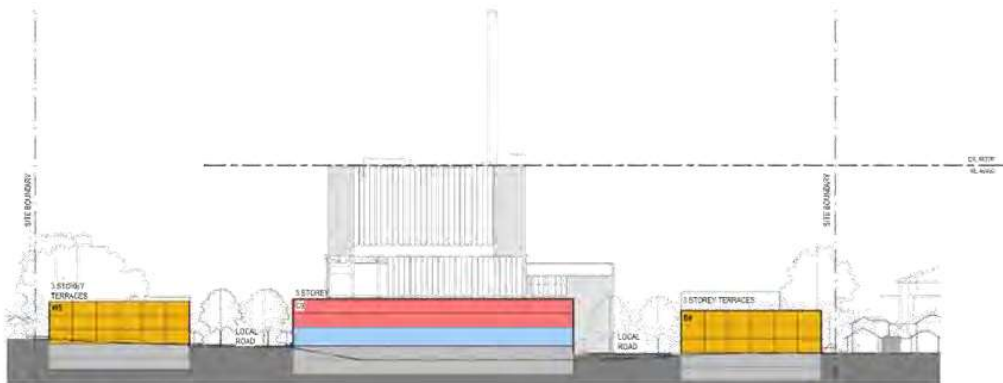
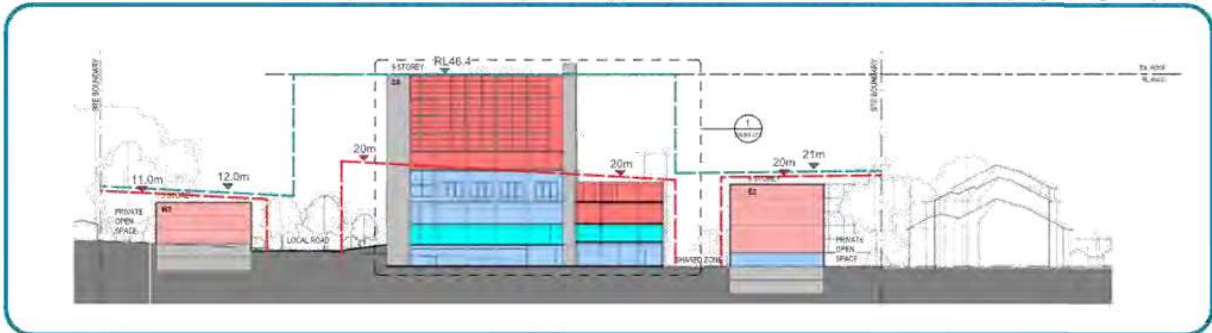
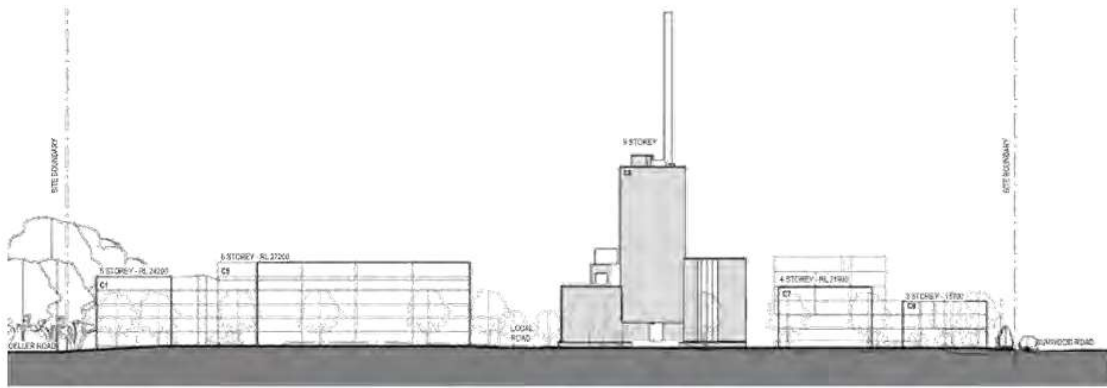
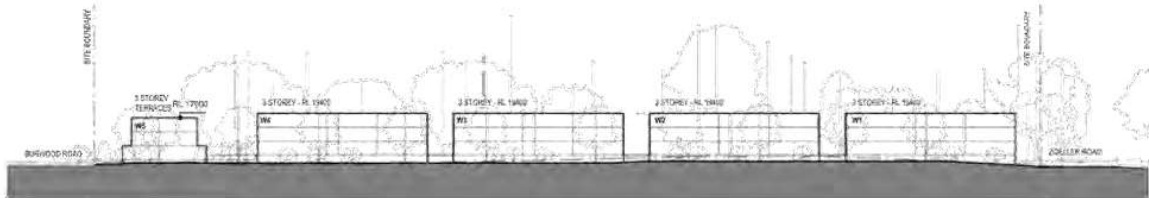


Figure 22 Proposed sections (BVN 2022, p.6)

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Proposed LEP maximum Height of Building (in blue) and Studio GL's recommended maximum building heights- Aug 2022 (in red)

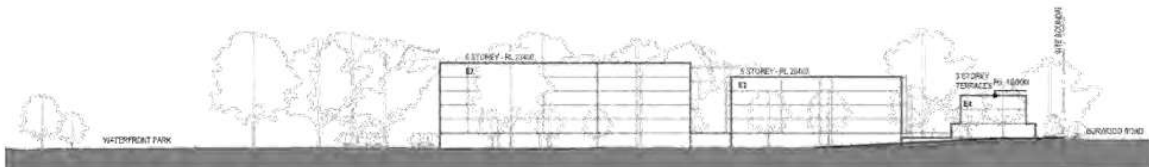
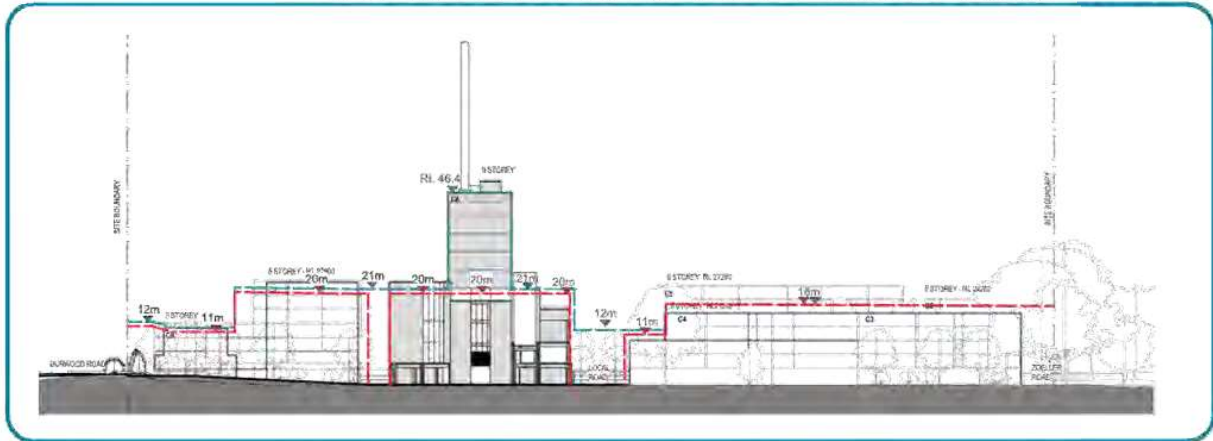


Figure 23 Proposed elevations (BVN 2022, p.7)

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3-3 Built form, scale and aesthetics

LEP Building heights

The Proposed Height of Building map in the PP (May 2022), see Figure 24, identifies a range of building heights across the site with lower building heights adjoining the western and southern boundaries towards lower density housing, with taller heights in the centre of the site and adjoining the golf course and proposed new waterfront open space. The allocation of a range of heights across the site is supported however when establishing maximum building heights in a LEP it is necessary to provide sufficient height to accommodate the proposed development and desired number of storeys without making it possible, or even encouraging future developments to include additional storeys or height.

In a number of occasions the current heights identified in the PP (May 2022) are greater than needed to accommodate the proposed built form and could, potentially, encourage even taller development in the future. To avoid this the following is recommended:

- Three (3) storey development is to have a maximum building height of 11m not 12m.
- Four (4) storey development can remain at 15m. This is higher than is typical to accommodate industrial uses on the ground floor.
- Five (5) storey apartments can remain at 17m.
- Five (5) storey mixed use can remain at 18m.
- Six (6) storey mixed use development is to have a maximum height of 20m not 21m.

The Proposed Height of Building map also identifies the maximum building height of the existing 'Central Roasting Hall' to be the same as the existing building height (RL46.4). The challenge with this approach is that, if for any reason the existing building could not be refurbished this height could make it possible for a new building, of a similar height, to be built in this location. It is also noted that the area allocated to this height is longer than the existing building, possibly encouraging additional development at each end of the current building.

To simplify the Height of Building Map and avoid an adverse outcome it is recommended that the maximum building height of the Central Roasting Hall block is shown at 20m. This will accommodate six (6) potential storeys of development and also allow the nine (9) storey Central Roasting Hall building to be renovated. It will also ensure that if the Central Roasting Hall is not retained, a new building in this location, will be at a lower height and not benefit from the landmark qualities of retaining the existing building.

The precinct plan for this site has been developed over many years and shows an agreed road, block and open space arrangement that is generally supported. To help 'lock in' this plan, it is recommended that the Height of Building map does not show building heights over roads (see Figure 25). This is similar to the approach taken on other sites such as Harold Park.



Figure 24 Proposed Height of Building map (Source: LFA 2022, p49)



Figure 25 Recommended Height of Building map prepared by Studio GL (Aug 2022)

03 URBAN DESIGN REVIEW

Setbacks

The Concept Plan retains the street layout from the previous PP (Sep 2019). This layout is supported as it locates the 'backs' of the apartments facing the 'backs' of neighbouring properties, and creates clearly defined streets which connect into the surrounding street and open space network.

A 'nominal' 12m setback has been provided along the western boundary to retain trees and minimise the visual impact of Block 1 on the neighbouring two (2) storey properties. This setback is required to retain the existing trees and should be a minimum (not nominal). The amended PP (May 2022) also indicates that balconies may be able to encroach into this space by 3m. This should not be permitted as it would reduce the visual buffer and may impact on the existing trees.

The building separation distance between Blocks C7-C8 and the Central Roasting Hall is only 7m and other buildings are separated by only 6m or 7.7m. This may be a challenge for sun access and amenity of apartments and C7-C8 may impact on the visual curtilage of the Central Roasting Hall, which has been nominated for heritage listing in the amended PP.

The amended Concept Plan shows setbacks as "nominal" rather than "minimum" dimensions, which suggests these dimensions may be flexible. The amended PP (May 2022) does not specify all setbacks, street widths or open space areas. The detailed DCP exhibited with the PP incorporates clear plans with minimum setback distances to all boundaries and minimum street widths and open space areas. It is recommended that these are updated and adopted to provide certainty for future development of this site.



Figure 26 Key setback and separation distances highlighted on Roof Plan (BVN May 2022).

03 URBAN DESIGN REVIEW

3-3 Built form, scale and aesthetics

Building form

The bulk of a building is created by a combination of height, depth, length, setbacks and design. The amended Concept Plan has three (3) storey terraces along Burwood Road to the south, which are approximately 30m long at the western and eastern ends of the Burwood Road elevation. The depth of the terraces is 18m.

The three (3) storey apartment buildings in Block 1, Western Edge are broken into four blocks (W1, W2, W3, W4) each approximately 36m long. Each of the four apartment blocks have two 2m wide by approximately 8m deep 'building indentations' on the western side of the apartment block. It appears the intention of these 'building indentations' is to allow for daylight access, ventilation and airflow, however they are insufficiently wide.

The ADG recommends that building indentations have a width to depth ratio of at least 2:1 or 3:1 to "ensure effective air circulation and avoid trapped smells" (p83). With a width to depth ratio of approximately 4:1, the proposed building indentations are too narrow and too deep and are not considered a high amenity solution for a suburban location. In addition these buildings have a building envelope that is 21m deep which is greater than the preferred depth stated in the ADG of 18m from glass line to glass line and rely on an additional 3m deep encroachment into the landscaped setback to achieve the required private open spaces. The poor design and inability for the proposed development to be located within the building envelope indicate that the proposed FSR for Block 1, Western Edge is too high.

The character of the building facing Burwood Road within Block 2, Southern Edge has changed since earlier proposals from three (3) storey terraces to a three (3) storey mixed use building with ground floor commercial/retail uses. The scale and built form needs to be compatible with the low rise housing on the opposite side of the street and the taller buildings to the north should avoid being parallel with the Central Roasting Hall due to the limited setbacks. The current enclosed design indicates that the proposed FSR for Block 2, Southern Edge is too high.

Buildings within Block 3, Eastern Edge are also deep floorplate buildings (approx. 21m deep) and building E3 also relies on substandard deep 'building indentations' on the eastern side to achieve light and ventilation.

The five (5) storey curvilinear building Block 5, Northern Edge whilst achieving an efficient urban form which maximises views of open space and water, creates a street wall of approximately 150m, with no breaks or upper storey setbacks. This edge will require careful articulation in detailed design to ensure it relates to the human scale.

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Figure 27 Communal Open Space Diagram (BVN /Aj&C May 2022).

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3-3 Built form, scale and aesthetics

Example Harold Park

Development at Harold Park, 2.5km from the Sydney CBD, provides a useful comparison with the scale of the development proposed for the subject site.

The Harold Park Concept Design proposes 2-5 storey development along the eastern and western boundaries of the site adjoining predominantly 1-2 storey dwellings and apartments up to 6 storeys. The building heights increase towards the centre of the site to up to 8 storeys high. The maximum street wall length of the buildings at Harold Park is 73m.

The upper levels of Harold Park have been designed to reduce the visual impact. It should be noted that even with an upper level setback, the upper floors still contribute to the overall bulk and scale of the development.

Example Burwood Precinct

It is generally considered good practice to reduce the height of buildings close to sensitive interfaces with adjoining lower scale development. The Parramatta Road Urban Transformation Strategy (2016) follows this approach identifying only two areas in the Burwood Precinct (on sites on Parramatta Road and within 1km of the train station) with a height of 42m (12 storeys) and then dropping to 8.5m (2 storeys) towards lower development to the north.



Apartment building in Harold Park with upper levels set back and designed to recede into the background



Figure 28 Height of Building Plan for the Harold Park Concept Plan (Government Architect, May 2010)

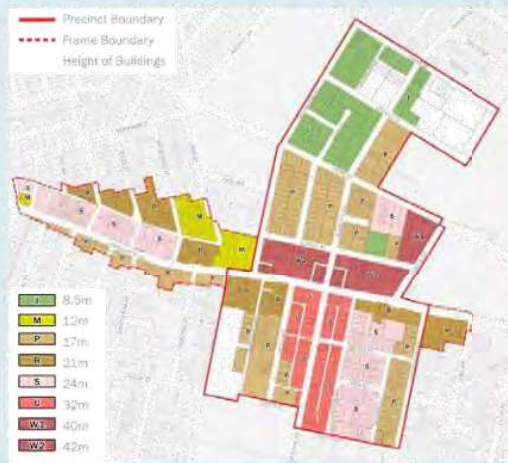


Figure 29 Burwood Precinct plan with proposed building heights between 3 and 25 storeys

03 URBAN DESIGN REVIEW

Conclusion

The tallest apartment building at six (6) storeys is an appropriate height, which will allow the Central Roasting Hall's landmark qualities to retain dominance.

- Block 1, Western Edge - Buildings W1, W2, W3, W4 along the western edge are three (3) storeys high but are too deep and rely on encroachment into the side setback to provide private open spaces. The depth of these buildings should be reduced. Careful consideration also needs to be given particularly to the design and articulation of the buildings to ensure they don't appear monotonous. To achieve diversity and interest in the architectural character of the precinct, the use of multiple architectural firms is recommended.
- Block 2, Southern Edge - Buildings C7-C8 provide inadequate separation distances from the Central Roasting Hall to the north. These blocks should be reduced in size and redesigned to ensure adequate solar access to apartments, reduce overshadowing of the terraces to the south and to reinforce the heritage significance of the Central Roasting Hall. Additional height required for urban services should be conditional on the successful design and provision of urban services.
- Block 3, Eastern Edge - Buildings E2 and E3 adjoin lower scale detached housing and the foreshore park and it is recommended that the overall depth of these buildings is reduced and an upper level setback should be applied to reduce their bulk and scale and minimise overshadowing.
- Block 4, 'Central Roasting Hall' - The site specific DCP needs to provide specific controls regarding the character, views and landscape setting for the Former Bushells Factory Building to ensure the heritage values are reflected in the design and use of this building.
- Block 5, Northern Edge - Careful articulation and upper level setbacks are recommended, particularly for the five (5) storey curvilinear building in Block 5 to ensure it relates to the human scale and to the public foreshore park adjacent. It is recommended that the upper level storey of the curvilinear building in Block 5 is broken in at least two places to help reduce the building's length and bulk.
- It is also recommended that the site-specific DCP, that clearly identifies on a plan all ground level and upper level setback and setbacks off boundaries, is adopted and reflected in future design development.

03 URBAN DESIGN REVIEW

3-4 Density and FSR

SEPP 65 Design Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Commentary:

Density

The concept design in the amended PP (May 2022) outlines a significantly higher density than the surrounding area. The proposed FSR (gross) is 1.25:1 with buildings up to six (6) storeys high and a total floor area of over 48,551m² (GFA).

The detailed analysis of the local market in the Economic Impact Assessment states that "the suburb is characterised by low density housing – separate houses accounted for 71% of total dwellings in 2016, apartments just 16%. Of a total of 783 units, 69% were in one or two storey blocks and only 30% were located in a block with four or more storeys" (HillPDA 2019, p.24). The Economic Impact Assessment also highlights the Planning Priorities listed in the Eastern City District Plan such as providing housing supply, choice and affordability, with access to jobs, services and public transport.



Figure 30 Connectivity Analysis of the site shows that the only existing public transport within walking distance is the bus (Hatch Roberts Day 2022, p.25)

Figure 25 of the Hatch Roberts Day Urban Design Report shows the lack of transport facilities within walking distance from the site, and the Eastern City District Plan illustrates the isolation of this site from local and neighbourhood centres (Greater Sydney Commission, p.11). It can also be seen that the combination of Exile Bay, Canada Bay, Barnwell Park Golf Course and Massey Park Golf Course significantly reduces the amount of density and activity that occurs within an easy walking distance of the site.

The limited public transport is confirmed by the Transport Impact Assessment which states that "despite the relatively close proximity of the site to the Sydney CBD, the existing residents surrounding the site have a higher private vehicle mode share (73 per cent) compared with the average for the wider Sydney GMR (61 per cent). Public transport uptake is slightly lower than the wider Sydney GMR noting the surrounding area is limited to bus services unless connecting at Burwood or Strathfield stations. Active travel modes such as walking and cycling is similar to the wider Sydney GMR at around five per cent" (Stantec 2022, p17-18).

It is noted, however, that the previous Transport Impact Assessment stated "the public transport mode share is consistent with the wider Sydney GMR at 20%, whilst the walking and cycling mode share is lower than the wider Sydney GMR (1% compared to 4%)" (GTA 2019, p.10).

In addition, the strategic merit assessment in the amended PP (May 2022) states that: "Although the site is not within these precincts, future residential development on the site will be in accordance with the 30-minute city aspiration given recently improved bus services to Burwood Town Centre" (LFA 2022, p.64). The previous PP (Feb 2019) justified the higher density of the site by providing a private ferry service to Barangaroo for the first three years after completion. While this is no longer mentioned as a justification for higher density, temporary public transport provision and potential car share services to the site do not provide adequate justification for the proposed FSR compared with the FSR of the surrounding neighbourhood.

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The Urban Design Report compares the Floor Space Ratios (FSRs) of water-oriented sites across Sydney in order to justify the proposed high density on the site (Hatch Roberts Day 2022, p.28-29). From the diagram, it can be seen that recent and proposed developments with FSRs over 1:1 include Rhodes East (1.25), Rhodes West (1.18-9.5), Pyrmont (2.5:1), Meadowbank (2.7:1), Westmead (4.5:1), Parramatta CBD (8:1), Olympic Park (3.6-8:0) and Barrangaroo (12-14:1), all of which are located within walking distance to a train station or the Sydney CBD.

Of these sites, the Report identifies Jacksons Landing in Pyrmont Point, the recent development in Meadowbank and the proposed development at Parramatta River Square as "precedent benchmarks" for this site (Hatch Roberts Day 2022, p.20). It should be noted that Jacksons Landing at Pyrmont Point has residential towers of 4-32 storeys, is only 2km from the Sydney CBD and is serviced by light rail, ferry and bus services. The Meadowbank development is adjacent to the Meadowbank railway station and Parramatta River Square is a precinct wide proposal that relates to a strategic location within the Parramatta CBD.

The Report also identifies Newmarket Green in Randwick as a benchmark for the proposed density of the site (Hatch Roberts Day 2022, p.54). Newmarket Green is within 1km of Randwick centre which is identified as a strategic centre and a health and education precinct within the Eastern City District Plan (Greater Sydney Commission, p.11).

Recent developments which more closely relate to the character and setting of this site can be found in the Appendix to this report and include Breakfast Point (0.65:1), Chiswick (0.7:1) and Rosemeadow Drive (0.7:1), all of which have an FSR under 1:1.

Chiswick Case Study



Figure 32 Aerial photo (source: nearmap.com)

Max. building height	8.5 to 17m
Max. FSR	0.7:1
Land use zone	R3
Predominant typology	Apartments, townhouses
Retained heritage items	No
Total site area	7 ha

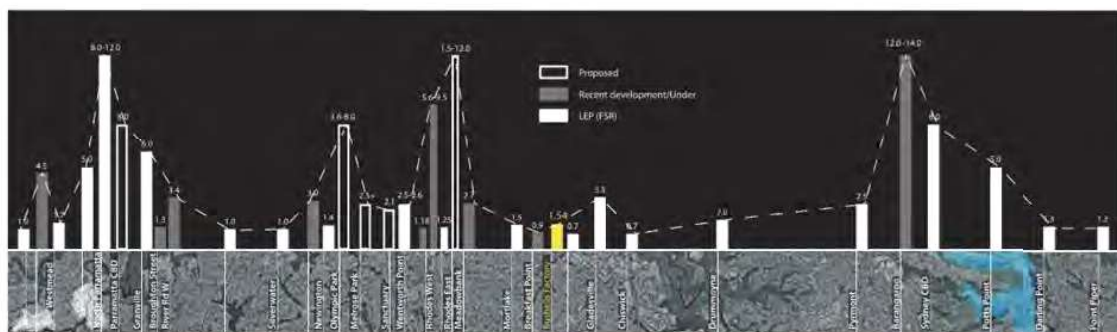


Figure 31 Floor Space Ratios of water-oriented sites (Source: Hatch Roberts Day 2022, p28-29)

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3-4 Density and FSR

Apartment Design Guide: Part 1B Local character and context

Part 1B of the Apartment Design Guide states that the process of defining the context's setting and scale has direct implications for the design quality of apartments.

"The planning process establishes the appropriate location for residential apartment development by determining land use and density in proximity to transport, employment, services, land form and environmental features. Within this framework, the specific characteristics of a place or its setting will inform design decisions".

This section goes on to state that the four common settings for residential flat buildings are strategic centres, local centres, urban neighbourhoods and suburban neighbourhoods.

The setting of the subject site can be classified as a suburban neighbourhood, which is typically characterised as "detached housing in a landscaped setting".

"Considerations for residential apartment development in suburban neighbourhood settings include relationships and interface with existing houses, appropriateness of apartment buildings compared to other forms of medium density housing (such as terraces or townhouses), landscape setting, existing significant trees and the pattern of front and rear gardens" (NSW DPE 2015, p.21).



Figure 33 Example of a Precinct Plan showing new roads and through site links which connect to the surrounding neighbourhood (source: NSW DPE 2015, p.25)

Commentary:

The Concept Design in the amended PP (May 2022) is a marked improvement on earlier designs. While the majority of development in the surrounding context is only one to two (1 to 2) storeys high the existing Central Roasting Hall (approximately 9 storeys high) and its narrow chimney and clearly visible 'B' are a recognisable landmark, well above the lower scale of surrounding development. It has been accepted by Studio GL that as the Central Roasting Hall building is to be retained, it creates a context where buildings that are slightly taller than the surrounding context, up to a five to six (5 to 6) storey maximum height in the centre of the site, would be possible.

The scale of these buildings should however reflect that they are to be located in a suburban, not urban neighbourhood, with buildings located in a landscaped setting. As the proposed density is a result of building envelopes with overly deep floor-plates and few breaks between buildings or upper level setbacks it creates a poor level of amenity, especially for a suburban, not urban, location and suggests that the proposed density is too high for the suburban location.

03 URBAN DESIGN REVIEW

Apartment Design Guide: Part 1C Precincts and individual sites

Part 1C of the Apartment Design Guide notes that apartment development either occurs on individual sites or within precincts. It notes that "precincts are characterised by large land parcels or a group of larger sites undergoing extensive change. These sites often need to be restructured to support a change of land use mix, building height and density".

Furthermore the guide notes that development at a precinct scale provides particular opportunities including reconnecting parts that have previously been isolated, improving the public domain network and providing more public open space, incorporating a mix of uses, integrating heritage and important views within the site or surrounding context and providing space for new community facilities.

Commentary:

The size of this site means that it should be considered as a precinct. The ADG notes that "precinct plans typically incorporate new streets and infrastructure, through-site links and public open spaces that relate in scale, location and character to the local context. The subdivision of large land parcels into smaller ones assists in creating a finer urban grain and achieving greater diversity in building design. It can also assist with the staging of redevelopment" (p25).

The opportunity to create a clear structure of streets and blocks is critical to the success of any development. It is particularly important to learn from the mistakes of the past where waterfront developments have created internal "gated" communities and poor quality, isolated areas of public foreshore land such as that which occurs at the Sydney Wire Mill Site, Chiswick (see Figure 34 and Figure 35 adjacent).



Figure 34 LEP 2013 showing the Sydney Wire Mill Site, Chiswick



Figure 35 Plan of the Sydney Wire Mill Site, Chiswick

The amended Concept Design indicates a robust urban structure of streets and public open space and this layout is supported as it is well connected into the rest of the neighbourhood and provides significant public benefit. There is a clear definition between public and private domain areas and the foreshore is proposed to be zoned public open space. The next step will be to ensure the proposed LEP and DCP controls are designed to ensure that this robust structure and public benefits are delivered in the final design.

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3-4 Density and FSR

**Apartment Design Guide:
Part 2D Floor Space Ratio**

Part 2D Floor Space Ratio of the ADG notes that when determining the floor space of a precinct plan, the gross floor space is based on the whole site area including streets and open spaces. This will be significantly lower than the net floor space of individual parcels within the precinct plan.

The ADG considerations in setting FSR controls include a recommendation to "consider how floor space is implemented across larger sites. A single floor space ratio may result in under or over development. For example, in an area with a consistent height control (...) large sites with multiple buildings require greater space between buildings and may have less floor space capacity" and "on precinct plan sites with new streets and/or open spaces, both the gross FSR for the whole site and the net FSR for individual development parcels need to be defined. The net FSR may be significantly higher than the gross FSR" (p33).

Part 2D of the ADG also notes that "where both residential and non-residential uses such as retail or commercial offices are permitted, develop FSR controls for each use. Commercial and retail generally fill 80-85% of their envelope. Allow for services, circulation, car park and loading requirements" and "note that residential FSR tends to be lower compared with commercial or retail ratios. This is because residential buildings are typically less deep than commercial buildings to provide higher levels of internal amenity and to incorporate more non-GFA elements such as balconies" (p33).

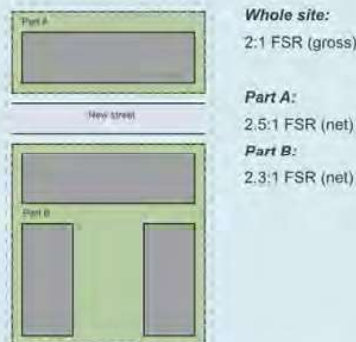


Figure 36 Diagram showing the difference between gross FSR and net FSR (source: ADG, p33)

**Commentary:
Floor Space Ratio**

An understanding of residential and non-residential FSR is critical when establishing FSR provisions for a mixed use site of this size. There are important differences in built outcomes of an industrial development with an FSR of 1:1 and a residential development with an FSR of 1:1 and the difference between a gross FSR of 1:1 for a precinct compared to a net FSR of 1:1 for an individual site. It is important to note that when changing the planning controls of a site, building envelopes and FSRs need to be conservative and realistic because they establish a benchmark for all future development. If the FSR is too high, it can create unrealistic expectations and the final development may require unusual or poor quality built form solutions in order to achieve the established FSR.

The proposed FSR as per the amended PP (May 2022) is 1.25:1. While a gross FSR of 1.25:1 might sound modest especially when compared to a net FSR for sites in an urban centre, it is high for a gross FSR on a suburban site as it includes public roads and public open space. The net FSRs within the current amended PP (May 2022) are still too high for this suburban location. For comparison, the Harold Park development, which is predominantly 6 to 8 storey development and has a large area of open space has a gross FSR of only 1.15:1.

The amended PP (May 2022) identifies net FSRs for individual blocks. This diagram (Figure 38) clearly shows that net densities are predominantly much higher than 1.25:1, ranging from 1.15:1 to 3.05:1.

Figure 37 includes the differences in height, GFA and FSR between the two previous amended PPs (July 2018 and Feb 2019) and the current amended PP (May 2022). The table illustrates that net FSRs for Blocks 1 & 5 have been reduced as these blocks have become lower in height. The net FSRs for Block 3 has increased, as the E1 block has been removed to retain the Hills Fig tree, thus also reducing the overall size of Block 3. The net FSR for Block 4 has also increased from 2.68:1 to 3.05:1. The net FSR for Block 2 has increased as this block has replaced the three (3) storey terraces along Burwood Road with a three (3) storey mixed use building.

03 URBAN DESIGN REVIEW

		Planning Proposal July 2018	C-Amended Draft DCP (PP 07/02/2019, figure 6, page 7)	D-Amended Arch Drawings (BVN Sheet 1, 29/01/2019)	E-Amended Arch Drawings (BVN May 2022)	Studio GL recommendations Suggested layout 2022 without heritage FSR bonus	Studio GL recommendations Suggested layout 2022 with heritage FSR bonus
Block 1 Env W1-W5	Height	3-6 storeys	4-5 storeys	4-5 storeys	3 storeys	3 storeys	3 storeys
	Total GFA (combined*)	14,812	n/a	11,827	8,204	7,833	7,833
	FSR (net per block)	2.0	1.6	1.62	1.15	1.1	1.1
Block 2 Env C7-C9	Height	3-5 storeys	3-6 storeys	3-6 storeys	3-6 storeys	3-6 storeys	3-6 storeys
	Total GFA (combined*)	4,931	n/a	5,885	6,317	4,379	4,379
	FSR (net per block)	1.4	1.71	1.65	1.85	1.3	1.3
Block 3 Env E1-E4	Height	3-7 storeys	3-7 storeys	3-7 storeys	3-6 storeys	3-6 storeys	3-6 storeys
	Total GFA (combined*)	11,231	n/a	11,231	9,771	8,292	8,292
	FSR (net per block)	2.0	1.9	1.97	2.10	1.8	1.8
Block 4 Roasting Hall	Height	9 storeys	9 storeys	9 storeys	9 storeys	9 storeys	9 storeys
	Total GFA (combined*)	8,666	n/a	8,666	8,921	2,987	8,921
	FSR (net per block)	2.7	2.66	2.68	3.05	1.0	3.0
Block 5 Env C1-C5	Height	4-13 storeys	5-9 storeys	5-9 storeys	2-6 storeys	2-6 storeys	2-6 storeys
	Total GFA (combined*)	21,141	n/a	18,358	15,339	14,484	14,484
	FSR (net per block)	2.9	2.6	2.53	2.20	2.1	2.1
Total GFA		60,780	n/a	55,967	48,552	37,975	43,909
Total Gross FSR		1.54	1.50	1.41	1.23	0.96	1.11
Total Site Area		39,558					

* Total GFA combines residential and non-residential floor space (i.e. commercial, industrial, urban services)

Figure 37 Height, GFA, and FSR comparison table, 2022

The PP (May 2022) includes a proposed LEP map for maximum FSR and this is shown in Figure 38.

Studio GL has prepared a recommended amended site layout (see Chapter 4, Figure 72) that reduces the overall building depths, accommodates balconies within the building envelopes, increases building setbacks and introduces upper storey setbacks.

These changes result in a recommended permissible density of 0.96:1 (approx. 38,000m²). If the Central Roasting Hall is retained, a bonus FSR of 2.0:1 (approx. 5,900m²) can be applied to Block 4, resulting in an increased total FSR of 3.0:1 for this block and an increased overall gross site FSR of 1.11:1 (approx. 43,900m²). These calculations are shown in Figure 37.

These amendments are reflected in Studio GL's recommended LEP FSR map (Figure 39) below.



Figure 38 Proposed FSR map (Source: LFA 2022, p49)
*Numbering of categories will need to be amended to accommodate the new block-by-block FSR controls

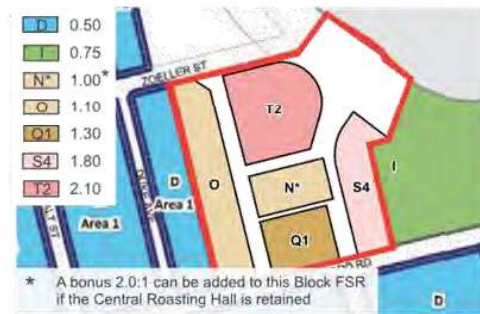


Figure 39 Recommended FSR map prepared by Studio GL, 2022

03 URBAN DESIGN REVIEW

3-4 Density and FSR

**Apartment Design Guide:
Part 2E Building Depth**

Part 2E of the ADG notes that building depth is an important tool for determining the development capacity of a site. The ADG also comments that building depth has a direct relationship to internal residential amenity by determining room depths.

The ADG considerations in setting building depth controls include a recommendation to 'Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line' and also note that 'The building depth includes the internal floor plate, external walls, balconies, external circulation and articulation such as recesses and steps in plan and section'.

Commentary:

Building depth is an important factor to consider when setting density controls, as the depth of a building's floor plate has a direct relationship with the total floor area achieved. The plan below (Figure 40) illustrates the range of building depths within the amended PP (May 2022). The plan shows a number of buildings deeper than 18m which create deep floor plates that make it difficult to achieve good residential amenity, and meet sunlight and natural ventilation requirements required by the ADG. It is recommended that building depths over 18m are reduced to ensure a high level of residential amenity can be provided, that is appropriate to the suburban context.

The ADG also notes that building depths should include balconies. Balconies have not been indicated on the architectural plans within the amended PP (May 2022) and have not been included in the GBA calculations. As shown in the Communal Open Space Diagram (BVN May 2022) the provision of balconies and roof top communal open spaces will create additional bulk to the development, reduce privacy distances, and further reduce internal amenity on blocks deeper than 18m. It is recommended that balconies are accommodated within the proposed building envelopes.



Figure 40 Studio GL annotations overlaid on L-01 Plan (BVN 2021)

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**Apartment Design Guide:
Part 4B Natural Ventilation**

The ADG notes that 'Apartment layout and building depth have a close relationship with the ability of an apartment to be naturally ventilated. Generally as the building gets deeper, effective airflow reduces'.

Objective 4B-3 within the ADG requires 60% of apartments to be naturally cross ventilated in the first nine storeys of a building. Objective 4B-2 advises that apartment depths are limited to maximise ventilation and airflow.

Commentary:

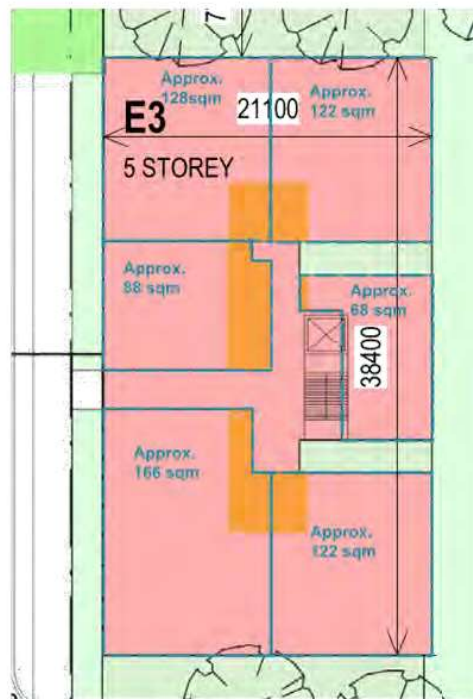
In addition to building depth, the length of a building also affects cross ventilation; long uninterrupted blocks have fewer corner apartments than multiple separate buildings. The annotated plan of a typical block (Figure 41) illustrates that the deep 21m floor plate creates deep apartment plans; where a significant portion of the apartment is greater than 8m from the facade.

Relying on buildings deeper than 18m (which cannot be planned with standard sized apartments) reduces efficiency and design flexibility. Deeper buildings also create uncertainty as to whether a scheme with a different unit mix and more units, within the same FSR and height limits, could provide an appropriate level of amenity to apartments.

Buildings in Block 1 and Block 3 show 'slot' light-wells located at the rear of the typical buildings. It is assumed these slots have been located to provide communal circulation space with natural ventilation. This is a poor solution to providing ADG compliant cross ventilation to single aspect west facing units and creates very narrow light-wells. While this type of solution can be used on a constrained urban site, to rely on such a constrained solution to establish suitable planning controls for a suburban site appears perverse.

It is recommended that apartment layouts are reconfigured to achieve cross ventilation requirements within a regular building envelope, less than 18m deep, that avoids light-wells/slots and provides flexibility during the detailed design phase so that future buildings can be designed to achieve a high quality outcome.

It is also noted that a previous PP (Feb 2019) had an average unit size of 109m² (gross residential floor area divided by proposed apartment numbers). This is similar to the approximate apartment sizes shown in Figure 41 below which shows an average unit size of 115m². The amended PP (May 2022) proposes 400 dwellings, which with a total residential GFA of approximately 39,335, equates to an average unit size of approximately 98m². The reduction in unit size is questioned given the suburban location where larger dwelling sizes, for both market and affordable housing, would seem more appropriate. It is also noted that a reduction in dwelling size is likely to increase the challenges for apartments to meet ADG requirements for solar access and cross ventilation.



Apartment floor area further than 8m from a primary facade
Figure 41 Studio GL annotations overlaid on extract from L-01 Plan (BVN 2021)

03 URBAN DESIGN REVIEW

3-4 Density and FSR

Conclusion

The density of the proposed built form and the population density proposed is inconsistent with the site's isolated suburban character, limited access to high frequency public transport and the lack of nearby facilities. More relevant density precedents are the adjoining former industrial sites at Pelican Point, Pelican Quays & Phillips Landing which have been developed with an FSR of 0.75:1 and a maximum building height of 15m. A more appropriate population density would be one that is closer to 100 people/ha to reflect the isolated location and surrounding low density context.

The density proposed for this site in the amended PP (May 2022), although slightly reduced, remains high and the proposed building massing that has been illustrated to identify impacts does not include balconies or roof terraces. Providing balconies, as required by the Apartment Design Guide, will either increase the bulk of the development or reduce the overall GBA and therefore the FSR of the development. In order to set a realistic FSR the provision of balconies and their contribution to bulk and scale should be considered as part of the planning proposal. The relationship between building footprint, height and density affects the character of development and the amenity of residential accommodation. The concept plans have a high density for the proposed heights and this has resulted in overly deep and long buildings, which are likely to result in a lower level of amenity for the apartments than is appropriate in a suburban setting. It is recommended that building depths that are greater than 18m deep are reduced to create higher amenity units within the proposed heights. Reducing building height, length and depth is likely to further reduce the maximum FSR that is achievable on this site.

FSRs for individual sites have been identified in the May 2022 PP (LFA 2022, p57) and reflected in the proposed floor space ratio LEP map. This should encourage appropriate built form outcomes, with lower FSRs on sites that adjoin sensitive residential interfaces and higher FSRs where the impacts of development are reduced. Different uses create different bulk and scale outcomes. For example, if the FSR for 'urban services' within Block 2 were to become residential this would create increased bulk and scale, as the additional apartments could not be located in a single, deep, ground floor podium form. Therefore it is recommended that maximum FSR controls are established for residential and non-residential uses on the site. This is particularly important as, while desirable, the current provision of community spaces and facilities is uncertain and the quantum of retail, commercial and light industrial uses may not be commercially viable.

Whilst the application to list the former Bushells Factory Building as an item of local heritage is supported it may be advisable to ensure that some of the increase in FSR is linked to the retention and restoration of the Central Roasting Hall. In the future, if the Central Roasting Hall is not restored and non-residential floor space and/or heritage floor space is transferred to residential floor space it is likely to change the character of the development and possibly also increase the bulk and scale of the development.

It is recommended that the maximum permissible residential density is reduced to 0.77:1, with a bonus of 0.15:1 for the retention of the Central Roasting Hall, and an additional maximum non-residential FSR of 0.19:1 be applied (no more than 7,500m²). The maximum combined FSR would be 1.11:1.

03 URBAN DESIGN REVIEW

3-5 Land use

Commentary:
Neighbourhood Centre

The amended Concept Plan proposes to change the land use of the site from IN1 General Industrial to part B1 Neighbourhood Centre, part R3 Medium Density Residential and part RE1 Public Recreation. The objective of the B1 Neighbourhood Centre is “to provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood”.

The PP (May 2022) notes that “The proposed B1 Neighbourhood Centre zone will enable the development of urban services (light industries), as well as become the focus of the retail and commercial uses”. The most recent version of the PP (see Figure 43) has relocated the Neighbourhood Centre zone away from the waterfront and proposed waterfront open space and onto Burwood Road with buildings in Block 2, Southern Edge altered from three (3) storey terraces to a three (3) storey mixed use building with ground floor commercial/retail uses.

Retail uses in this south facing, Burwood Road location would draw activity away from the north facing open space plaza, reduce the opportunity for screen landscaping along Burwood Road and impact on the amenity and privacy of the low density dwellings across the street. Commercial uses, preferably accessed from within the site, might be acceptable in this location but an active retail frontage should be discouraged.

In addition, as the Neighbourhood Centre zone has moved away from the waterfront to enable shop top development facing the new plaza and open space, the PP (May 2022) proposes that “Commercial premises” are made an additional permitted use within the portion of the site proposed to be zoned R3 Medium Density Residential. A challenge with this approach is that it does not require that this additional permitted use occur near the waterfront nor does it restrict non residential uses to parts of the site that do not adjoin the residential neighbours.

Another challenge is that under the Canada Bay LEP ‘Commercial premises’ means any of the following (a) business premises, (b) office premises and (c) retail premises which would allow a very wide range of activities, some of which would not be appropriate for the location including garden centres, hardware and building supplies and vehicle sales or hire premises.

It is recommended that the area where additional uses are permissible is limited to areas close to the proposed new open space area and clearly identified in the LEP. The clause applying additional permitted uses should be limited to office premises, shops and restaurants or cafes.

The SECPP recommended that the minimum provision of non-residential uses be 10,000m², where a minimum 3,000m² shall be provided for ‘urban services’ (aka light industrial uses).



Figure 42 Proposed Land Zoning LEP map (Source: LFA 2019, p39)



Figure 43 Proposed Land Zoning LEP map (Source: LFA 2022, p49)

03 URBAN DESIGN REVIEW

3-5 Land use

The Retail Demand Assessment prepared by Hill PDA (Appendix P) notes lessons learnt from case studies indicate that multiple anchors are desirable as they will serve to broaden the appeal of the centre, extend the trade area and operating hours / activity. Anchors could include a supermarket or convenience foodstore, dining precinct, upmarket food hall, club and/or community uses such as a medical centre or childcare centre and the location of the anchor tenants is important in terms of urban activation and ensuring the maximum commercial potential.

In addition the Retail Demand Assessment notes that convenience retail should address the southern boundary and entrance, being the main entrance and the most convenient for residents in the walkable catchment, while the themed retail should utilise the heritage features on the site but could also capitalise on the waterfront amenity. Club and themed restaurants are good examples.

The report notes a centre of around 3,500m² could be supported providing a combination of 2,000m² to 2,500m² of convenience retail and commercial services for local residents and 1,000m² to 1,500m² of themed retail and services including restaurants and the like with heritage and waterfront themes. These roles won't necessarily be distinct and there is likely to be some blurring of the two roles. The suggested retail mix was :

- Approximately 800 to 1,000m² supermarket (small format Coles or Woolworths, IGA, Harris Farm or similar)
- 200m² to 400m² of specialty food (liquor, bakery, butcher, confectionary, coffee, etc)
- Approximately 800m² of restaurants and fast food/ take-aways (at least half of this space would be themed by the water)
- Approximately 500 to 800m² of non-food retailing and personal services (newsagency, arts, hair and beauty, chemist, etc)
- Approximately 500m² of non-retail space (travel, finance, medical, massage, real estate services, etc).

Total shop front floor space identified in the Retail Demand Assessment is in the order of 3,000 to 3,500m². There is a large inconsistency between the amount of non-residential floor space that can be supported by retail demand (3,500m²), the required light industrial floor area (3,000m²) and the quantum of non residential floor space required to be delivered on the site, being 10,000m². Given the limited identified demand it is recommended that the non-residential floor space be reduced to no more than 7,500m². and provide for a mix of retail, light industrial and community facilities.

Community Facilities

The proposal lacks clarity on the proposed breakdown between social, community and retail space. The original development provided 2,148m² of community uses and a 90 space childcare facility. The childcare facility is no longer part of the proposal and community uses are not specified within the PP (May 2022). If a 90 space childcare facility is proposed, the non-residential floor space could be increased by 700m², but outdoor play and parking and drop off facilities would need to be accommodated in the planning framework. A gym, childcare and/or community facility could help to activate the location.

Medium Density Residential

The amended PP (May 2022) seeks an R3 Medium Density Residential zoning across all the proposed Blocks except for Block 2 and 4, which are proposed as B1 Neighbourhood Centre zone. As the maximum residential building height has now been reduced to six (6) storeys a zoning of R3 Medium Density residential is considered appropriate.

Light Industries and Urban Services

Industrial land in central Sydney has been declining and small businesses, manufacturing, workshops and studios have made way for housing. In order to mitigate the loss of industrial land, and ensure that jobs and essential urban services are retained in a balanced way across the city, the Greater Cities Commission recommends that "industrial services land is planned, retained and managed" (Greater Sydney Region Plan).

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The Bushells Factory site is currently zoned IN1 General Industrial zone. Previous planning proposals for this site have sought to rezone the industrial land to R3 Medium Density and RE1 Public Recreation (Sept 2019). The original planning proposal sought a zoning of B4 Mixed Use (June 2017). In March 2020, the Sydney Eastern City Planning Panel (SECPP) conducted a review of the planning proposal and recommended that "a development standard be introduced into the instrument to increase the minimum provision of non-residential uses to 10,000m², where a minimum 3,000m² shall be provided for 'urban services' (aka light industrial uses)".

In October 2021 the DPI&E determined that the planning proposal be revised to address ten key items, with the following two relevant to light industry and urban services:

- Include provisions to ensure spatial needs of light industry uses are addressed, including requirements for light industry to be located on the lower and upper ground floor levels of the Central Roasting Hall, and appropriate floor-to-ceiling heights.
- Update the draft DCP to address the spatial needs of light industrial uses as well as detailed design considerations such as floor to ceiling height spans, loading docks and vehicle access/parking, vehicle circulation, waste disposal, storage and service areas/ corridors, etc.

In response to this requirement, the PP (May 2022) shows approximately 1400m² of urban services located on the ground floor of Block 2 Southern Edge, and approximately 1600m² of urban services on Level 1 of the retained Central Roasting Hall. The PP (May 2022) states "there is currently no legal definition, zone or performance criteria in the Standard Instrument Local Environmental Plan template for 'urban services' or 'mixed light industry, new economy' or 'creative use'. However, the B1 Neighbourhood Centre zone will adequately cater for these uses" (LFA 2022, p55).

Council's preliminary assessment of the amended PP (July 2018) noted 'The capacity of the site to accommodate low impact urban support services is to be informed by the capacity of the road network and an astute/functional design response that enables this type

of light industrial use to be co-located with residential uses' (City of Canada Bay, November 2018, p.3).

The co-location of industrial spaces with residential living is an unusual urban configuration. Historically, residential and industrial lands have been distinctly separate. The combination of industrial and residential zoning is a key feature of this development proposal and thus requires a great deal of consideration. With careful design this unique combination of uses can succeed in the long term and can serve as a prototype for the integration of residential and industrial uses for future development sites.

To inform best practice, some precedents from overseas are highly relevant. Caxton Works, London, combines 336 apartments with a range of flexible light-industry units at ground level. The project prioritises pedestrians in a 'working alley' with areas for loading and unloading, whilst also making a feature of the ground floor workshops to activate the street. The urban research firm 'We Made That', were commissioned by the Greater London Authority to undertake research and testing on industrial intensification and co-location of functional industrial space with residential spaces, producing a report titled "Industrial Intensification and Co-location Guidance" (2019). This report informs some of the design strategies outlined below.

A significant consideration for this mode of development is the structural grid. While traditional single storey industrial buildings may have structural spans of 30m, this would not be structurally efficient for stacked industrial and residential buildings. The study recommends an optimum structural grid of around 15m for vertically-mixed buildings.



Figure 44 Caxton Workshop, London, Studio Egret West

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3-5 Land use

The study offers some specific design guidance for the development of industrial intensification co-located with residential buildings. Some of the recommendations that are particularly relevant to this planning proposal include:

- Position most active uses or operational making areas at ground floor along the street.
- Ensure that ground floor uses adjacent to the street have high levels of visual permeability.
- Locate residential entrances and units along the street edge to provide positive street frontage.
- Incorporate sufficient space for service vehicle turning circles within the site to prevent service vehicles manoeuvring on busy roads.
- Provide a dedicated pedestrian entrance directly from the street and segregate servicing and pedestrian routes.
- Take advantage of sites with access from multiple sides to separate access.
- Use green roofs to provide amenity space for workers and residents and contribute to urban greening.
- Orient industrial and residential units to minimise overlooking.
- Incorporate acoustic mitigation measures such as winter gardens, non opening windows and mechanical ventilation, triple glazing and wall and floor build-ups into residential blocks.

Smaller workshops and studio spaces for manufacturing and other small creative making activities would typically require up to 500m². Small industrial units could require up to 1000m² for uses such as construction-related activities, specialist recycling or food catering. Consideration of typical sizes and possible uses helps to inform the location of services, pedestrian entrances and driveways. Other key considerations are the acoustic and other environmental mitigations. The wall and floor construction between adjacent and stacked developments need to consider environmental mitigation of odours, dust and vibration between industrial and residential uses. This includes design features such as increased wall and floor acoustic performance specification, triple glazing, appropriate ventilation and extraction, and winter gardens.

The Draft DCP (Part K, Special Precincts, June 2022), for the site identifies many of these considerations in K19.7 Urban Services, Commercial and Retail Uses, and in K19.10 Activated Urban Services Frontage however the amended PP (May 2022) is not clear on the types of uses or intended sizes of workshops or studio spaces, if sufficient space has been allocated for the turning of vehicles service vehicles and strategies to mitigate acoustic and other environmental impacts. While this should be able to be addressed at a development application stage it is critical that there is sufficient incentives and flexibility in the planning controls to ensure that the complexity of the design challenge can meaningfully be addressed.



Figure 45 Caxton Workshop, London, Studio Egret West

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Proposed Open Space and Public Plaza

The approach to rezone the proposed public space along the foreshore as RE1 Public Recreation is considered good practice and is supported. The amended PP (May 2022) proposes 9,740m² of open space including a plaza, a shared road and a foreshore park of which approximately 5,900m² lies within the proposed RE1 Public Recreation zone. The (SECPP) recommended a minimum of 8,900m² of Public Open Space be provided.

As per the draft VPA Letter of Offer (Feb 2022), the 5,900m² of public open space would be 'dedicated to Council upon completion of the development project'.

The redevelopment of a north facing waterfront site provides a rare opportunity to increase the amount of high amenity water-facing open space and, co-locating this space with retail facilities will allow more residents of Concord, and the City of Canada Bay, to enjoy the exceptional amenity of the local area. While the overall quantum of open space provided is important, the quality, accessibility and activation of the open space will be equally as important.

Conclusion

The proposed B1 Neighbourhood Centre, R3 Medium Density Residential and RE1 Public Recreation zones are considered appropriate for the site.

Rezoning the majority of the site to R3 Medium Density Residential with maximum building heights of 3-6 storeys is supported. Allowing additional uses in specific parts of the site zoned R3 Medium Density is supported, but the clause applying additional permitted uses should be limited to office premises, shops and restaurants or cafes.

The provision of light industrial within the proposed B1 Neighbourhood Centre zone is supported, however, close attention needs to be given to the servicing, access and realistic functioning of the design of these services. It is recommended that 'mixed light industry, new economy or creative uses' are encouraged and ideally, these should be located within the retained Central Roasting Hall building, if this is possible after due consideration of the heritage constraints. Careful consideration also needs to be given to the interface between residential, retail and 'urban services' uses to avoid conflicts and mitigate adverse environmental impacts.

It is recommended that the proposed B1 Neighbourhood Centre zone is relocated to be fully within the site. In recognition of the Retail Demand Assessment it is accepted that it needs to be closer to Burwood Road and accessible and visible from Burwood Road, however the location proposed in the amended PP (May 2022) could result in a development where the retail and urban services are not integrated into the development but accessed and serviced off Burwood Road and access to and activation of the waterfront is not required to occur. An amendment to the proposed Land Zoning Map can be found below at Figure 46.

Suggested changes to the proposed local clause '6.14 Non-residential uses for 160 Burwood Road, Concord' are highlighted in blue below.

....(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—

- a) a minimum provision of ~~10,000~~ 7,500 square metres of non-residential gross floor area is provided.
- b) a minimum provision of 3,000 square metres of light industrial floor space area is provided.
- c) shops have a maximum gross floor area of 1,000 square metres per tenancy; and
- d) light industrial uses are located on the ground floor (inclusive of the lower and upper ground floor) and provide floor to ceiling heights, servicing and access that accommodate the activities and equipment of the light industrial use(s).



Figure 46 Recommended Land Zoning LEP map prepared by SGL, 2022

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3-6 Landscape and amenity

Design Quality Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

Commentary

The Concept Plan includes a "Public Domain Plan" that identifies public open space and privately owned publicly accessible public domain (see Figure 47). 44% of the site area is identified as "Public Realm" in the Urban Design Report (Hatch Roberts Day 2022, p.6), and this includes the proposed plaza and foreshore park, the two proposed north-south roads and east-west street connections. This area also includes most of the front setbacks along the new roads and along Zoeller Street and the side setbacks of Block 2 and 4. Interestingly, the ramps leading to the Central and East basements are also identified as 'private open space'.

When Studio GL calculated the "Public Realm" area excluding the building front setbacks, this area amounts to 39% of the site area (see Figure 48). The Urban Design Report (Hatch Roberts Day 2022, p.6) states that 51% of this "Public Realm" is occupied by the new foreshore parkland and plaza. Studio GL calculated that the area zoned RE1 Public Open Space accounted for only 38% of the overall 'public realm' (see Figure 49).

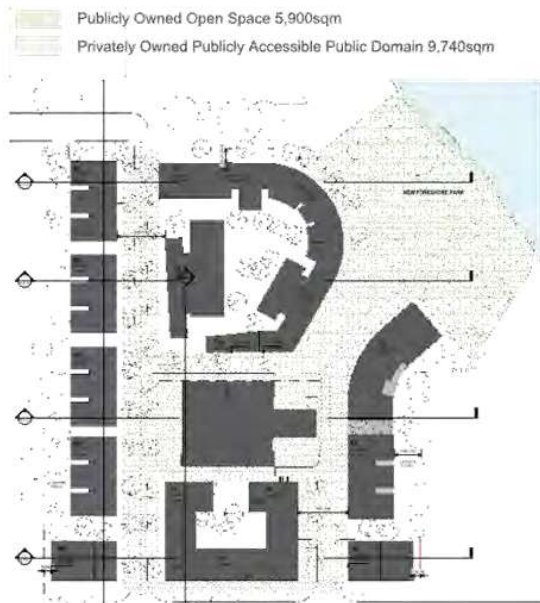


Figure 47 Plan indicating public open space and privately owned publicly accessible open space (Source: BVN 2022, p.14)

The amended PP (May 2022) shows an extension of the existing public road (Zoeller Street) outside the site boundary to join the proposed roads within the site and create a connected street network. Extending Zoeller Street would require an agreement with the Council and the Golf Club however there is no information in the amended PP (May 2022) with regards to an agreement with the Council or the Golf Club to construct this road. Unless an agreement can be made to ensure the future road structure is robust and visually and physical linked, it is recommended that the plan be altered to allow a connection to occur off the end of the existing Zoeller Street. This requires detailed technical design resolution with the objectives to provide legibility along existing and proposed streets and visually link streets to areas of open space including the golf course. While this should have minimal impact on Zoeller Street, golf course and heritage land, some changes will be required.

The Concept Design in the amended PP (May 2022) retains the existing trees along the western and eastern boundaries of the site, and some along the foreshore, which is commendable. Although the PP states that the

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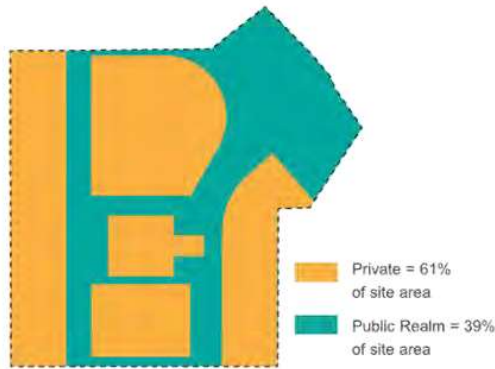


Figure 48 Diagram showing Studio GL's calculation of the private area and the "Public Realm" on the site, including public roads and public open space

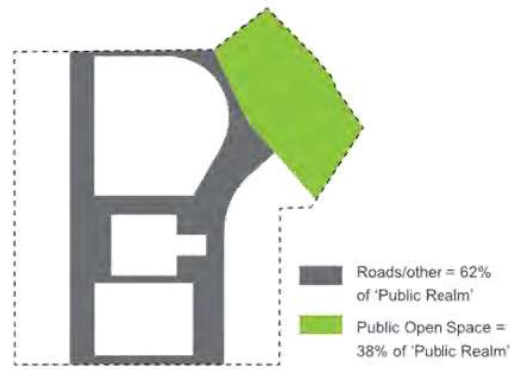


Figure 49 Diagram showing Studio GL's calculation of the public open space within the "Public Realm"

Hills Fig tree (Tree 184) is to be retained, this is not reflected in Figure 18: Open Space and Tree Retention (Source: Roberts Day) which does not show the tree as being retained or the Tree Protection Plan (Moore Trees 2019, p23), which does not show the tree as being retained (see Figure 50) and the summary notes this tree could be relocated within the site.

It is desirable to retain the existing trees in a healthy condition along the site boundaries as they play an important role in screening development on the site from adjoining low density housing. The amended PP (May 2022) includes an Arboricultural Development Assessment Report which was last updated in September 2019. Currently along the boundary of the site with Burwood Road is a continuous row of screen landscaping that is 5m deep. The Tree Protection Plan in the Arboricultural Development Assessment Report

does show these trees to be retained (although some of them are shown as being retained in the Open Space and Tree Retention by Roberts Day). The report states that "the large mature Jacaranda by the front gate is significant (...). The proposed building near this tree is very close and extensive pruning of the canopy to comply with scaffolding standards will not allow much of a specimen to be retained" (Moore Trees 2019, p.13).

Conclusion

Care should be taken that the existing trees of value are identified and retained in a healthy condition as they play an important role in screening development on the site from adjoining low density housing. The Tree Protection Plan should reflect the amended proposal. The amended PP (May 2022) should also include an agreement with the Council on how Zoeller Street will be connected into the site extension to ensure that connectivity within the neighbourhood and public access within the site is maintained.

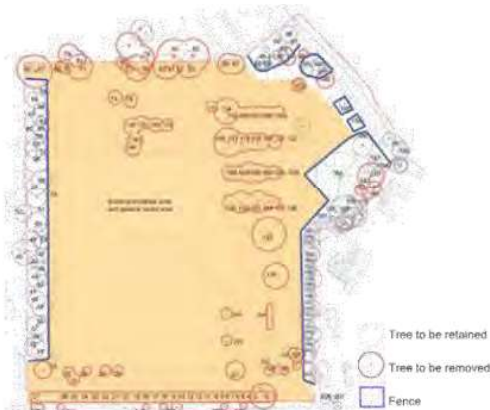


Figure 50 Tree Protection Plan (Moore Trees 2019, p23)



Tree 184, a large mature Hills Fig that is "certainly worth retaining". (Moore Trees 2019, p19)

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3-6 Landscape and amenity

Design Quality Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

Commentary

The overshadowing analysis provided by BVN Architects (2022) shows that the neighbouring properties on the western edge of the site are overshadowed until 9am. There is no overshadowing impact on the properties to the south of Burwood Road. The properties along the eastern edge of the site are overshadowed from 1pm onwards, reducing their access to afternoon sunlight. The overall overshadowing impact of the design is minor, although given the low density nature of the entire area local residents would have a high expectation of excellent access to sunlight, natural ventilation and visual privacy of gardens, balconies and indoor spaces.

With regards to these overshadowing impacts, the amended PP (May 2022) states that "the impact on existing buildings may be minimised through careful building massing and articulation" (LFA 2022, p.99).

The overshadowing analysis also highlights the impact of the buildings in Block 5 on the proposed public square and retail spaces in the amended Concept Plan. The shadow diagrams show that the proposed public square will be partially overshadowed from 2pm in the afternoon and completely overshadowed by 3pm. The public plaza will be partially overshadowed by 2pm and completely overshadowed by 3pm onwards. The ground floor retail space along the curvilinear building in Block 5 will be overshadowed for most of the day.

The overshadowing of the proposed public square, public plaza and retail spaces occur just outside the core hours of 12-2pm, and although this is acceptable, it is recommended detailed design should explore ways to improve the amenity of the public space and reduce overshadowing impact.

The proposed back gardens of the three (3) storey terraces in Block 1 and Block 3 of the amended PP (May 2022) will not achieve 2 hours of solar access between 9am to 3pm. It is also concerning that the proposed location of the basement ramps will not allow for the provision of back gardens for many of these terraces. It is recommended that the proposed ramps be relocated to allow all terraces to have back gardens of appropriate size and amenity.

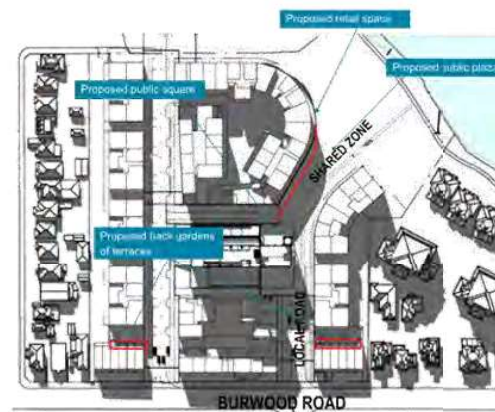


Figure 51 Overshadowing analysis diagram at 2pm on 21 June (BVN, 2022) with mark-ups by Studio GL

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As previously stated, the proposed three (3) storey apartment buildings in Block 1 along the western edge and the five (5) and six (6) storey apartment buildings in Block 3 along the eastern edge of the site show narrow slits in the built form. These slits are approximately 2m wide and 8m deep and would create poor internal amenity for any external window located at the base of the slit. Although the provision of these slits may technically meet the requirements for apartment design, according to the Apartment Design Guide, they are not considered a high amenity solution for a suburban location.

Conclusion

It is recommended that the depth of the five (5) and six (6) storey buildings along Block 3, Eastern edge be reduced and the uppermost floor be setback to minimise the overshadowing impact on the neighbouring properties. It is also recommended that the proposed public plaza adjoin the northern end of Block 3 facing the foreshore to improve the amenity of the public space and reduce overshadowing impact.

The location of the proposed basement ramps reduces the private open space of the three (3) storey terraces along Burwood Road. The configuration of the ramps should be reconsidered to ensure each terrace is provided with the required private open space.

The provision of narrow slits in the built form is considered a poor design solution. It is recommended that Block 1 takes the form of a minimum of three separate buildings similar to the proposal recommended by Council in February 2018 showing a series of courtyard buildings. The draft Development Control Plan should also be updated to strengthen controls that ensure overlooking and privacy concerns between adjoining buildings are addressed.



Figure 52 The proposed public square, public plaza and ground floor retail space will be overshadowed for most of the afternoon (Hatch Roberts Day 2022, p.48)



Figure 53 Part Roof Plan of the Concept Plan (Source: BVN 2022) with mark-ups by Studio GL

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3-7 Safety

SEPP 65 Design Principle 7: Safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Commentary

Typically industrial sites have a “coarse grain” with large lots and street blocks and few connecting streets. This creates internally focused developments which also act as a barrier to pedestrian access in the local area. When industrial sites redevelop, it is good practice to use this opportunity to create a new network of public streets and/or public open space that improves connections to the site and through the site from the surrounding area.

The amended PP (May 2022) provides new publicly accessible streets within the site that connect to Burwood Road and Zoeller Street. One of the new roads off Burwood Road is located opposite an existing road, Marceau Drive and serviced by a new roundabout. The location of this new road assists in integrating the new development into the existing street network and provides new visual links from Marceau Drive to the Central Roasting Hall and a new direct connection to the waterfront. The proposed new urban structure creates an efficient, finer grain block structure with views along the key new streets terminating in the golf course or new waterfront open space.

While the proposed road network improves connectivity within the neighbourhood, the proposed access to this site from Zoeller Street has raised concerns from Zoeller Street residents about the increase in noise and traffic along Zoeller Street. Traffic along Zoeller Street could be reduced by changing the location of the basement ramps within the site so that they are

accessed off one of the new roads within the site rather than Zoeller Street. In addition, traffic calming within the site such as the use of road narrowing and street deflection or even bollards and banning trucks from using this access point could improve the attractiveness, safety and quality of the Zoeller Street connection. While cul-de-sacs are a widely used solution, they are not recommended from an urban design perspective as they create safety issues and discourage pedestrian and bicycle access across the site.

Due to the impact on the Golf Course, it now appears likely that it will not be possible to extend Zoeller Street along most of the northern boundary of the site. This is unfortunate as the cadastre indicates that a road was once anticipated in this location but has subsequently been subsumed into the golf course and because roads help to create a safe boundary between development and open spaces. The Concept Plan assumed that pedestrian access would have occurred along the edge of this extended road but if this cannot occur, pedestrian access will need to be provided within the northern boundary of the site.

The previous PP (Feb 2019) proposed new public roads connecting to Zoeller Street and the foreshore park, and bicycle and pedestrian access to the foreshore as public benefit in the draft VPA Letter of Offer. The amended PP (May 2022) proposes dedicating the foreshore to the Council, however the ownership of the proposed public plaza and public roads is unclear.

Where the boundaries between areas of public and private land are unclear, or where the public is only allowed to access private land, there is a risk that concerns about maintenance, public liability and privacy will, over time, result in the privatisation of what was initially promised as public open space. This has occurred on other waterfront sites in the Canada Bay LGA. Recent development to the east of the site, on a former industrial site, was developed with an internal focused or “gated” style of development with private roads. This has created a disconnected street structure, and limited provision of foreshore open space that is difficult to access or discover.

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A blurred boundary between the public and private spaces makes territorial reinforcement difficult and can discourage public use over time. It may also reduce the passive surveillance and sense of ownership of public open space necessary to promote safety. It is not uncommon for the owners of a development, in response to incidents and concerns about liability, to reduce or restrict access to areas identified at a concept design stage as "public".

How a building addresses roads and areas of open space plays an important role in activating these places and increasing or decreasing perceptions of safety. The orientation of buildings within the proposal, to face existing and proposed streets, and the location of active uses at ground level adjoining the open space, follows good urban design practice and is supported.

Conclusion

The urban structure in the Concept Plan in the amended PP (May 2022) is much improved from the original PP (July 2017) and the previous PP (Sep 2019). The urban structure of roads and public open

space follows good urban design practice and is supported. To maximise public access and public safety for the long term, the new network of streets and areas of open space should be Council owned and publicly accessible, with buildings designed to address both existing streets and new streets. Council ownership of the streets may not be possible, therefore to ensure the proposed roads are delivered and remain publicly accessible, an easement for permanent public access is required.

To reduce the impact on Zoeller Street, it is recommended that the primary access to Blocks 1 and 5 the site is provided from inside the site and accessed off one of the new roads linking to Burwood Road. Any Zoeller Street connection should be designed as a slow speed secondary link with the width of the road narrowed. Ideally truck movements, especially trucks servicing the retail and light industrial uses should occur off Burwood Road. A pedestrian link with a minimum width of 4.5m will need to be established within the site along the northern boundary to accommodate public access if Zoeller Street can not be extended.

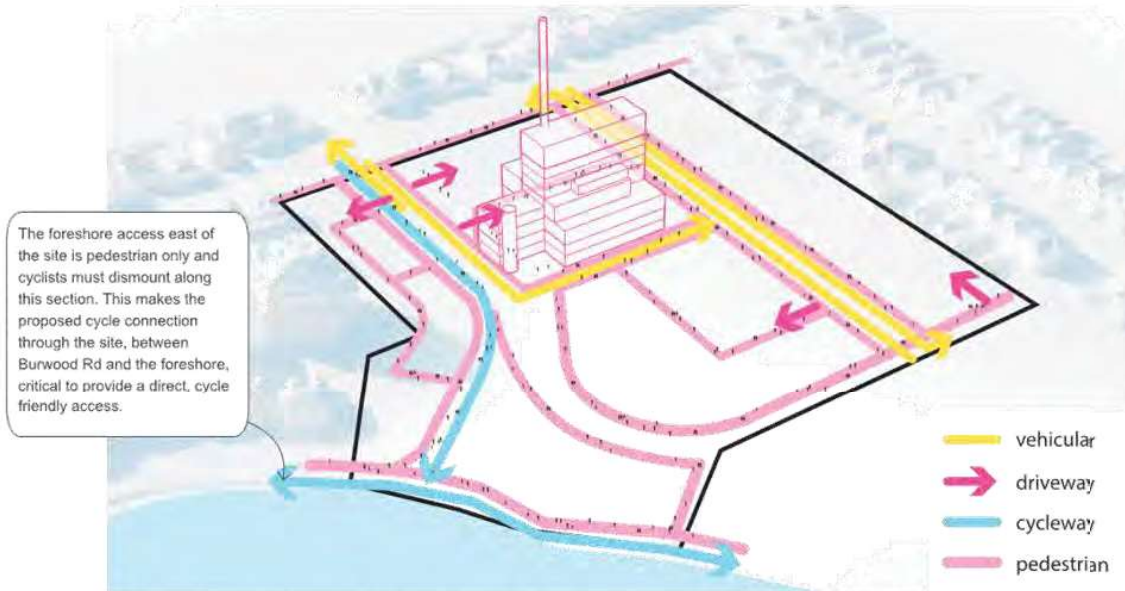


Figure 54 Movement and Access Diagram (Hatch Roberts Day 2022, p50)

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3-8 Sustainability and diversity

Design Quality Principle 4: Sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

Commentary

In addition to the sustainable design strategies outlined above, the ADG also identifies issues that could be considered as part of a precinct development, such as greater housing diversity and leveraging efficiencies of scale to deliver more effective environmental measures

such as on site energy production, integrated stormwater management and waste water recycling. The Urban Design Report contains a 'Sustainable Design Concept' which briefly mentions six sustainable features of the concept design; street trees, light industrial uses, creative hub, adaptive re-use, local pop-up markets, green roofs, green walls and solar panels (Hatch Roberts Day 2022, p.56-57). The Sustainability Strategy (Kinesis, 2019) identifies five key findings to enhance the sustainability outcomes of the proposal:

- Efficient appliances and improved thermal design.
- Solar voltaic and battery ready facilities.
- Recycled water ready infrastructure.
- Green facade treatment for cooler dwellings.
- Best practice parking measures and access to car share facilities.

These interventions could reduce the greenhouse gas emissions from the development by 34% (Kinesis, 2019).

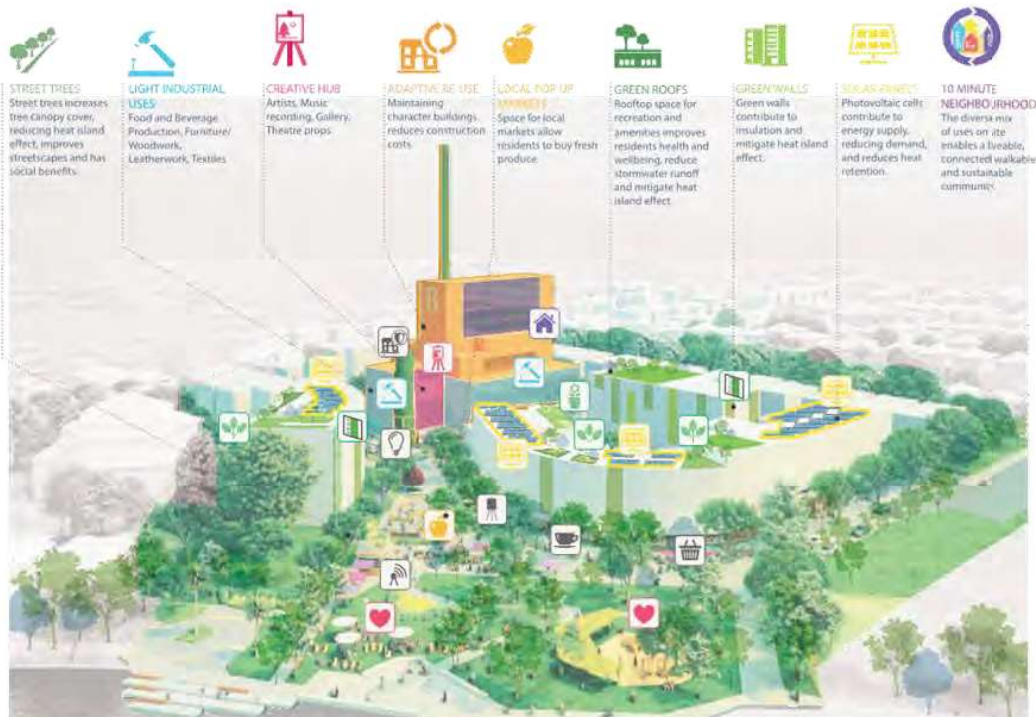


Figure 55 Sustainability Design Concept of the proposed development (Hatch Roberts Day 2022, p.56-57)

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Principle 8: Housing Diversity and Social Interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.

Commentary

The proposed residential dwellings in the Concept Plan include apartments and three (3) storey terraces. The Social Infrastructure and Community Uses Demand Assessment has not been updated with the amended PP (May 2022) and therefore there is no information with regards to the distribution of 1, 2 and 3 bedroom apartments in the amended Concept Plan.

With regards to affordable housing, the Economic Impact Assessment, which has not been updated to reflect the current proposal, states “the Planning Proposal would provide 53 affordable housing dwellings – a mix of 1, 2 and 3 bedroom units – at a 25% discount to the prevailing market price. It is anticipated that some of these dwellings would fall within the price bands that would qualify for stamp duty relief from the NSW State Government, further improving their affordability to first home buyers” (HillPDA 2019, p.26).

The Sydney Eastern City Planning Panel (SECPP) recommended that a minimum of 10% affordable housing is to be provided in perpetuity. The Draft Affordable Housing Contributions Scheme identifies a 10% contributions rate. The number of affordable housing units is calculated as “10% of the total residential GFA” (HillPDA 2019, p.7). The total residential GFA is given in the amended PP (May 2022) as approximately 29,000m² however the architectural

Concept Plans indicate approximately 39,000m² of residential GFA. A development with 29,000m² of residential GFA plus 10,000m² of non-residential GFA would generate an overall site FSR of approximately 1:1 which is not what the amended PP (May 2022) is seeking.

Conclusion

It is recommended that the amended PP (May 2022) includes the residential GFA and distribution of apartment and dwelling types, including affordable housing in the proposed development in order to clarify the diversity of housing proposed.

It is also recommended that an updated Sustainability Strategy be included within the amended PP (May 2022) in order to ascertain the adherence of the proposal to sustainability standards.



CHAPTER 4
RECOMMENDATIONS

04 RECOMMENDATIONS

4-1 Overview

The Concept Plan in the amended PP (May 2022) is the result of considerable effort by a skilled and experienced team of consultants. A number of the ideas in the amended PP (May 2022) are attractive and desirable, including the provision of open space that is publicly owned and zoned for public recreation along the waterfront, two new access roads across the site, retention and local listing of part of the industrial heritage, and the desire to include a mix of uses on the site, including retail that will service local needs and the retention of some light industrial uses on the site

The critical issue for the redevelopment and rezoning of this site and the proposed change in the planning controls is the scale and density of the proposed development, particularly the proposed FSR.

A conventional approach to redeveloping this site would take a 'business as usual' approach which demolishes all of the industrial buildings on the site, with redevelopment that follows the pattern set by other development of similar sites in the area with a mix of 2-6 storey development and an FSR of 0.75:1.

A different future is outlined in the amended PP (May 2022) which envisages retaining some of the heritage fabric, including the landmark Central Roasting Hall and combining this with high density development with an FSR of 1.25:1 which is significantly higher than the FSR of Pelican Quays, the existing development on the eastern side of the site.

While much of the Concept Design in the amended PP (May 2022) is generally supported, key issues identified from an urban design perspective include heritage, FSR and land use, and recommendations around these topics have been further discussed in this chapter.



Figure 56 View from Harmony Point looking south towards the site shows the scale of the development in contrast to the surrounding area (Hatch Roberts Day 2022, p.61)

04 RECOMMENDATIONS

4-2 Heritage

Emphasis is given in the amended PP (May 2022) to the importance of the industrial heritage of the site and the opportunity to create something unique and special by retaining key buildings on the site. This is clearly reflected in the detailed consideration of heritage provided in the Heritage Listing Nomination Report.

The nomination of the Former Bushells Factory Building, including the Central Roasting Hall, the chimney stack, the 'B' sign on the facade and the landscaped setting, for local heritage listing within the Canada Bay Local Environmental Plan 2013, is supported from an urban design perspective as it is part of the local character of the area and provides a visual reminder to the history of the area.



The Central Roasting Hall is considered a recognisable landmark in the local area by the heritage report

The Heritage Listing Nomination Report emphasises the importance of maintaining the landscape setting of the factory. However, the amended PP (May 2022) does not outline how the 'landscape setting' of the site will be retained. It is recommended that the area of the 'landscaped setting' be defined prior to the heritage listing of this site in order to ensure that the 'Factory in a Garden' setting of the site is retained. If more detailed heritage advice considers that development will impact on the 'landscape setting', the proposal would need to be altered and this is likely to reduce the maximum FSR achievable on the site.

As stated previously, retention of the industrial buildings may provide some justification to allow a small increase in height and FSR compared to adjoining sites. It is also recommended that the site-specific Development Control Plan for this site is strengthened with regards to the detailed objectives, controls and provisions for the conservation, adaptive reuse and interpretation of the heritage item. Recommendations from Council's heritage advisor include:

- An objective about understanding the heritage values of the place – eg To ensure that changes to the Bushells building are guided by a clear understanding of the heritage values of the place.
- The DCP should include a control that requires a heritage interpretation plan to be submitted with a DA.
- The DCP should include an objective to celebrate the site's industrial heritage.
- The DCP should have a control that requires compliance with the controls in Part D2 of the Canada Bay DCP.

04 RECOMMENDATIONS

4-3 Foreshore Building Line

The amended PP (May 2022) suggests that the 'Foreshore Building Line Map Sheet 004' of the CBLEP 2013 be "Amend(ed) to apply to the portion of the site proposed to be zoned RE1 Public Recreation. No change to the written instrument is proposed". However, the Foreshore Building Line in the PP (May 2022) LEP map (Figure 57), appears to be inconsistent with the proposed RE1 Public Recreation area/ boundary shown in the architectural Concept Plans. It is recommended that the precise location of the RE1 boundary is clarified by the applicant and provided to Council.

Studio GL also recommends adjusting the proposed Foreshore Building Line so that it clearly defines the proposed maximum building footprint. This modification is shown by the navy line in Figure 58. This will strengthen the planning controls and further ensure no built form occurs beyond the building envelopes proposed in the Concept Plan.



Figure 57 Proposed Foreshore Building Line, LFA 2022

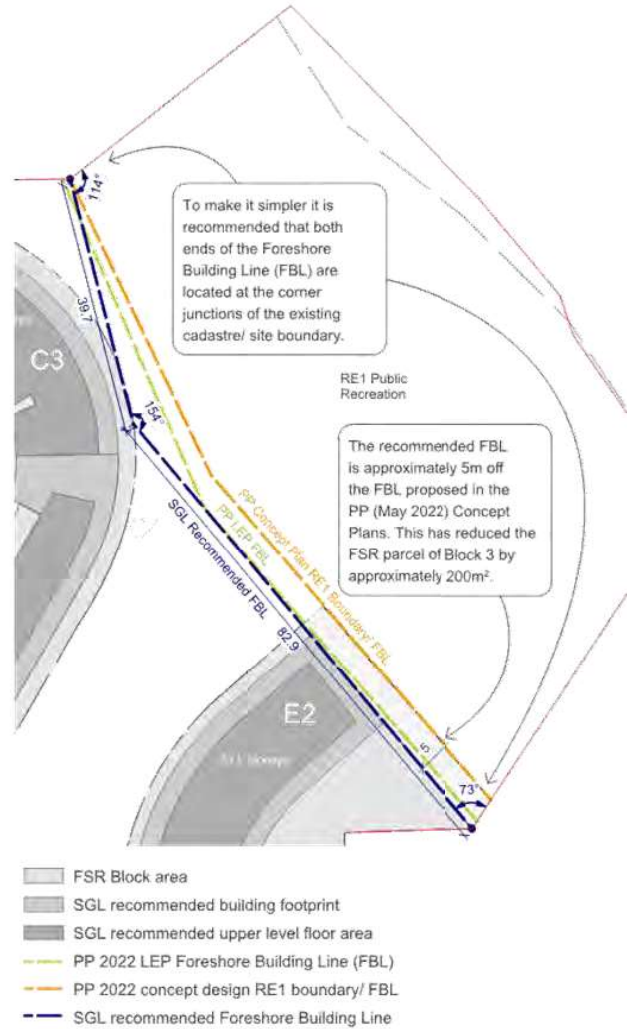


Figure 58 Recommended Foreshore Building Line, annotated, Studio GL, 2022

04 RECOMMENDATIONS

4-4 Land Use

The amended PP (May 2022) incorporates a mix of B1 Neighbourhood Centre, R3 Medium Density Residential, and RE1 Public Recreation which is supported.

It is recommended that the proposed B1 Neighbourhood Centre zone and the light industrial uses is relocated off Burwood Road to be fully within the site and to ensure activation of the waterfront occurs. In recognition of the Retail Demand Assessment it is accepted that it needs to be closer to Burwood Road and accessible and visible from Burwood Road. The reinstatement of residential terrace dwellings along Burwood Road, instead of retail uses, is recommended as they are more compatible with the neighbouring residential character and surrounding low density dwellings.

The provision of light industrial within the proposed B1 Neighbourhood Centre zone is supported, however, close attention needs to be given to the servicing, access and realistic functioning of these services. It is recommended that 'mixed light industry, new economy or creative uses' are encouraged and ideally, these should be located within the retained Central Roasting Hall building. It is recommended that careful consideration is given to the interface between residential and urban services / light industry spaces in terms of building design, vehicular access and services and mitigation of any adverse environmental impacts.

The amended PP (May 2022) seeks 'Commercial Premises' to be an additional permitted use within the R3 Medium Density Residential zone. Allowing additional uses in specific parts of the site zoned R3 Medium Density is supported but the clause applying additional permitted uses should be limited to office premises, shops and restaurants or cafes.

The rezoning of the proposed public space along the foreshore as RE1 Public Recreation is considered good practice and is supported. While the overall quantum of open space provided is important, the quality, accessibility and activation of the open space will be equally as important. The redevelopment of a north facing waterfront site provides a rare opportunity to increase the amount of high amenity water-facing open space which will allow more residents of Concord, and the City of Canada Bay, to enjoy the exceptional amenity of the local area.

An amendment to the proposed Land Zoning Map can be found at Figure 60. The recommended change to the LEP map increases the amount of land zoned B1 (an increase of approx. 2,000m²), however this additional area does include roads (approx. 750m²) and the 12m side setback between the eastern site boundary and buildings E2/E3 (approx. 1,000m²).



Figure 59 Proposed Land Zoning LEP map (Source: LFA 2022, p49)



Figure 60 Recommended Land Zoning map prepared by Studio GL, 2022.

04 RECOMMENDATIONS

Given the limited demand identified in the Retail Demand Assessment (Hill PDA, 2019), it is recommended that the amount of non-residential uses on the site is reduced from 10,000m² to no more than 7,500m². Of this, 3,000m² of the non-residential uses is required to be light industrial uses, with the remainder to serve as other convenience retail and commercial services such as a small format supermarket, specialty food and restaurants. There is also opportunity to include a gym, childcare and/or a community facility that could help to activate the location.

Reducing the quantum of non-residential uses to much less than 7,500m² would alter key design elements and the bulk and scale of the recommended scheme. For example, approximately 1000m² of non-residential floor space is allocated on Level 01, 02 within the existing Central Roasting Hall. This space is internal with limited opportunities for natural ventilation and solar access and can not easily be converted to residential. Non-residential uses are also required to activate the foreshore park. The reduction in non-residential floor space can occur in Blocks 2 and 5 as shown in Figure 62.

Recommended modifications to the local clause '6.14 Non-residential uses for 160 Burwood Road, Concord' are highlighted in blue below.

....(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—

- a) a minimum provision of ~~40,000~~ 7,500 square metres of non-residential gross floor area is provided.
- b) a minimum provision of 3,000 square metres of light industrial floor space area is provided.
- c) shops have a maximum gross floor area of 1,000 square metres per tenancy; and
- d) light industrial uses are located on the ground floor (inclusive of the lower and upper ground floor) and provide floor to ceiling heights, servicing and access that accommodate the activities and equipment of the light industrial use(s).

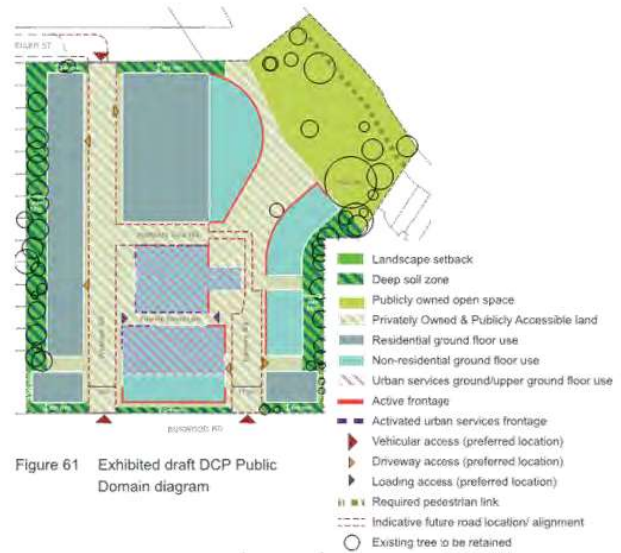


Figure 61 Exhibited draft DCP Public Domain diagram



Figure 62 Suggested changes to draft DCP Public Domain diagram incorporating Studio GL recommendations

04 RECOMMENDATIONS

4-5 Height

The majority of development in the area immediately around the site, and the wider area around Canada Bay and Exile Bay, is only one to two (1 to 2) storeys high. This low scale, horizontally dominant context has created the situation where the existing Central Roasting Hall (approximately 13 storeys high) and its narrow chimney and clearly visible 'B' is able to become a recognisable landmark above the lower scale of surrounding development.

It is accepted that, should the Central Roasting Hall building be retained, it creates a context where a five to six (5 to 6) storey maximum height, similar to the maximum height on the adjoining site to the east, is possible. The maximum six (6) storey height in the amended PP (May 2022) is considered appropriate.

The amended PP (May 2022) proposed height of building map (Figure 63) generally locates lower building heights along the western and southern boundaries where the site adjoins lower density housing and locates taller heights centrally to the site and adjoining the golf course and proposed new open space. This approach is supported.

The maximum building heights in the proposed amended LEP map identified in the PP (May 2022) are greater than needed to accommodate the proposed built form and could, potentially, encourage even taller development in the future. To avoid this the following is recommended (as shown in Figure 64):

- Three (3) storey development is to have a maximum building height of 11m not 12m.
- Four (4) storey development can remain at 15m. This is higher than is typical to accommodate industrial uses on the ground floor.
- Five (5) storey apartments can remain at 17m.
- Five (5) storey mixed use can remain at 18m.
- Six (6) storey mixed use development is to have a maximum height of 20m not 21m.
- The Central Roasting Hall block (Block 4) is to have a maximum building height of 20m. This will accommodate six (6) potential storeys of development and also allow the nine (9) storey Central Roasting Hall building to be renovated at its existing height if it is retained. A bonus FSR of 0.15:1 is also recommended if the Central Roasting Hall is retained (see also Chapter 4-6 FSR).



Figure 63 Proposed Height of Building map (Source: LFA 2022, p49)



Figure 64 Recommended Height of Building map prepared by Studio GL, 2022. LFA planning proposal LEP boundaries shown to illustrate changes

04 RECOMMENDATIONS

- Road reserves should not be assigned a building height to achieve greater certainty in the location of built form across the site.
- The northern boundary of the 11m maximum building height in Block 3 should shift north approximately 6m from the boundary shown in the amended PP (May 2022). This would not impact the proposed concept plan building envelopes but provides stronger controls to ensure a 17m building height does not encroach closer to Burwood Road.
- To reduce the scale of buildings it is recommended that an upper level setback is required for buildings along sensitive interfaces over 4 storeys high.

Suggested changes to the LEP maximum building heights will also impact the draft DCP building envelope diagram (see Figure 65). Similarly, the draft DCP control sections are recommended to be updated to reflect the suggested reduction of building heights as shown by the red line in Figure 66 and Figure 67.

The proposed building heights (in storeys) shown in the exhibited Draft DCP diagram (Figure 65) are supported. It is recommended to add upper level setbacks to this DCP diagram for buildings as shown in Studio GL's recommended site layout (Figure 72).

Generally, the minimum setbacks, road reserves and separation distances presented in the draft DCP building envelope diagram are supported and it is recommended that the controls be adopted and reflected in future design development.

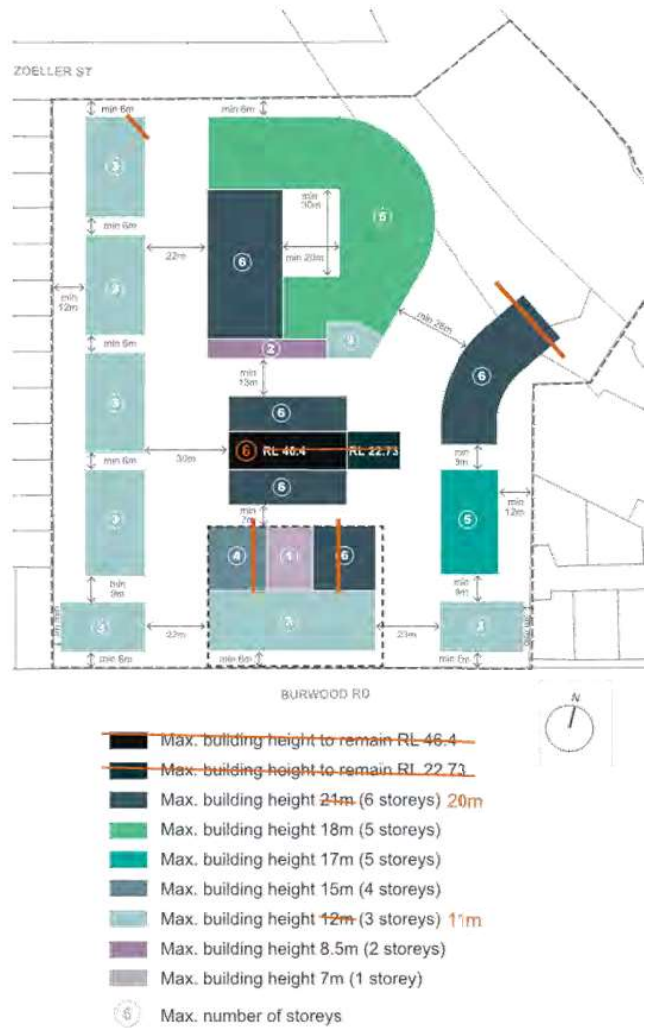


Figure 65 Draft DCP Building Envelope Diagram annotated with Studio GL recommendations where changes are suggested in orange

04 RECOMMENDATIONS

4-5 Height

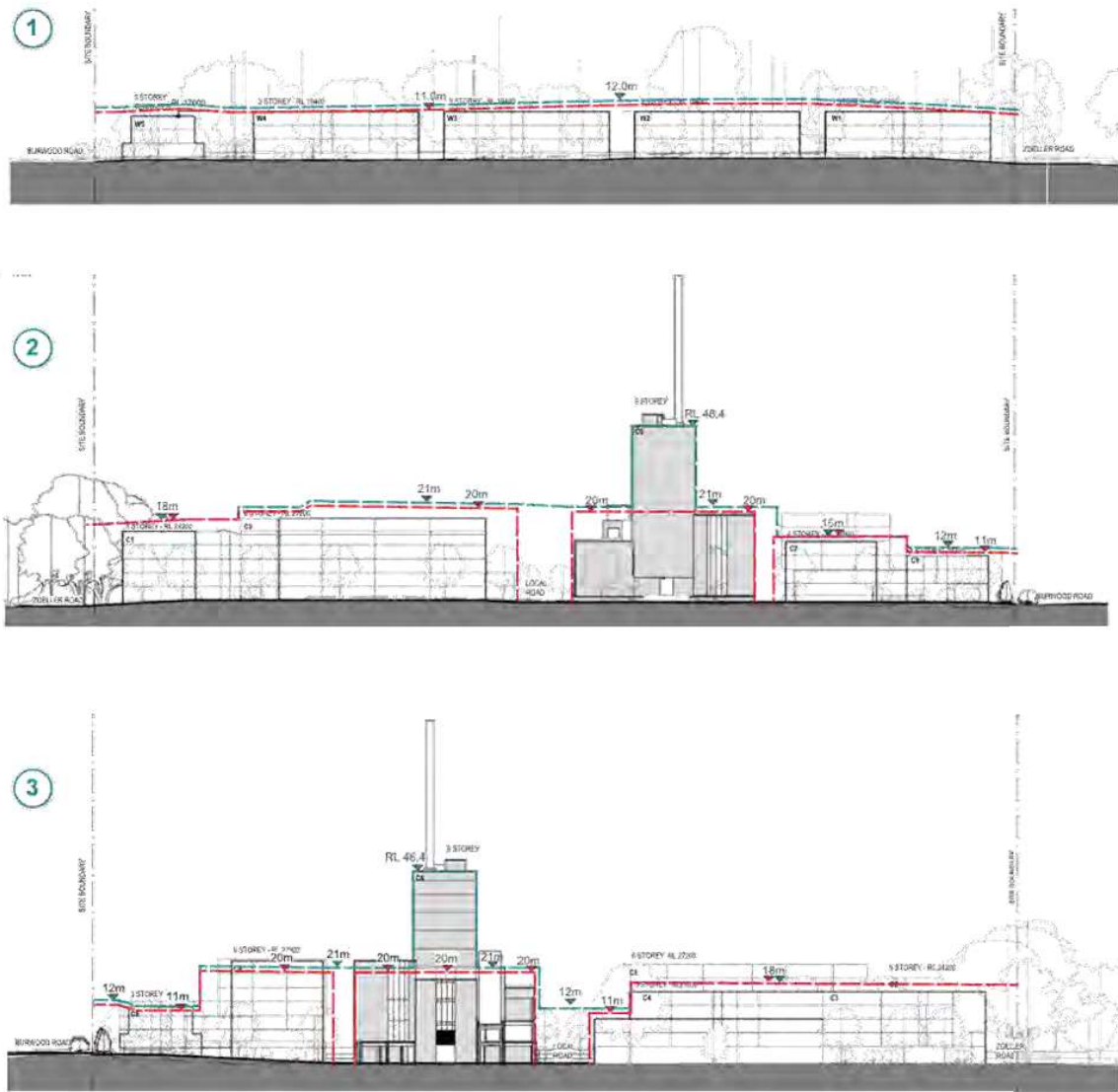


Figure 66 Concept Plan elevations (BVN 2022) overlaid with PP (May 2022) LEP maximum Height of Building (in blue) and Studio GL's recommended maximum LEP building heights 2022 (in red)

04 RECOMMENDATIONS

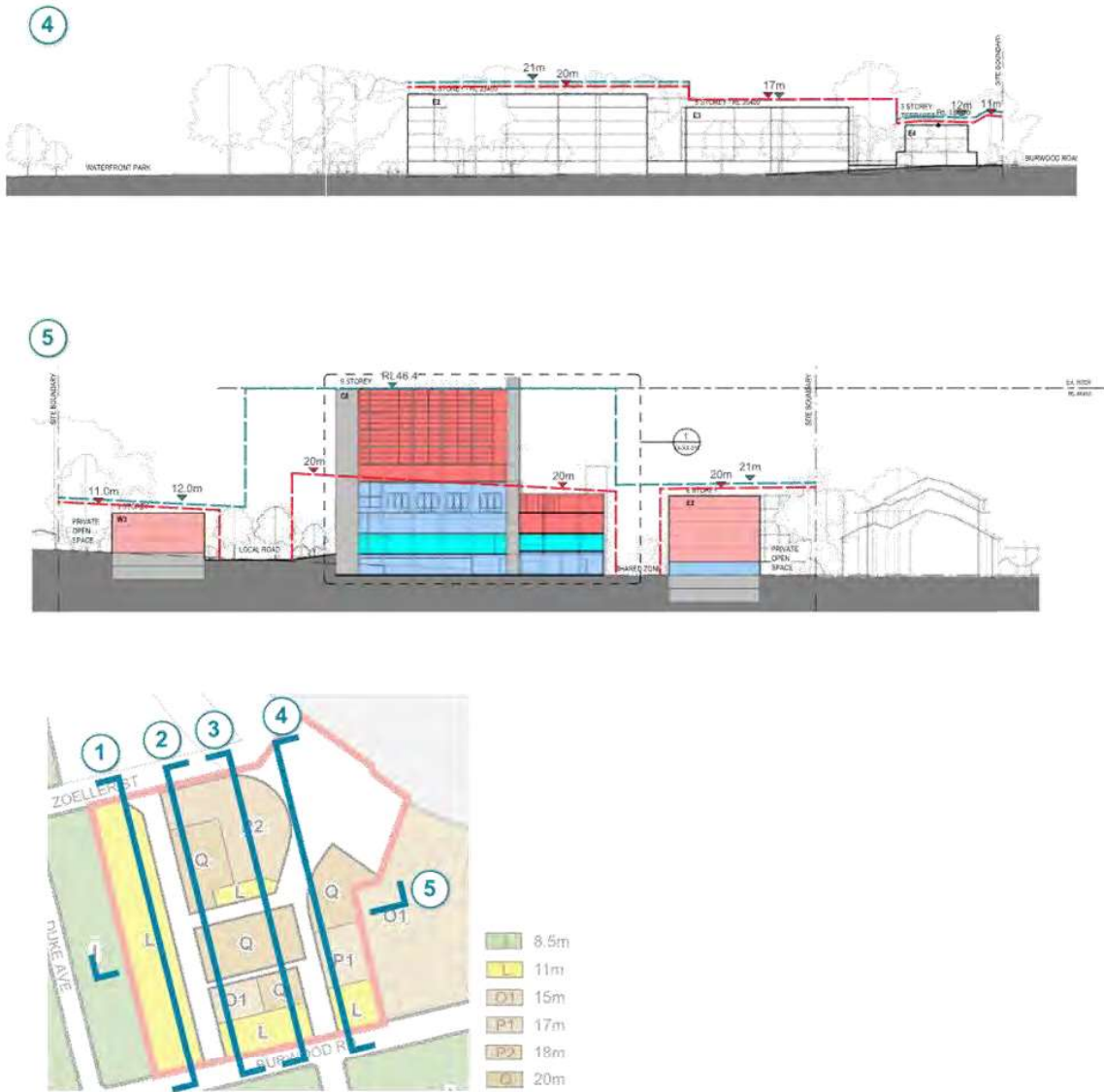


Figure 67 Concept Plan elevation and section (BVN 2022) overlaid with PP (May 2022) LEP maximum Height of Building (in blue) and Studio GL's recommended maximum LEP building heights 2022 (in red)

04 RECOMMENDATIONS

4-6 FSR

The amended PP (May 2022) is seeking a gross FSR of 1.25:1, however a typical gross FSR for development of former industrial sites in the area is 0.75:1. This proposal is seeking a significantly higher FSR than that of similar sites in the area.

The FSR proposed by the amended PP (May 2022) reflects the proposed Concept Plan building massing which does not appear to include balconies. Providing balconies, as required by the Apartment Design Guide, will either increase the bulk of the development or reduce the overall GBA and therefore the FSR of the development. In order to set a realistic FSR, the provision of balconies and their contribution to bulk and scale should be considered as part of the planning proposal. It is also recommended that building depths that are greater than 18m deep are reduced to create higher amenity units within the proposed heights. Reducing building height, length and depth and requiring upper level setbacks will further reduce the maximum FSR that is achievable on this site.

While a small bonus FSR could be desirable to ensure the listing, retention and refurbishment of the Central Roasting Hall and to ensure its long term survival, any bonus should be limited and must have regard to other urban design considerations including local character. If a gross FSR is used it must reflect large areas of land allocated to open space and roads.

The gross FSR should also identify a minimum non-residential FSR to encourage development of the less lucrative, but desirable, uses on the site such as industrial uses and a small supermarket, cafés etc. The non-residential FSR should not be able to be transferred to residential uses which would create additional bulk and scale and provide fewer benefits for the local area.

It is recommended that a gross residential FSR of 0.77:1 (30,500m²) is appropriate for this site which is similar to other rezoned industrial sites. An additional non-residential FSR of 0.19:1 (7,500m²) is required to help activate the site. Of this, a minimum of 3,000m² is to be light industrial to retain some light industrial uses on the site. This results in an overall site FSR of 0.96:1 (approx 38,000m²).

A bonus is recommended if the Central Roasting Hall is retained and restored. This bonus should be allocated to Block 4, where the Central Roasting Hall is located, and would increase the FSR of this site from 1.0:1 (approx. 3,000m²) to 3.0:1 (approx. 8,900m²). This would increase the overall gross site FSR by 0.15:1 to 1.11:1 (approx. 43,900m²).



Figure 68 Proposed FSR map (Source: LFA 2022, p49)
*Numbering of categories will need to be amended to accommodate the new block-by-block FSR controls

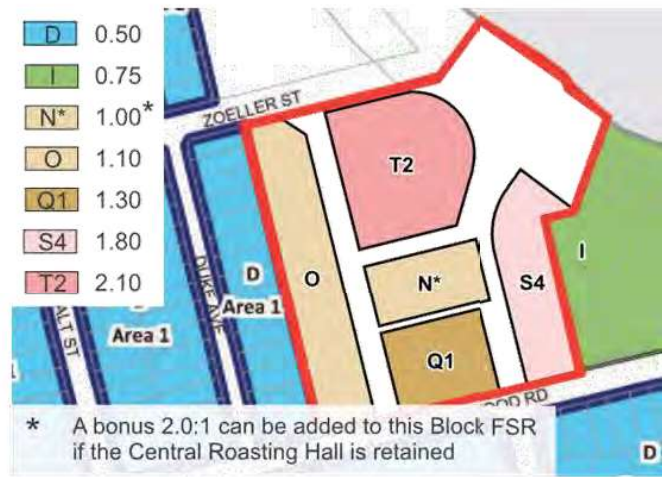


Figure 69 Recommended FSR map prepared by Studio GL, 2022

04 RECOMMENDATIONS

Studio GL has also prepared a recommended amended site layout (Figure 72) that reduces the overall building depths, accommodates balconies within the building envelopes, increases building setbacks and introduces upper storey setbacks. These changes show a maximum permissible density of 1.11:1 (43,900m²) as shown in Figure 70.

It is recommended that FSR in the CBLEP is identified per block to ensure lower FSRs are located next to the sensitive interfaces with higher FSR for Block 5 and the Central Roasting Hall similar to the diagram shown in Figure 69. These recommendations should also be reflected in the draft DCP FSR Block diagram as suggested in Figure 71.

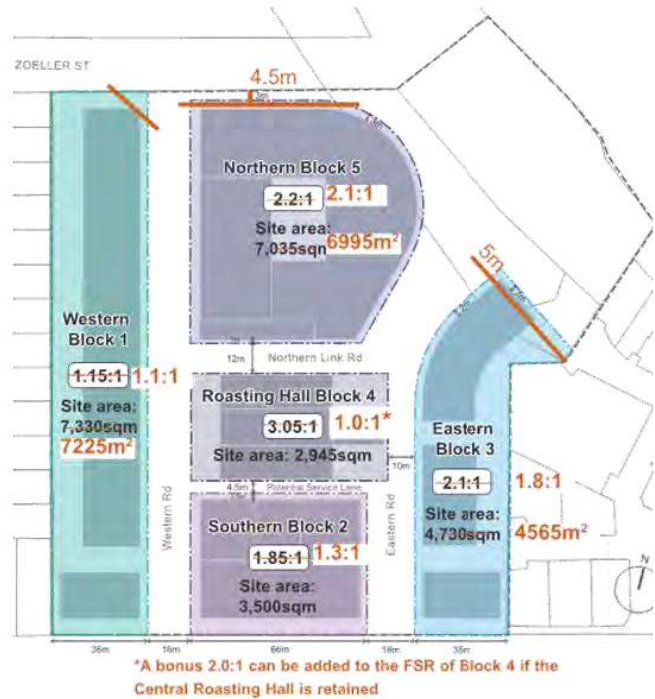


Figure 71 Draft DCP FSR Block Diagram annotated with Studio GL recommendations where changes are suggested in orange

		E-Amended Arch Drawings (BVN May 2022)	Studio GL recommendations Suggested layout 2022 without heritage FSR bonus	Studio GL recommendations Suggested layout 2022 with heritage FSR bonus
Block 1 Env W1-W5	Height	3 storeys	3 storeys	3 storeys
	Total GFA (combined*)	8,204	7,833	7,833
	FSR (net per block)	1.15	1.1	1.1
Block 2 Env C7-C9	Height	3-6 storeys	3-6 storeys	3-6 storeys
	Total GFA (combined*)	6,317	4,379	4,379
	FSR (net per block)	1.85	1.3	1.3
Block 3 Env E1-E4	Height	3-6 storeys	3-6 storeys	3-6 storeys
	Total GFA (combined*)	9,771	8,292	8,292
	FSR (net per block)	2.10	1.8	1.8
Block 4 Roasting Hall	Height	9 storeys	9 storeys	9 storeys
	Total GFA (combined*)	8,921	2,987	8,921
	FSR (net per block)	3.05	1.0	3.0
Block 5 Env C1-C5	Height	2-6 storeys	2-6 storeys	2-6 storeys
	Total GFA (combined*)	15,339	14,484	14,484
	FSR (net per block)	2.20	2.1	2.1
Total GFA		48,552	37,975	43,909
Total Gross FSR		1.23	0.96	1.11
Total Site Area		39,558		

Figure 70 Height, GFA, and FSR comparison table, 2022

04 RECOMMENDATIONS

4-7 Recommended Site Layout

Studio GL's recommended site layout is shown in Figure 72 with key commentary below.

- 1 Modified Zoeller St entry**

To reduce the loss of golf course area, heritage land and public land, an alternative to the extension of Zoeller St may be required. To ensure a legible road network the connection should be visually and physically continuous and minimise deviations. The suggested connection into Zoeller St shown here, results in a modification of the footprint of building W1 and the FSR parcel of Block 1.
- 2 Setbacks to Massey Park Golf Course**

Setback the FSR parcel boundary of Block 5 4.5m (rather than 3m) from the northern boundary to safeguard public pedestrian access along this boundary and accommodate footpaths and landscaping. This is to provide public pedestrian access along this boundary if Zoeller St can not be extended. The minimum building setback from the northern site boundary to buildings W1, C1 and C2 should remain at 6m.
- 3 Upper level setbacks**

The PP (May 2022) Concept Plans illustrate setbacks for the upper two storeys of the terrace typologies along Burwood Road. This is supported as it helps reduce the bulk and scale of the three storey terraces along this interface.

Studio GL also recommends upper level setbacks for apartment buildings as shown in Figure 72 for buildings generally over 4 storeys. This will help reduce the overall bulk and scale, minimise overshadowing and reduce the sense of enclosure for pedestrians at street level.
- 4 Building widths and separation distances**

As shown in Figure 72, Studio GL recommends reducing some of the overall building depths shown in the concept designs to accommodate balconies within the building envelopes and avoid encroachments into the sensitive side setbacks.

Separation distances should also be increased as suggested in Figure 72 where they do not achieve the minimum criteria set out in the Apartment Design Guide.
- 5 Built form along Burwood Rd**

Studio GL recommends that the Concept Design reverts to terraces along Burwood Rd to replace the retail uses proposed in Block Two. This will be more compatible with the neighbouring residential character and will improve the amenity and privacy of the surrounding low density dwellings and provide greater opportunity for screen landscaping. It is also recommended that the building footprints of Buildings C7 and C8 are reduced to the south of the 9 storey Central Roasting Hall as the proposed development is very close and will receive minimal solar access.
- 6 Primary site entrance opposite Marceau Drive**

The proposed new urban structure creates an efficient, legible and finer grain block structure which is more permeable for pedestrian and vehicles.

The proposed primary site entry is located at the intersection of Burwood Rd and Marceau Dr which is currently serviced by a roundabout. The technical specifications and traffic impacts of this entry will need to be assessed by a traffic expert, however from an urban design perspective the location of this site entry and new road is supported as it assists in integrating the new development into the exiting street network and provides new visual links from Marceau Drive to the Central Roasting Hall and a new direct connection to the waterfront.
- 7 Foreshore Building Line**

The exact location and dimensions of the proposed Foreshore Building Line vary slightly between the proposed Concept Plans and LEP maps in the PP (May 2022). It is recommended that an amended Foreshore Building Line be established that more closely defines the proposed building envelopes to reduce any potential encroachment closer to the water. The suggested change would slightly reduce the FSR area of Block 3 and the footprint of building E2.

04 RECOMMENDATIONS



Figure 72 Recommended site layout prepared by Studio GL with building envelopes used to calculate FSR

- FSR Block area
- SGL recommended building footprint
- SGL recommended upper level floor area
- PP 2022 concept design building footprint
- Non-residential ground floor use
- PP 2022 LEP Foreshore Building Line (FBL)
- PP 2022 concept design RE1 boundary/ FBL
- SGL recommended Foreshore Building Line



APPENDIX

APPENDIX

Case studies: redeveloped industrial sites in Canada Bay

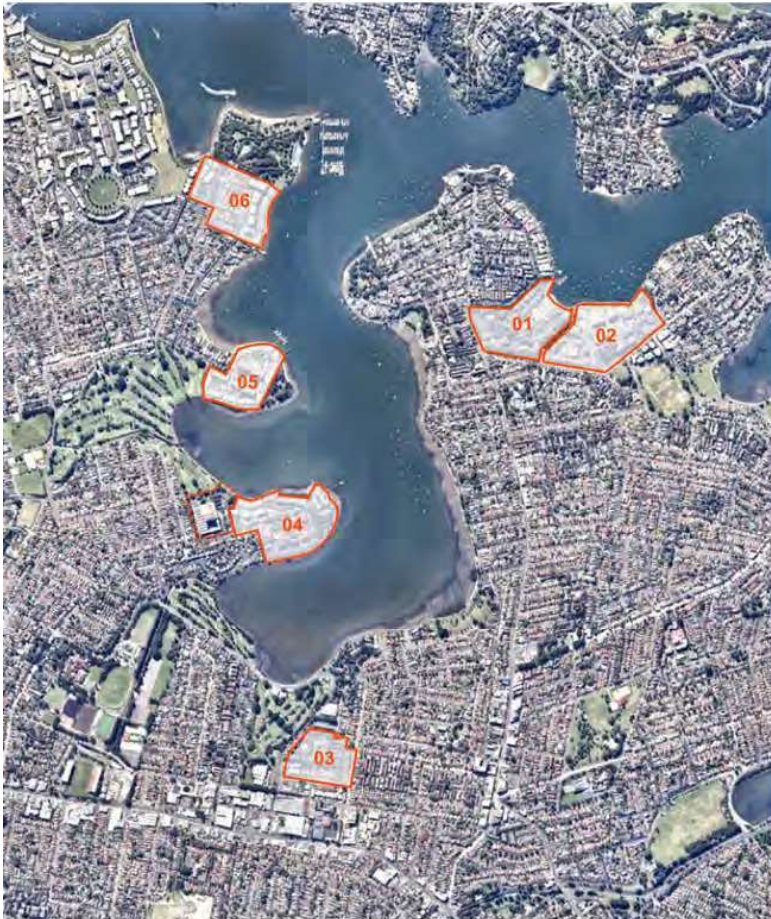


Figure 73 Overview map of redeveloped industrial sites in Canada Bay

The Canada Bay Development Control Plan, Part 8 Heritage, notes that "the late twentieth century has seen the most dramatic change to the Council area with the rehabilitation and redevelopment of many of the large industrial sites. Most of these have been replaced with medium density residential and commercial developments that enjoy the proximity of the sites to Parramatta River".

The adjacent shows six former industrial sites in the Canada Bay LGA that have been redeveloped in recent times. The sites range from 6 to 11ha in size. With the exception of Site 03 (Kings Bay), all sites have a water frontage to Sydney Harbour. The following pages outline key data for each site, including the applied FSR and maximum building height.

APPENDIX

Site 01 - Abbotsford Cove (former Nestle site)

Max. building height	8.5 to 17m
Max. FSR	0.65:1 (estimated)
Land use zone	R3
Predominant typology	Apartments, townhouses
Retained heritage items	Yes
Total site area	9.5 ha

Site 02 - Sydney Wire Mill Site, Chiswick

Max. building height	8.5 to 17m
Max. FSR	0.7:1
Land use zone	R3
Predominant typology	Apartments, townhouses
Retained heritage items	No
Total site area	11 ha



Figure 74 Location map



Figure 75 Location map



Figure 76 Aerial photo (source: nearmap.com)



Figure 77 Aerial photo (source: nearmap.com)

APPENDIX

Site 03 - Kings Bay (former Hycraft site)

Max. building height	8.5 to 20m
Max. FSR	0.7:1
Land use zone	R3, RE1
Predominant typology	Apartments, multi-level
Retained heritage items	No
Total site area	6 ha



Figure 78 Location map



Figure 80 Aerial photo (source: nearmap.com)

Site 04 - Pelican Point, Pelican Quays & Phillips Landing

Max. building height	15m
Max. FSR	0.75:1
Land use zone	R3
Predominant typology	Apartments
Retained heritage items	No
Total site area	10 ha



Figure 79 Location map



Figure 81 Aerial photo (source: nearmap.com)

APPENDIX

Site 05 - Cape Cabarita

Max. building height	8.5 to 17m
Max. FSR	0.7:1
Land use zone	R3
Predominant typology	Apartments, townhouses
Retained heritage items	No
Total site area	7 ha



Figure 82 Location map



Figure 84 Aerial photo (source: nearmap.com)

Site 06 - Edgewood & Kendall Inlet (fmr Dulux Site)

Max. building height	11m
Max. FSR	0.7:1
Land use zone	R3
Predominant typology	Apartments
Retained heritage items	Yes
Total site area	9.8 ha



Figure 83 Location map



Figure 85 Aerial photo (source: nearmap.com)





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CITY OF CANADA BAY

Development Control Plan

Part B

General Controls

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B1 Accessibility

B1.1 Adaptable housing

Adaptable Housing is accommodation that is specifically designed to enable easy modification in the future for occupation and visitation by people with disabilities or progressive frailties. It is designed in accordance with the minimum standards for accessibility but is not designed as special purpose housing such as institutional care. Adaptable housing therefore can suit the needs of many different people, including people with a current disability and people who will acquire disabilities gradually as they age. Adaptable housing is also often attractive to people who prefer open plan type living, or those with children.

Typically, the provision of adaptable housing has been perceived to be onerous on developers. However, it has been demonstrated that the additional cost of incorporating adaptable features is in most cases not more than 5% - in fact nil in many cases. This initial cost is more than outweighed by the benefits of providing adaptable housing which include:

- a) reduced costs of future modifications, which are often costly, to suit people with disabilities or increasing frailties; and
- b) a wider range of people are able to access adaptable homes, thereby making them more visitable; and
- c) residents are able to stay in their homes and use the same services as well as maintain the same support networks despite their changing needs; and
- d) many adaptable features make homes safer for people of all ages and abilities.

Adaptable housing units should be constructed to meet the performance requirements and are to include the essential features as required by AS4299 at the rates specified in Table B-A for developments that include a lift. Where the total number of adaptable housing units to be provided is not a whole figure, the figure is to be rounded up to the next whole figure.

Objectives

- O1. To ensure that a proportion of all new apartment developments are adaptable and accessible.

Controls	
C1.	Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes.
C2.	Adaptable housing units are to be located close to the main entrance of a building and access to adaptable housing units must comply with Australian Standards.
C3.	Adaptable housing units, and internal and external common areas, are to be designed to Australian Standard AS 4299-1995, to accommodate varying degrees of physical ability over time.
C4.	Provide adaptable housing as specified in Table B-A.
C5.	Where a car parking space is to be provided in connection with an adaptable unit, that parking space is to be accessible.

Table B-A Adaptable housing ratios

Total number of dwellings	Minimum number of adaptable dwellings to be provided
Between 0 and 7 inclusive	Nil
Between 8 and 14	1 dwelling
Between 15 and 21	2 dwellings
Between 21 and 29	3 dwellings
30 or more	15% of total dwellings

* Note: Where the total number of adaptable housing units to be provided is not a whole number, the number is to be rounded to the nearest whole number.

CITY OF CANADA BAY

Development Control Plan

Part B

General Controls

B1.2 Accessible Design

Accessible design aims to create an inclusive and accessible city for all. By improving access to the built environment for people with disability, wider community benefits result, providing increased opportunities for people to participate. This part of the DCP aims to provide non-discriminatory, equitable and dignified access for everyone in the City.

- O1. To ensure that the public domain of new development provides equitable, safe and legible access for everyone.
- O2. To provide equitable access and facilities for all people to all new development and upgraded or intensified uses in existing buildings.
- O3. To minimise access barriers in all new developments
- O4. To ensure consideration of access issues early in the development design process

Controls	
C1.	All development must comply with the following: <ul style="list-style-type: none"> a) All Australian Standards relevant to accessibility; b) Building Code of Australia access requirements and c) Disability Discrimination Act 1992, including the Disability (Access to Premises – Buildings) Standards 2010. <p>Note: Refer to Council's accessible guidelines / check list.</p>
C2.	Developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.
C3.	Shade and shelter in the form of a verandah; porch, portico or the like is to be provided for weather protection in external areas leading to principal pedestrian entrances.

C4.	Publicly accessible buildings that allow gathering of people are to provide accessible seating spaces for a wheelchair and person using an assistance animal.
C5.	Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available.
C6.	Encroachment onto public land to achieve access requirements is generally not permitted except when: <ul style="list-style-type: none"> a) access by other means will result in a substantial loss of original fabric of a heritage-listed property impacting on the heritage significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available; or b) the proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available.
C7.	Access for pedestrians and vehicles are to be separated.
C8.	Access arrangements are to be: <ul style="list-style-type: none"> a) integral with the overall building and landscape design and not appear as 'add-on' elements or as of secondary importance; b) as direct as possible; and c) designed so that a person does not need to summon help.
C9.	Required egress routes in residential development are to allow for safe escape for persons with a disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments.
C10.	In achieving accessible design, buildings and public spaces are to be accessible and the proposed path of travel must meet Australian standards and remove barriers to access.

B2 Telecommunications and radiocommunications

The provisions in this section apply to telecommunications and radio-communications infrastructure (including broadcasting infrastructure covered under the Telecommunications Act 1997 and the Radio communications Act 1992), within the City of Canada Bay Council Local Government Area (LGA).

The City of Canada Bay Council (Council) is the consent authority for facilities that require development consent under the terms of the Environmental Planning and Assessment Act 1979. These are the facilities that are referred to as "not low impact facilities".

Council does not have regulatory control over "low impact facilities". These are facilities described in the Telecommunications (Low Impact Facilities) Determination 1997 (LIF Determination), which exempts low impact facilities from State and Territory planning and environmental laws.

The Telecommunications and Radiocommunications controls of this DCP provide:

- controls for the siting, design and installation of telecommunications and radiocommunications facilities that require development consent from Council; and
- guidelines for telecommunications carriers for the siting, design and installation of "low impact" facilities.

B2.1 To what facilities does this Part apply?

This Part of the DCP applies to any fixed transmitter, its supporting infrastructure and ancillary development under the following legislation:

- Telecommunications (Low-impact Facilities) Determination 1997 [LIF Determination];
- Telecommunications Act 1997, and
- Radiocommunications Act 1992.

The DCP does not apply to temporary emergency services.

B2.2 What is the purpose of this Part?

The purpose of this Part is:

- to provide a consistent and integrated planning framework that addresses the community's interests in the effective and efficient provision of telecommunications and radio communications infrastructure so that it achieves environmental, economic and social sustainability in the short, medium and long term;
- to provide a consistency of approach which benefits carriers, community and councils;
- to balance the needs of different stakeholders, including the community/ industry/ local, state and federal governments, and
- to provide guidance to carriers about Council's requirements for:
 - a) site selection
 - b) lodging an application
 - c) conducting community consultation.

Objectives

The Objectives of this plan are:

- O1. Social
- to apply a precautionary approach to the deployment of radiocommunications infrastructure; and
 - to minimise EMR exposure to the public; and
 - to avoid community sensitive locations; and
 - to ensure that the general public and local communities have access to telecommunications technology; and
 - to achieve equity for the various stakeholders by endeavouring to balance their various needs; and
 - to enable members of the public to adequately identify infrastructure and the agencies responsible for them; and
 - to provide mechanisms by which information can be disseminated to ensure that the community is adequately informed and empowered to participate in the planning/decision-making process.

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O2. Environmental

- to help implement principles of urban design in respect to telecommunications and radio communications infrastructure; and
- to promote good industrial design of infrastructure;
- to provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons; and
- to minimise adverse impacts on the natural environment; and
- to assess whether the proposed infrastructure is consistent with the amenity of the area; and
- to restore the site after discontinuation or removal of infrastructure.

O3. Economic

- to identify the type of land use areas suitable for infrastructure in a local government area; and
- to accommodate the planning requirements of new technology; and
- to provide equitable availability of locations to carriers; and
- to assess whether the proposed infrastructure is consistent with permitted development in adjacent areas; and
- to ensure reasonable access to telecommunications technology; and
- to provide certainty for stakeholders and a consistent approach to the implementation/assessment of telecommunications infrastructure.

O4. Administrative

- to ensure that Council obtains information about existing and proposed infrastructure to assist with strategic planning.

B2.3 Design controls

Visual amenity

Controls	
C1.	Carriers are to design antennas and supporting infrastructure in such a way as to minimise or reduce the visual and cumulative visual impact from the public domain and adjacent areas.
C2.	Within the local context, the infrastructure design should take account of: <ul style="list-style-type: none"> a) Colour; b) Texture; c) Form; and d) Bulk and scale.
C3.	Infrastructure should: <ul style="list-style-type: none"> a) Be well-designed; b) Be integrated with the existing building structure unless otherwise justified in writing to Council; c) Have concealed cables where practical and appropriate; d) Be unobtrusive where possible, and e) Be consistent with the character of the surrounding area. <p>A discussion on facility design can be found in Low Impact Facilities for Better Visual Outcomes that can be accessed at www.amta.org.au/mcf</p>
C4.	Infrastructure should be removed when no longer being used.

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Co-location

Controls	
C5.	Co-location is the practice of locating a number of different telecommunication facilities, often owned by different carriers, on one facility or structure.
C6.	Co-location may not always be a desirable option where: <ul style="list-style-type: none"> a) Cumulative emissions are a consideration; b) It may be visually unacceptable; c) There are physical and technical limits to the amount of infrastructure that structures are able to support, or d) The required coverage cannot be achieved from the location.
C7.	Carriers should demonstrate a precautionary approach and effective measures to minimise the negative impacts of co-location.

Location

Controls	
C8.	The applicant should demonstrate that, in selecting a site, it has adopted a precautionary approach in regards to minimising EMR exposures consistent with Section 5.1 of the ACIF Code.
C9.	Preferred land uses (as determined by this Council) include: <ul style="list-style-type: none"> a) Industrial areas; b) Low-use open space, and c) Commercial centres.
C10.	The application should demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas: <ul style="list-style-type: none"> a) Where occupants are located for long periods of time (eg residences); b) That are frequented by children (eg schools and child care centres), and c) Where there are people with particular health problems (eg hospitals, aged care facilities)
C11.	Applicants should locate proposed facilities at least 300 metres away from heritage conservation areas and heritage items and any of the following sensitive land uses: <ul style="list-style-type: none"> a) Areas that are frequented by children (eg schools and child care centres); and b) Where there are people with particular health problems (eg hospitals, aged care facilities).

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Heritage and Environment

Controls	
C12.	<p>Infrastructure proposed for areas of environmental significance (as defined in LIF Determination) require:</p> <ul style="list-style-type: none"> a) Development consent under the LIF Determination and Council's planning instruments and policies; b) The applicant to have regard to avoiding or minimising the visual impact of any proposed facility on the heritage significance of adjacent/adjoining/ surrounding heritage items and conservation areas; c) The applicant is to provide a heritage report/impact statement in accordance with Council's planning instruments and policies; d) The applicant to have regard to avoiding or minimising the physical impact of any proposed facility on endemic flora and fauna; and e) For proposals within heritage conservation and/or special character areas consideration should be given to the impact of the proliferation of telecommunication facilities on the integrity of the heritage conservation and/or special character areas.

Facility physical design controls

Controls	
C13.	Infrastructure should be of high quality design and construction.
C14.	Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under Section 5.2.3 of the ACIF Code.
C15.	The plan for the facility should include measures to restrict public access to the antenna(s). Approaches to the antenna(s) should contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner/manager.
C16.	The minimum requisites that should apply where relevant are the BCA for purposes of construction and the relevant exposure levels as directed by the Australian Communications Authority (ACA). The applicant should provide Council with certification about the standards with which the facility will comply.

Facility health controls

Controls	
C17.	The applicant is to demonstrate the precautions it has taken to minimise EMR exposures to the public
C18.	The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA
C19.	The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal.

B3 Vehicle and bicycle parking and access

B3.1 Vehicle Parking

Council's car parking controls seek to limit car parking in locations that have good accessibility to public transport. This approach recognises that people will continue to use and depend on cars but this dependence reduces in more walkable neighbourhoods with good access to public transport.

Car parking needs to be accessible and convenient. It should also be designed so that it does not detract from the amenity of the streetscape.

Objectives

- O1. To provide off street parking for residents.
- O2. Provide vehicular and pedestrian safety.
- O3. To encourage the location of carports and garages behind the building line where possible.
- O4. To ensure that car parking structures respect the character of the street.
- O5. To ensure carports and garages etc are designed to be in sympathy with existing dwellings without becoming the dominant feature on the site.
- O6. To limit the width of driveways depending on site frontage.
- O7. To limit the number of garage doors to the street.
- O8. To provide vehicle parking at the rear of properties and off laneways instead of along the street where feasible.
- O9. To encourage the location of carports and garages behind the building line where possible.
- O10. To maximise the landscaped area on site and within the nature strip.
- O11. To identify the maximum number of car parking spaces that may be provided to service particular uses of land.
- O12. To provide less resident and visitor parking in localities that are identified as having good accessibility to public transport.

- O13. To minimise vehicular traffic generated by development.
- O14. To ensure parking areas do not detract from the streetscape.
- O15. To provide a rate of parking that encourages the use of public transport.
- O16. To minimise traffic generation.

General

Controls	
C1.	Parking should not detract from the streetscape qualities, while meeting the needs of residents, visitors and employees in all areas.
C2.	Stack parking is not permitted for residential development except where two spaces are provided for one apartment.
C3.	To maximise the area for soft landscaping consolidated parking areas should be concentrated under building footprints wherever possible.
C4.	To accommodate a relatively safe environment in accordance with CPTED 'Safer by Design' principles.
C5.	Parking structures should be designed to minimise reliance on artificial ventilation of car exhaust.

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Car spaces

Controls	
C6.	Parking space should be a minimum of 5.4m x 2.4m, with an additional 300mm either side where enclosed (i.e. 5.4m x 3.0m).
C7.	Carports, garages and car parking areas are located and designed to: <ol style="list-style-type: none"> Conveniently and safely serve users; Enable efficient use of car spaces and access ways, including adequate manoeuvrability for vehicles between the site and the street; Not dominate or detract from the appearance of the existing dwelling or new development and the streetscape; Be compatible in scale, form, materials and finishes with the associated dwelling or development found on the site; and Retain any protected or heritage trees.
C8.	Garages and other parking structures must not occupy more than 40% of the frontage and shall have a maximum width of 6m.
C9.	No outdoor spaces are permitted on garage roofs, such as terraces, patio, gardens and the like.

Note: Reference should be made to Table B-B for the maximum number of parking permitted.

Basement car parking

- O17. Ensure the safe and orderly movement of traffic, pedestrians and bicycles.
- O18. To ensure basements and basement access are designed to minimise impacts upon the streetscape.

Controls	
C10.	The design of the driveway and basement are to achieve a quality landscape setting for the development and mitigate potential visual impacts of excavation.
C11.	The design of the driveway and basement does not detract from the presentation of the dwelling to the street and retains any natural features on the site.
C12.	Excavation for basements should not extend beyond the building footprint.
C13.	Ramps accessing basement car parking are not permitted forward of the building line unless the following is achieved: <ol style="list-style-type: none"> Compatibility with the streetscape. Safe pedestrian crossings. Adequate line of sight for cars entering or leaving. The first 6 metres must be at a maximum grade of 1:10 for domestic driveways and 1:20 for all other driveways. The ramp does not have a finished level that is greater than 1m below natural ground level within the setback to the street.
C14.	Entries to underground car parking are to be set back behind the building line.
C15.	All basement parking areas must be designed so that vehicles can enter and leave the property in a forward direction.
C16.	A strip of landscaping at least 1m wide is provided to the adjoining property boundary.
C17.	A 1m wide deep soil landscaped setback to neighbouring properties is to be provided along the driveways.
C18.	The maximum dimension of any domestic driveway basement car park entry is to be 2.7m high by 3.5m wide.

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Garages

Controls	
C19.	Garaging is to be provided to the rear of the site or on a secondary elevation if it is a corner site or behind the main street elevation of the dwelling (behind the primary building façade) in all instances.
C20.	Garage doors should be of timber or simple metal cladding.
C21.	Garage doors and gates are not to encroach over a public footpath during operation.
C22.	Garage dimensions should be as follows:

Garage size	Minimum internal dimension
Single Garage	5.5m x 3.0m and not less than 2.6m between door jambs
Double Garage	5.5m x 5.4m and not less than 5.2m between door jambs

Refer to Figure B3.1, Figure B3.2, Figure B3.3 and Figure B3.4.

Driveways

Controls	
C23.	The alignment of driveways should, where possible, create visual interest and avoid the creation of a "gun barrel" effect.
C24.	<p>The number of vehicle crossings is limited to one (1) per site.</p> <p>At Council's discretion, the number of crossings may be greater than one per site where the following outcomes are achieved:</p> <ol style="list-style-type: none"> More than one dwelling is proposed; and The landscaped area complies with relevant provisions; and There will be no impact upon street trees; and Impacts to on-street parking are minimised; and The crossing does not connect into a section of road which is considered hazardous for vehicular traffic entering or exiting the site; and The crossing does not connect into a section of unformed road reserve; and Vehicles entering or exiting the proposed driveway have good sight distance; and The crossing will not be near or in front of an existing bus stop or shelter; and The proposal complies with relevant Australian Standards. <p>Additional notes:</p> <ul style="list-style-type: none"> The number of crossings may be greater than one per site if the following also applies (in addition to the above requirements): It is a commercial/industrial development where there are currently separate entry and exit points or there are two (2) or more entry levels or multiple ramps;

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	<ul style="list-style-type: none"> It is a residential development with more than one dwelling where the location of the garages or parking spaces within the property does not permit the use of a shared driveway. For a single combined driveway, the maximum width will be assessed as if the site was for a single dwelling, or to a width which would be sufficient to permit only one vehicular movement to enter and exit the site in a forward direction.
C25.	<p>If a site has more than one frontage, driveway access is to be provided where streetscape impacts are minimised and to maximise landscaping within the front setback.</p> <p>This may be achieved by encouraging driveway access on separate streets or off the wider frontage where possible.</p>
C26.	<p>Vehicular entrances to parking areas should be visually inconspicuous, appropriately screened and ideally not be located along the front façade, but rather to the side or rear.</p>
C27.	<p>The surface and slope of driveways and parking areas facilitate stormwater infiltration on-site and are to be appropriately landscaped eg, driveways should have sealed wheel tracks with grass strips.</p>

C28.	<p>Development shall have a maximum driveway crossover and driveway width of:</p> <ol style="list-style-type: none"> 3m for dwellings where the frontage is 12m or less; or 3.5m for dwellings with a frontage greater than 12m; or 6m for any other development. <p>Note:</p> <ol style="list-style-type: none"> If a garage with a width greater than 3m is permitted (based on the frontage), then the driveway may be constructed to the width of the garage at the garage entry and splayed so that it is reduced to the maximum width listed above at the property boundary. In certain circumstances, wider driveway widths may be granted based on vehicle swept path analysis if the above widths cannot be achieved. Crossover and driveway must comply with all relevant Australian Standards. The minimum width refers to the crossing slab only and does not include the width of the layback with 0.6 metre wing-walls at each end.
C29.	<p>All multi unit development and residential flat buildings should ensure that all vehicle parking is behind the building line and arranged so that all vehicles may be driven in a forward direction during both ingress and egress from the site.</p>

Accessible Parking

Controls

C30.	<p>Parking provision should be in accordance with Table B-D.</p>
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Adaptable Housing

Controls	
C31.	Car parking for adaptable dwellings shall be designed in accordance with AS/NZS2890.6.

Credit for car parking in existing developments

Controls	
C32.	Council will apply the relevant car parking rate to the entire floor area for new developments and developments proposing substantial alterations and additions to existing buildings.
C33.	A credit will be provided for car parking spaces when calculating required parking numbers for developments involving a change of use of an existing building. The credit shall be calculated on the basis of the demand generated by the existing use that is proposed to be changed.
C34.	A credit for car parking spaces will be provided when calculating required parking numbers for developments involving minor alterations and additions to an existing building. The credit shall be calculated on the basis of the demand generated by the existing use carried out in the building that is proposed to be altered or extended.

Motorcycle Parking

Controls	
C35.	Where there are more than 30 off-street parking spaces, a minimum of 1 motorcycle parking space shall be provided. Plus 1 per 30 thereafter.

Residential

Controls	
C36.	Car Parking is to be provided in accordance with Table B-B and Table B-C.
C37.	All visitor parking should be provided off-street and behind the front setback.
C38.	Visitor parking spaces should be conveniently located, identified as such, and accessible to the general public. They should not be located behind any security grill or gate.
C39.	Dedicated disabled parking spaces should be line-marked and signposted in accordance with AS/NZS2890.6.
C40.	Dedicated disabled parking spaces should be located close to wheelchair accessible entrance lifts.
C41.	If relevant, objectives and controls in section E3.9 or F3.9 (Parking and access) also apply.

Commercial

Controls	
C42.	On site car parking should be provided below ground or located within the building and well screened.
C43.	Vehicular access ways are designed to be integrated with the building and of minimum height and width.
C44.	Loading facilities should be provided in accordance with the current Transport for NSW "Guide to Traffic Generating Developments" and AS 2890.2.
C45.	The provision of parking for different types of development should be in accordance with Table B-E.
C46.	Development should be in accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007.

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Industrial

Controls	
C47.	All vehicles should be able to enter and leave the site in a forward direction.
C48.	Car parking areas are to be landscaped with trees and shrubs.
C49.	Separation of service areas (loading/unloading) and parking areas is required.
C50.	Development should be in accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007.
C51.	All loading and unloading operations should be carried out wholly within the confines of the site at all times.
C52.	Loading facilities should be provided in accordance with the current Transport for NSW "Guide to Traffic Generating Developments" and AS 2890.2.
C53.	All loading docks, car parking spaces and access driveways should be kept clear of goods at all times and should not be used for storage purposes including garbage storage.
C54.	Parking provision should be in accordance with Table B-F.

B3.2 Single Dwellings, Semi-Detached Dwellings and Dual Occupancies

Controls	
C1.	A landscaped area at least 0.6m wide (1m preferred) is to be provided between a driveway and a side boundary.
C2.	Garages for each dwelling within an attached dual occupancy should be single fronted only.

Car spaces

Controls	
C3.	For existing and new dwellings, a garage or carport in order of priority should be: <ol style="list-style-type: none"> Located at the rear of the site with access from a rear lane; Located at the rear of the site with access from the street frontage; and Located at the side of the dwelling house, behind the front building alignment. Located in a basement with access from a rear lane; Located in a basement with access from the street frontage.

Hardstand

Controls	
C4.	Where a garage/carport cannot be provided at the side or rear of a dwelling house or semi, a hardstand area forward of the building alignment which is integrated into the landscape character of the front yard may be considered by Council. The distance between the front property boundary and building is to be a minimum of 5.5m.

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New detached garages and carports to existing dwellings

Controls	
C5.	<p>Locate detached garages and carports either at the rear of the site where rear access is available or between the side elevation and the side property boundary.</p> <p>Note: Rear and side access is considered available where there is an existing side boundary setback of 2.6 metres or more or where there is rear lane or secondary street access.</p>
C6.	<p>No outdoor spaces are permitted on garage roofs, such as terraces, patio, gardens and the like.</p>

Carports

Controls	
C7.	<p>Council may consider a carport forward of the front building alignment where:</p> <ol style="list-style-type: none"> It is a single carport with an external width of no more than 3.0 metres; The site is of a sufficient width that the carport will not obscure the existing building; The distance between the building and the front property boundary is a minimum of 5.5 metres; It is of a simple post design, with no side panel infill; is not elaborate in its decoration and colour and does not detract from the existing building; There is no solid panel lift or roller shutter door proposed; Does not significantly affect the landscaped front garden; Is within a varied streetscape that currently has carports forward of the building alignment; The roof is either flat or of a pitch that relates to the existing house; The views of the house from the public domain will not be adversely affected; and There is no rear lane access or side access of 2.6 metres or more available. Where existing car parking is available, no new structures are permitted forward of the building line.

Access Aisles

Controls	
C8.	<p>A 4.0 metre wide access handle is to be provided to detached dual occupancy development to enable access to the rear dwelling.</p>

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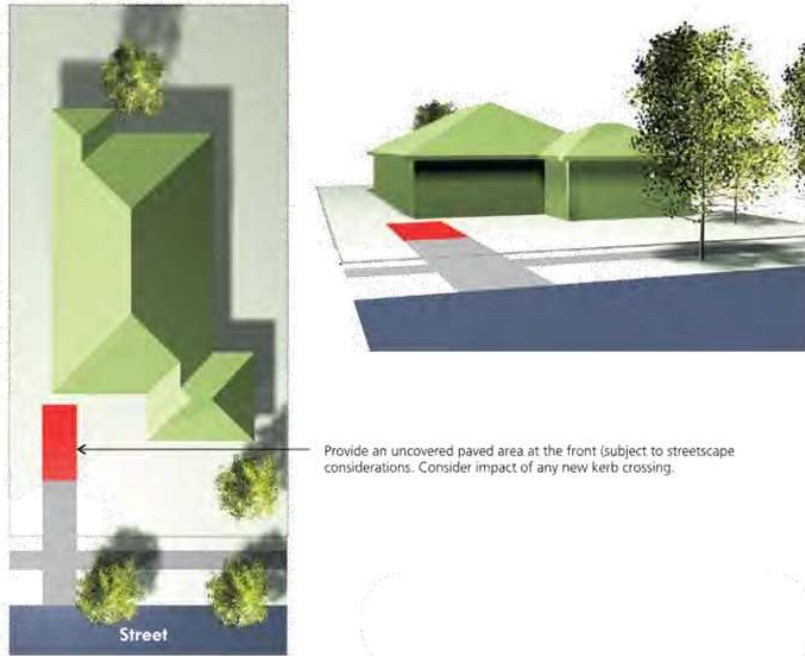


Figure B3.1 Location of car parking at the front consisting of an open paved area

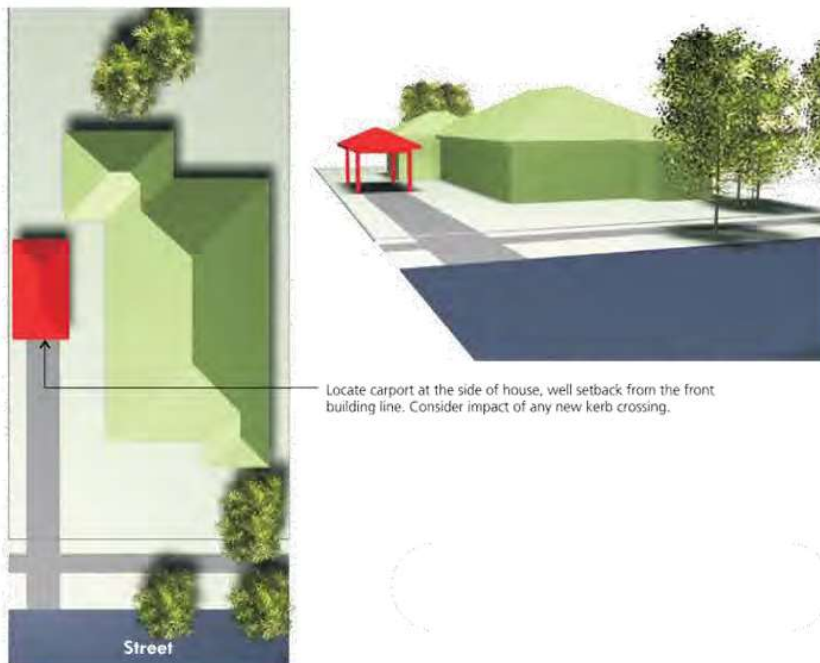


Figure B3.2 Location of car parking at the side behind the front alignment

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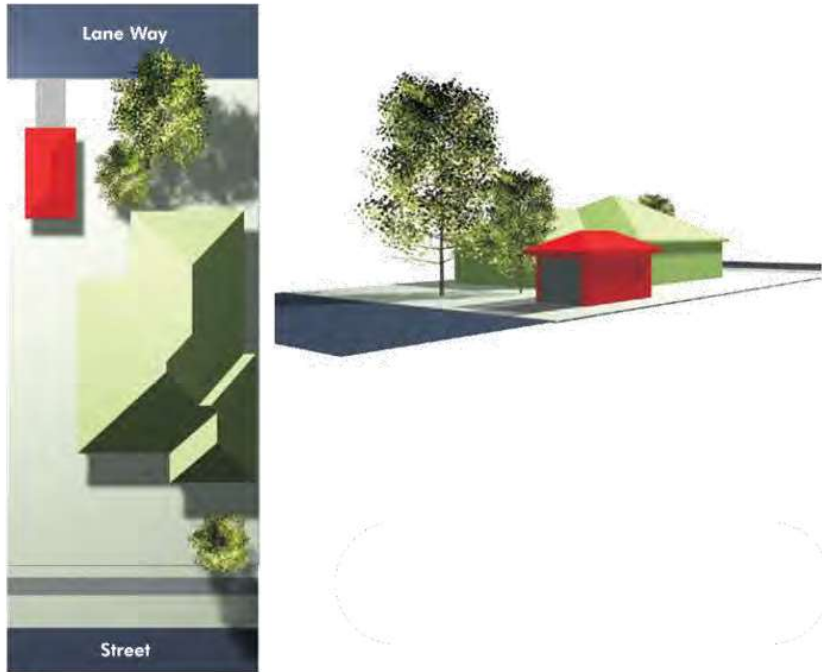


Figure B3.3 Location of car parking at the rear of the site with access from a rear lane

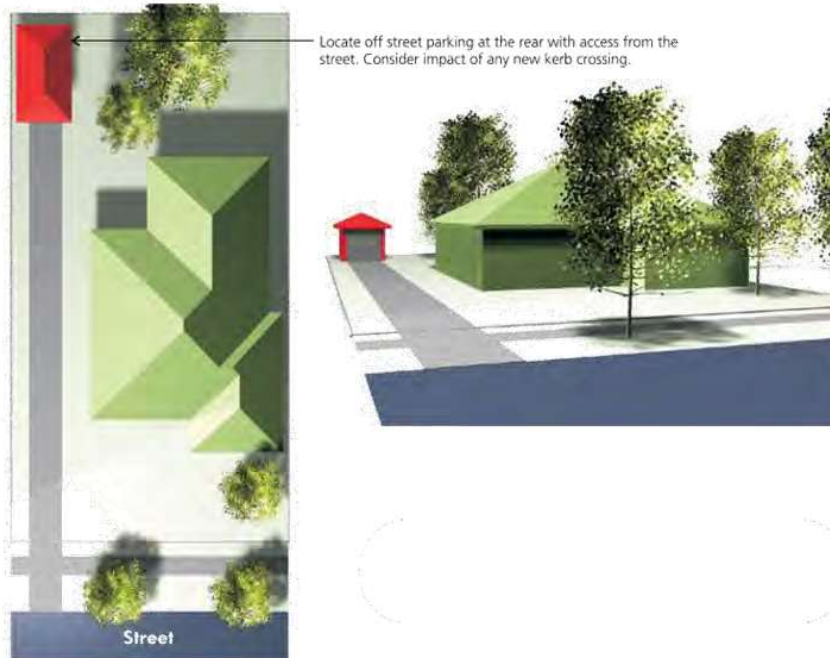


Figure B3.4 Location of car parking at the rear of the site with access from street frontage

B3.3 Multi-dwelling housing, multi dwelling housing (terraces), manor houses and residential flat buildings.

Car spaces

Controls	
C1.	For existing and new development the location of a garage or carport, in order of high to low priority, is to be: <ul style="list-style-type: none"> a) Located in a basement with access from a rear lane; b) Located at the rear of the site with access from a rear lane; c) Located in a basement with access from the street frontage; d) Located at the rear of the site with access from the street frontage; and e) Located at the side of the development, behind the front building alignment.
C2.	All multi unit development and residential flat buildings should ensure that all vehicle parking is behind the building line and arranged so that all vehicles may be driven in a forward direction during both ingress and egress from the site.
C3.	Car Share schemes, carpark decoupling and the like should be utilised wherever possible to reduce the amount of on-site carparking.

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B3.4 Car Parking Rates

Residential parking requirements - Dwelling houses, Semi-detached dwellings, Dual occupancies and Secondary dwellings.

Table B-B Residential parking requirements (low density) - Dwelling houses, Semi-detached dwellings, Dual occupancies and Secondary dwellings.

The following parking rates apply to any dwelling houses, semi-detached dwellings, dual occupancies or secondary dwellings.

Dwelling type	Car parking spaces required per dwelling	
	Minimum	Maximum
Dwelling house	1	2
Semi-detached dwelling	1	1
Dual occupancy	1	1
Secondary dwelling	0	0

Table B-B Residential Parking Requirements Additional Information

1. Any parking in excess of the above requirements will be counted as Gross Floor Area (GFA) (refer to definition in Canada Bay LEP).

Residential parking requirements - Residential flat buildings, Manor houses, Multi dwelling housing, Multi dwelling housing (terraces) and Shop top housing

Table B-C Residential parking requirements (medium/high density) - Residential flat buildings, Manor houses, Multi dwelling housing, Multi dwelling housing (terraces) and Shop top housing

Residential Parking Category A

The following parking rates apply to any residential flat buildings, manor houses, multi dwelling housing, multi dwelling housing (terraces) or shop top housing on any land parcel wholly or partly located within Category A on the Residential Car Parking Rates Map.

Resident parking	
Number of bedrooms per dwelling	Maximum number of car parking spaces
0 - 1	1
2	1
3	1.5
4 +	2
Visitor parking	
Number of dwellings	Maximum number of car parking spaces
Any	1 space per 5 dwellings

Note: Category A generally applies to residential development located within the following areas that are not within Category B:

- B1 Neighbourhood Centre zone
- B6 Enterprise Corridor zone
- R1 General Residential zone
- R3 Medium Density Residential zone
- R4 High Density Residential zone

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Residential Parking Category B

The following parking rates apply to any residential flat buildings, manor houses, multi dwelling housing, multi dwelling housing (terraces) or shop top housing on any land parcel wholly or partly located within Category B on the Residential Car Parking Rates Map.

Resident Parking	
Number of bedrooms per dwelling	Maximum number of car parking spaces
0 - 1	0.6
2	0.9
3	1.4
Visitor Parking	
Number of dwellings	Maximum number of car parking spaces
0 - 4	0
5-9	1
10+	1 per 5 dwellings

Note: Category B generally applies to residential development located within the following areas:

- B4 Mixed Use zone
- Within 400m of a B4 Mixed Use zone
- B3 Commercial Core zone
- Within 400m of a B3 Commercial Core zone
- Within 800m of a railway or metro station

Residential Parking Category C

The following parking rates apply to any residential flat buildings, manor houses, multi dwelling housing, multi dwelling housing (terraces) or shop top housing on any land parcel wholly or partly located within Category C on the Residential Car Parking Rates Map.

Resident parking	
Number of bedrooms per dwelling	Maximum number of car parking spaces
Studio	0.3
1	0.5
2	0.9
3	1.2
Visitor parking	
Number of dwellings	Maximum number of car parking spaces
Any	0.1 space per 5 dwellings

Note: Category C generally applies to residential development located within the following areas:

- Parramatta Road Corridor Urban Transformation Strategy Stage 1 Implementation Area

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Residential Parking Category D

The following parking rates apply to any residential flat buildings, multi dwelling housing or shop top housing on any land parcel wholly or partly located within Category D on the Residential (Medium/High Density) Car Parking Rates Map.

Resident parking	
Number of bedrooms per dwelling	Maximum number of car parking spaces
Studio	0.1
1	0.3
2	0.7
3 +	1
Visitor parking	
Number of dwellings	Maximum number of car parking spaces
Any	1 space per 20 dwellings

Note: Category D generally applies to residential development located within the following areas:

- Rhodes West and Rhodes East

Table B-C Residential Parking Requirements Additional Information

- 1) Any parking in excess of the above requirements will be counted as Gross Floor Area (GFA) (refer to definition in Canada Bay LEP).
- 2) In calculating the total number of car parking spaces required for a development, the total should:
 - a) Be rounded up if the fraction of the total calculation is equal or more than half (0.5 of a space); and
 - b) Include a room that is capable of being converted to a bedroom (it has a minimum internal area of 12sqm and includes a window).
- 3) Refer to Residential (Medium/High Density) Car Parking Rates Map (Figure B3.5 to Figure B3.11) to understand where the above car parking requirements apply.
- 4) If a site falls within Category C and also Category A or B then the Category C parking requirements will prevail.
- 5) If a site falls within Category D and also Category A or B then the Category D parking requirements will prevail.
- 6) If there is a discrepancy between Category C and the Parramatta Road Corridor Urban Transformation Strategy then the Parramatta Road Corridor Urban Transformation Strategy parking requirements will prevail.

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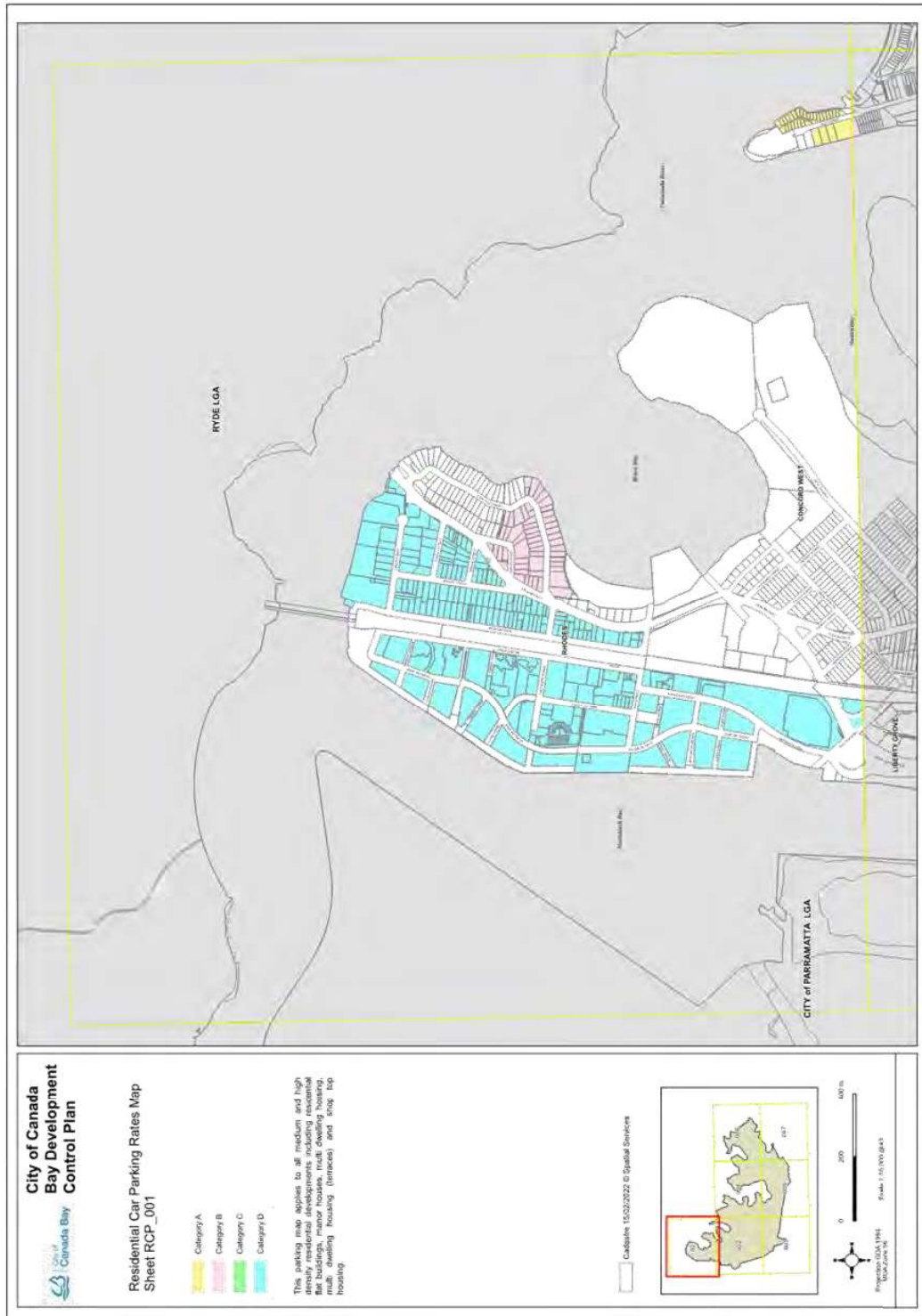


Figure B3.5 Residential Car Parking Rates map - Sheet 1

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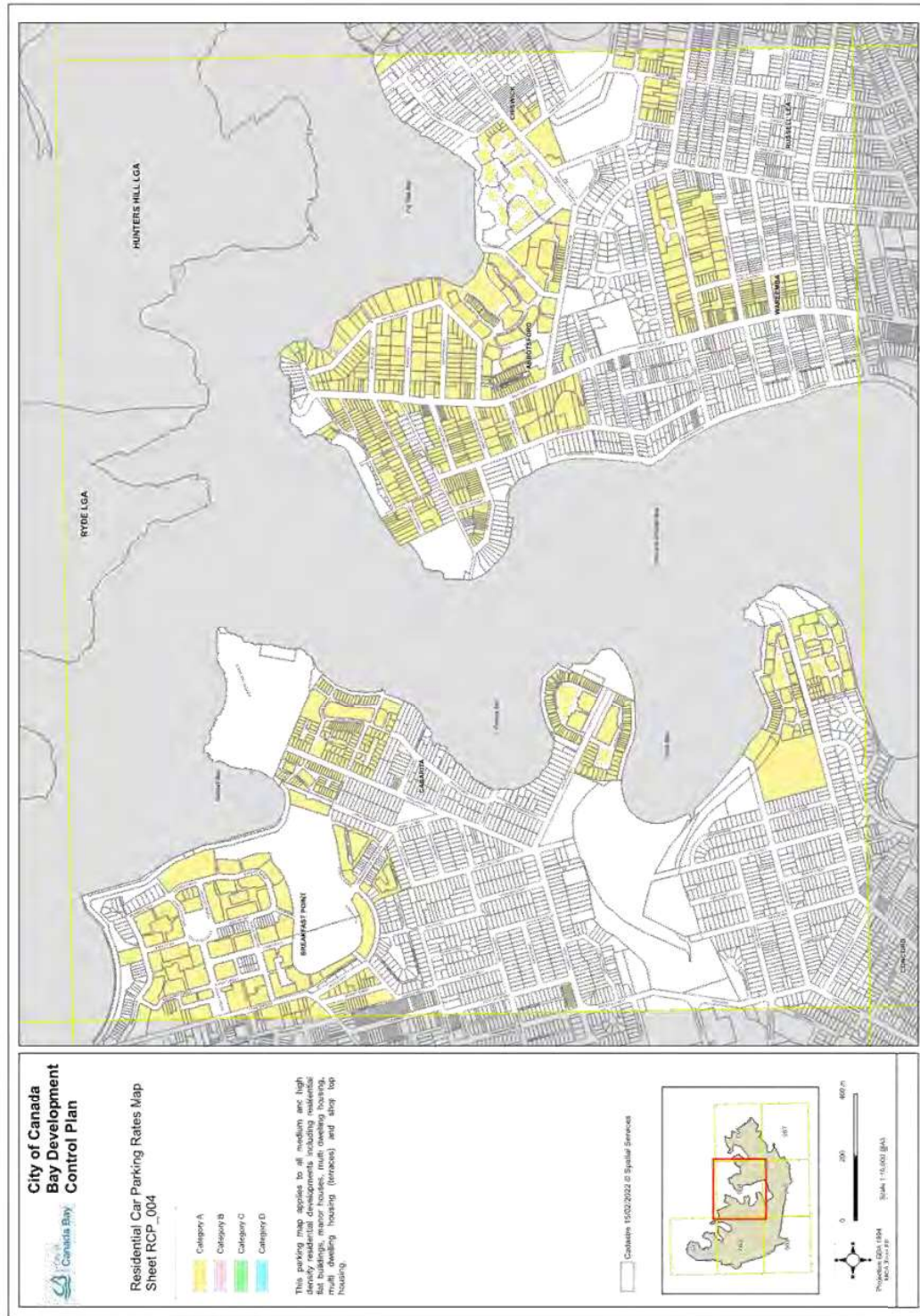


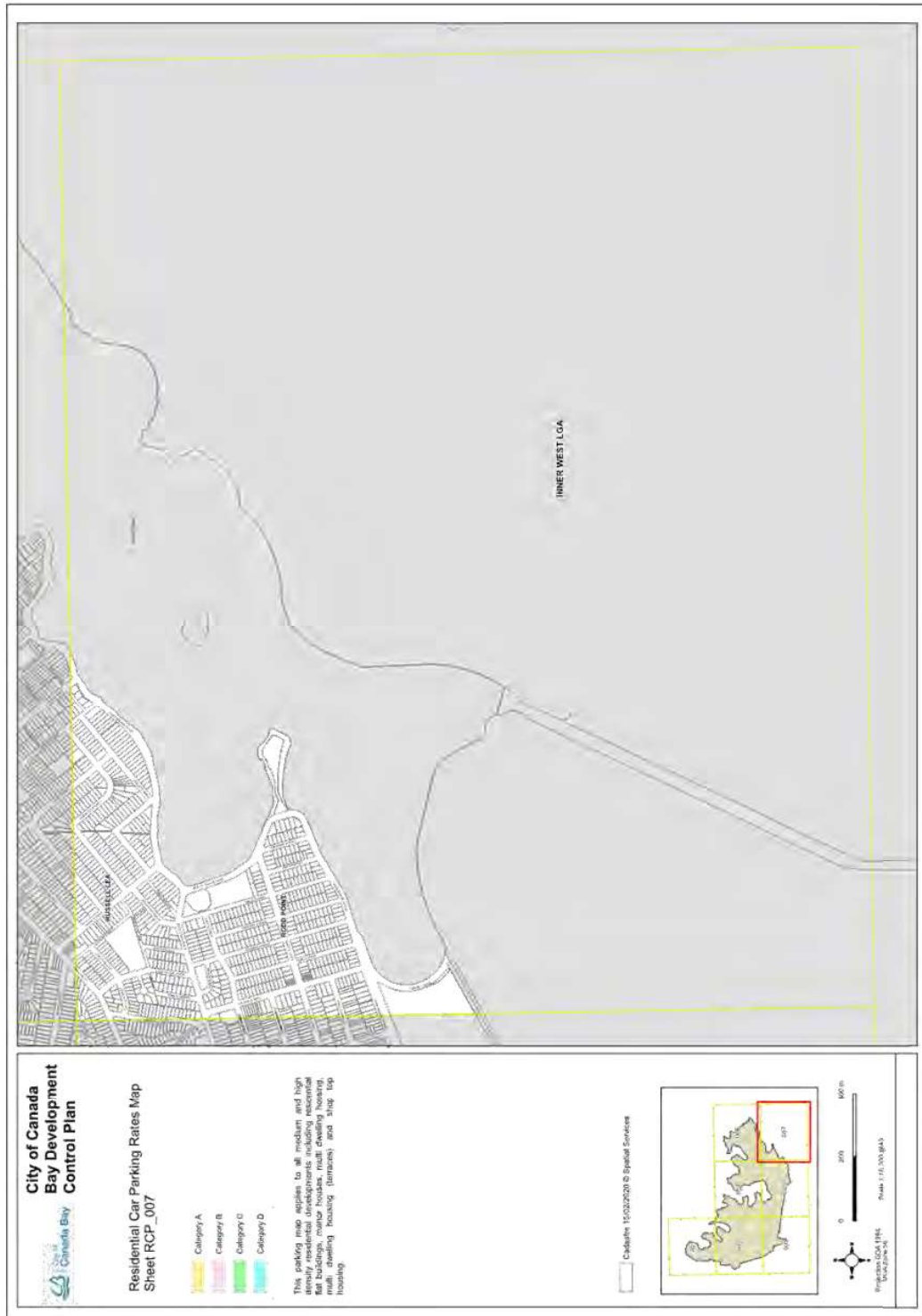
Figure B3.8 Residential Car Parking Rates map - Sheet 4

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Table B-D Accessible Parking Requirements

BCA Classification of the building to which the parking is associated	Minimum parking requirements (Table D3.5 of the BCA)
Class 3	
Boarding houses, guest houses, hostel, backpackers accommodation, or the residential part of a hotel or motel	To be calculated by multiplying the total number of car parking spaces by the: a) Percentage of accessible sole-occupancy units to the total number of sole-occupancy units; or b) Percentage of beds to which access for people with disabilities is provided to the total number of beds provided. The calculated number to be taken to the next whole figure. 1 space for every 100 car parking spaces or part thereof
Class 5, 7, 8 and 9c	
	1 space for every 100 car parking spaces or part thereof
Class 6	
a) up to 1000 car parking spaces; and b) for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces	1 space for every 50 car parking spaces or part thereof 1 space
Class 9a	
(a) Hospital (non-outpatient area)	1 space for every 100 car parking spaces or part thereof
(b) Hospital (outpatient area)	1 space for every 50 car parking spaces or part thereof
up to 1000 car parking spaces; and for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces	1 space
Nursing home	1 space for every 100 car parking spaces or part thereof
Clinic or day surgery not forming part of a hospital	1 space for every 100 car parking spaces or part thereof
Class 9b	
(a) School	1 space for every 100 car parking spaces or part thereof
(b) Other assembly buildings	1 space for every 50 car parking spaces or part thereof
up to 1000 car parking spaces; and for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces	1 space

Source: Based on Transport for NSW Guide to Traffic Generating Developments 2002

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Table B-E Parking Requirements: Development in mixed use areas and Neighbourhood Centres

Land use	Minimum parking requirements
Accommodation	
Motels	1 space for each unit +1 space per 2 employees if restaurant included then add the greater of: <ul style="list-style-type: none"> • 15 spaces per 100m² GFA of restaurant/function room, or • 1 space per 3 seats
Hotels	Comparisons should be drawn with similar developments
Office and Business	
Office Premises	1 space per 40m ² GFA
Business Premises	1 space per 40m ² GFA
Retail	
Shops	1 space per 40m ² GLFA
Service stations and convenience stores	Requirements are additive: <ul style="list-style-type: none"> • 6 spaces per work bay • 5 spaces per 100m² GFA of convenience store If restaurant present, the greater of: <ul style="list-style-type: none"> • 15 spaces per 100m² GFA, or 1 space per 3 seats
Drive-in take-away food outlets	Developments with no on-site seating: 12 spaces per 100m ² GFA Developments with on-site seating: 12 spaces per 100m ² GFA or greater of: <ul style="list-style-type: none"> • 1 space per 5 seats (internal and external), or • 1 space per 2 seats (internal) Developments with on-site seating and drive through facilities greater of: <ul style="list-style-type: none"> • 1 space per 2 seats (internal), or • 1 space per 3 seats (internal and external), plus queuing area for 5-12 cars
Restaurants, Cafes, Take-away food & drink premises	Whichever is the greater of: <ul style="list-style-type: none"> • 1 space per 6m² of serviced area, or • 1 space per 4 seats. A parking free threshold of 20 seats and 30m ² serviced area shall apply to all restaurants, cafes & take-away food and drink premises (to which this DCP applies) in B1 Neighbourhood Centre and B4 Mixed Use zones, excluding those in the areas listed below. A parking free threshold of 40 seats and 60m ² serviced area shall apply to restaurants in the following (commercial centres) B1 Neighbourhood Centre and B4 Mixed Use zones: <ul style="list-style-type: none"> • Victoria Road, Drummoyne (inc. Lyons Rd to Bayswater Street) • Great North Road, Five Dock (excluding Wareemba/ Abbotsford) • Majors Bay Road, Concord • Parramatta Road, Concord (No B1 or B4 on Parramatta Rd) • Parramatta Road, Five Dock (No B1 or B4 on Parramatta Rd) • Concord Road, Concord West • Concord Road, North Strathfield *Where variation to the above criteria is sought, refer to Additional Criteria below.

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Land use	Minimum parking requirements
Footpath Dining	Nil.
Residential	As per Table B-B
Car tyre retail outlets	Whichever is the greater of: <ul style="list-style-type: none"> • 3 spaces per 100m² GFA, or • 3 spaces per work bay
Roadside stalls	4 spaces
Markets	2.5 spaces per stall (customers only)
Video Stores	6.1 spaces per 100m ² GFA
Pub	Comparisons should be drawn with similar developments
Vehicle Showrooms	0.75 spaces per 100m ² site area + 6 spaces per work bay (for vehicle servicing facilities)
Drive-in liquor stores	Comparisons should be drawn with similar developments
Plant nurseries	Whichever is greater of: <ul style="list-style-type: none"> • 15 spaces, or • 0.5 spaces per 100m² of site area
Recreational and Tourist Facilities	
Recreational facilities <ul style="list-style-type: none"> • Squash courts • Tennis courts • Bowling alleys • Bowling greens • Gymnasiums 	3 spaces per court 3 spaces per court 3 spaces per alley 30 spaces for first green + 15 spaces for each additional green 7.5 spaces per 100m ² GFA (desirable) 4.5 spaces per 100m ² GFA (minimum)
Marinas	If a survey of a similar existing development has not been undertaken, the following figures may serve as a general guide: <ul style="list-style-type: none"> • 0.6 spaces per wet berth • 0.2 spaces per dry storage berth • 0.2 spaces per swing mooring • 0.5 spaces per marina employee
Health and Community Services	
Health consulting rooms and Medical centres	Comparisons should be drawn with similar development
Child care centres	1 space for every 4 children in attendance
Hospitals	Comparisons should be drawn with similar developments

Source: Based on Transport for NSW Guide to Traffic Generating Developments 2002

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Note:

- 1) Parking spaces, unless stipulated otherwise, are for cars and depending on land use type, parking for delivery/service vehicles, courier vehicles and bicycles should also be provided.
- 2) Parking free threshold: means an area expressed in both number of seats and serviced area up to which on-site parking does not need to be provided. The standard parking rate applies to any area and seats in excess of the threshold.
- 3) Serviced area: means the physical area within the restaurant or café which is accessible to the public, but excluding toilets and corridors. Areas such as the kitchen, or behind counters, or display areas should not be included as serviced area.
- 4) To calculate car parking requirements, applicants must establish the number of spaces required by the proposed development calculated from Tables C-B to C-E in Part C3. The threshold can then be subtracted from this figure and the balance provided.
- 5) Where an applicable parking rate has not been provided in the parking requirements tables, a comparison should be drawn with similar developments.
- 6) Additional Criteria - Restaurants & Cafes
In exceptional circumstances, Council may allow a variation to these requirements where it is demonstrated by the applicant that the proposed use would not have any adverse impacts on the surrounding residential amenity in relation to car parking availability.

To achieve this variation for Restaurants and Cafes, the following criteria would need to be demonstrated to the satisfaction of Council:

A Parking Impact Study prepared by a qualified traffic consultant shall be provided by the applicant, which demonstrates that the shortfall of parking spaces created by the application is able to be accommodated within 200m walking distance of the subject site. The Parking Impact Study would need to provide the following:

- a) Total number of available spaces within 200m of the subject site;
- b) Parking availability within the study area over operating hours (including hours open for staff and customers);
- c) Demonstrate how the parking shortfall of the proposal can be satisfied by the available parking spaces identified in parts (a) and (b) above.
- d) Demonstrate that the amenity of the surrounding residential areas would not be adversely impacted by any additional on-street parking.

Note: Within the Study, the applicant may demonstrate alternative options as to how the proposed use/development mitigates potential impacts of additional car parking requirements. An example of how this may be achieved includes:

- Demonstrating that parking facilities associated with alternative time-of-day uses can be utilised for the use of the restaurant/café customers.

Table B-F Parking Requirements: Development in Industrial Areas

Land use	Parking requirements
Industry	
Factories	1.3 spaces per 100m ² GFA
Warehouses	1.5 spaces per 100m ² of total GLA. 1.8 spaces per 100m ² gross leasable office/showroom area plus 1.2 spaces per 100m ² of gross leasable factory/warehouse area (where information on components of development is available).
Bulky goods retail stores	Comparisons should be drawn with similar development
Road Transport Facilities	
Road Transport Terminals	Surveys should be undertaken of similar developments
Container depots	Surveys should be undertaken of similar developments
Truck stops	1 truck parking space per motel unit + 1 car space per 2 employees For restaurant facilities, the greater of: <ul style="list-style-type: none"> • 15 spaces per 100m² GFA, or • 1 space per 3 seats
Other	
Caravan parks	1 space per caravan site

Source: Based on Transport for NSW Guide to Traffic Generating Developments 2002

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B3.5 Special Precincts

Breakfast Point

Controls	
C1.	Project Applications for developments involving uses other than those listed in the table below are to be accompanied by a report prepared by a suitably qualified person addressing traffic and parking issues.
C2.	Unless otherwise approved by Council, carparking provision is to be as per the table below:
Use	Provision
Single Family Dwelling or Attached Dwelling	2 spaces garaged
Townhouse/ Apartment 3 or more bedrooms	2 spaces garaged
Townhouse/ Apartment 2 bedrooms	1.5 space 1 space garaged (note: 0.5 space garaged and available for allocation to specific unit)
Apartment 1 bedroom	1 space garaged
Residential Visitors	1 space per 5 dwellings (note: on-street within 100m of dwellings served, or off-street if insufficient space available on street)
Shops	1 space per 20m ² GFA
Offices	1 space per 40m ² GFA

Note: applications for developments involving uses other than those listed above are to be accompanied by a report prepared by a suitably qualified person addressing traffic and parking issues.

Breakfast Point single dwellings

Vehicle Access

- O1. To minimise impact of traffic generated by new development at Breakfast Point on existing residential streets.
- O2. To contain vehicle access to the rear of properties where possible.
- O3. To minimise the visual impact of garage structures on the street.

Controls	
C3.	All vehicle access to lots is to be from the rear lanes provided.
C4.	No vehicle access is permitted from Brays Road, Bishop Street, Medora Street, Adams Street and Adams Lane.

Garages

- O4. To ensure residents parked cars do not dominate the streetscape.
- O5. To ensure motor vehicle, home repair, maintenance and hobby activities can occur without impacting on neighbourhood amenity.
- O6. To ensure car parking facilities and access are fully integrated into the house design and streetscape visual character.
- O7. To ensure garaging of vehicles does not become a dominant or detrimental element in the visual streetscape.

Controls	
C5.	Kerb cross-overs and driveways to open access ways are not to exceed 3.6m in width.
C6.	Each dwelling is to have an attached or approved freestanding garage capable of accommodating 2 cars, designed to fully integrate with the dwelling.
C7.	Garage structures shall not exceed 7.0m in width.
C8.	Open carports are not permitted.

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Driveways and Kerb Cross-Overs

- O8. To ensure a consistent visual standard in the street-scape.
- O9. To ensure landscaped nature strip is predominant in the visual environment of the street.
- O10. To ensure comfortable, safe and convenient access to allotments.

Controls	
C9.	Kerb cross-overs and driveways in rear access laneways shall not exceed 6 metres in width.
C10.	Within an allotment, driveway gradients are not to exceed 1 in 5 and are to have a transition gradient of no greater than 1 in 15 for a distance of 2.5m at each end.
C11.	Cross over construction is to be to Council standards.

Concord West

Controls	
C12.	Car and bicycle provision is to be in accordance with Table B-C.
C13.	Car parking provision must not exceed individual maximums provided per Sub-precinct in Table B-H Concord West Maximum Car Parking Provisions per Sub-precinct.

Table B-G Concord West Maximum Car Parking Rates

Category	Other (max. spaces/m ² GFA)		
	Commercial	Retail	Industrial
Homebush Precinct	100	70	120

(Extract of Table 3.2 Paramatta Road Corridor Urban Transformation Strategy, Planning and Design Guidelines, Nov 2016, Page 45)

Table B-H Concord West Maximum Car Parking Provisions per Sub-precinct

Sub-precinct	No. of Car Parking Spaces
2	86
3	20
5	157
6	141
7	126

Rhodes West

Controls	
C14.	To achieve a high quality public domain, at grade car parking is only permitted to the rear of shops, restaurants and the like, and to detached, pair and row housing. It must be located behind the building line and screened from the public domain unless accessed via a lane or private street.
C15.	To achieve a high quality public domain, internal car parking which protrudes more than 1.2m above ground level of the adjacent public domain must be located behind the building alignment and be screened from the public domain in a manner that is an integral part of the external design of the building.

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B3.6 Bicycle parking and storage facilities

Objectives

- O1. To encourage the use of bicycles by residents, employees and visitors of Canada Bay for recreational use and as an alternative mode of transport.
- O2. To ensure bicycle parking and storage facilities are located in a safe location.
- O3. To ensure bicycle parking and storage facilities can be used to securely store bicycles.
- O4. To ensure bicycle parking and storage facilities are designed and located to provide easy, convenient and safe access to buildings.
- O5. To ensure bicycle parking and storage facilities are designed and located to minimise conflict with pedestrians and other traffic.
- O6. To ensure that bicycle storage and parking facilities are provided at end of trip for cyclists.

Controls

C1.	Bicycle parking and storage facilities should be provided to allow parking or storage of a minimum number of bicycles, in accordance with Table B-1.
C2.	Bicycle parking must be made available to customers and staff and conveniently located.
C3.	<p>Bicycle storage facilities may be provided as fully enclosed individual lockers (referred to in AS 2890.3 as Class 1 facilities) or as locked compounds (referred to in AS 2890.3 as Class 2 facilities), depending on the type of development and practicality of access to the facility.</p> <p>A private garage is deemed to be the equivalent of an individual locker space.</p> <p>Compounds should be fitted with a sufficient number of devices to which stored bicycles can be secured (referred to in AS 2890.3 as Class 3 facilities).</p>
C4.	Bicycle storage facilities should be covered to provide weather protection.

C5.	Showers and lockers (end of trip facilities) should be provided close to secure bicycle storage facilities within new commercial and industrial developments (refer to End of trip facilities for more information).
C6.	Bicycle storage facilities should generally be designed in accordance with paragraph 2.2 of AS 2890.3.
C7.	Bicycle parking facilities must be located so that the minimum clearance (for a pedestrian pass) between a parked bicycle and any other obstruction is 1200mm.
C8.	Bicycle parking facilities should generally be designed in accordance with figure B3 in AS 2890.3. The provision of weather protection for bicycle parking is encouraged.
C9.	Access paths to bicycle storage or parking facilities must be provided so that the envelope shown in figure 3.1 in AS 2890.3 will fit when projected along the access path.
C10.	Where an access path to a bicycle storage or parking facility includes stairs, such stairs must include a bicycle wheeling ramp in accordance with figure 7.12 in the Ausroads Guide to Traffic Engineering Practice (Part 14 Bicycles). The gradient of the ramp should not exceed 25%.
C11.	<p>Unacceptable bicycle parking and storage facilities are facilities where:</p> <ul style="list-style-type: none"> a) Only a wheel can be secured but not the bicycle frame; b) The device does not provide stability for the bicycle and may result in damage to the bicycle; and c) The device has a slot in the ground which may get dirty and difficult to use over time.
C12.	Directional signs advising the public of the location of bicycle parking and storage areas should be harmoniously designed and erected to assist both the facilitation and promotion of the use of these facilities.
C13.	To ensure bicycle parking and storage facilities are located in a safe location that is well lit with minimal concealment spaces.

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Table B-I Minimum bicycle parking and storage provisions

Land Use	Resident/Staff Bicycle storage facility	Visitor Bicycle parking facility
Residential	2 per dwelling	2 per 10 dwellings
Commercial	2 per 150m ² GFA	2 per 400m ² GFA
Retail	2 per 250m ² GFA	2 per unit + 2 per 100m ² GFA
Industrial	2 per 10 employees	2 per unit + 2 per 100m ² GFA

Note:

- 1) For all residential, commercial and industrial development, fractions should be rounded up in the calculation of the required number of spaces.
- 2) Council may waive the requirement for bicycle storage facilities for other non-residential development if it is satisfied that the requirement presents an unreasonable burden on the development.
- 3) The above requirements only apply to new developments or where substantial alterations and additions are proposed.
- 4) Where the table does not provide a standard, the Council will make an assessment of the required number of spaces based on:
 - a) Expected number of employees, and their likely or desired use of bicycles for travel to and from work; and
 - b) Expected number of visitors, and their likely or desired use of bicycles to visit the development.
- 5) Bicycle parking and storage provisions are in addition to any other parking and storage requirements.
- 6) If different rates are provided elsewhere within this DCP then those rates will prevail for that specified location.

B3.7 End of trip facilities

Objectives

- O1. To encourage cycling as a highly convenient transport mode by providing easily accessible and secure parking and end-of-trip facilities.
- O2. To reduce car-usage and reliance, promote sustainability and a more active, healthy lifestyle.

Controls	
C1.	End of trip facilities in non-residential developments are to be provided in accordance with Table B-J.
C2.	Consideration should be given to the provision of fully serviced end of trip facilities such as showers, changerooms and daily laundry (including supplying laundered towels, detergents, irons and ironing boards, hair dryers, toiletries, and the like).
C3.	End of trip facilities must be publicly available and conveniently located.

Table B-J Minimum end of trip facility provisions

Personal lockers	Showers, change cubicles and lockers	
	20 bicycle spaces	Each 20 additional bicycle spaces
1 per bicycle space	2	2

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B3.8 Electric Vehicles

Objectives

- O1. To provide facilities for charging of electric vehicles to meet current and future needs.
- O2. To accommodate hybrid and electric vehicles by ensuring that adequate charging points for these vehicles are provided in off-street private and public car parking areas.

Controls	
C1.	Level 1 electric vehicle charging facilities must be provided in accordance with Table B-K:
C2.	Level 2 electric vehicle charging facilities must be provided in accordance with Table B-L: Note: If Level 2 facilities are required they are to be provided in addition to any Level 1 requirements.
C3.	Shared facilities must be accessible to anyone who has legal access to the building.
C4.	All electric charging points in common property or visitor parking areas are to have clear signage identifying: a) Location; and b) Fees and charges, if any.

C5.	Electric circuitry to accommodate 'Level 2' electric vehicle charging points must be integrated into all off-street car parking of new residential and non-residential development to ensure that all car spaces can install electric vehicle charging points in the future. This must include: a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space; and c) Slow, single phase 7kW electrical circuitry for private car spaces; and d) Fast, three-phase 11kW – 22kW electrical circuitry for publicly available spaces. Note: Circuitry requirements for all off-street parking spaces are in addition to minimum charging point requirements in Table B-K and Table B-L.
C6.	The installation of a Level 2 electric vehicle charging points is encouraged for new dwelling houses, dual occupancies and semi-detached dwellings.

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Table B-K Minimum Level 1 electric vehicle charging facility requirements

Type of development	Type of charging facility	Minimum number of charging points/facilities/stations
Dwelling houses, dual occupancies, semi-detached dwellings	Level 1 <ul style="list-style-type: none"> Regular 240V wall socket (10amps). 2.4kW - 3.7kW. No specialist installation required. 16 – 20 hours to fully charge average vehicle. 	1 per parking space
Secondary dwelling	Level 1 <ul style="list-style-type: none"> Regular 240V wall socket (10amps). 2.4kW - 3.7kW. No specialist installation required. 16 – 20 hours to fully charge average vehicle. 	1 per parking space (if parking is provided)
Manor houses, Multi-dwelling housing, Multi-dwelling housing (terraces), Residential flat building, Shop top housing	Level 1 <ul style="list-style-type: none"> Regular 240V wall socket (10amps). 2.4kW - 3.7kW. No specialist installation required. 16 – 20 hours to fully charge average vehicle. 	1 per parking space 1 per five bicycle parking spaces (a dedicated space and charging point for electric bicycles and mobility scooters to be charged must be provided for every five bicycle parking spaces)
Non-residential	Level 1 <ul style="list-style-type: none"> Level 1 Regular 240V wall socket (10amps). 2.4kW - 3.7kW. No specialist installation required. 16 – 20 hours to fully charge average vehicle. 	1 per parking space

Table B-L Minimum Level 2 electric vehicle charging facility requirements

Type of development	Type of charging facility	Minimum number of charging points/facilities/stations
Manor houses, Multi-dwelling housing, Multi-dwelling housing (terraces), Residential flat building, Shop top housing	Level 2 AC <ul style="list-style-type: none"> Directly wired into a dedicated circuit (16amp – 40amp). 7kW – 22kW. Level 2 provides between 18km to 110km of charge per hour. Total charge time of between 4 – 12 hours depending on the vehicle. 	Private spaces <ul style="list-style-type: none"> A charging point in 1 car parking space or 10% of all car parking spaces, whichever is greater. Public spaces <ul style="list-style-type: none"> 1 shared facility for developments with 5-10 dwellings 1 additional shared facility for every additional 10 dwellings or part thereof. To be provided in common or visitor parking areas.
Non-residential	Level 2 AC <ul style="list-style-type: none"> Directly wired into a dedicated circuit (16amp – 40amp). 7kW – 22kW. Level 2 provides between 18km to 110km of charge per hour. Total charge time of between 4 – 12 hours depending on the vehicle. 	A charging point in 1 car parking space or 10% of all car parking spaces, whichever is greater.

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B3.9 Common loading docks and service vehicle parking

Objectives

- O1. To provide common loading docks and parking for the receiving of home deliveries and the parking of service vehicles (trades etc.) and removalist trucks in new commercial and medium/high density residential developments.

Controls	
C1.	Separate parking spaces for service vehicles are to be provided in new developments in accordance with the minimum requirements detailed in Table B-M. Note: Service vehicle parking spaces are in addition to any requirements for access, parking or storage specified in DCP Waste Management section.
C2.	Service vehicle parking spaces are not to be shared with parking provided for any other purpose.
C3.	For mixed use developments, the total number of service vehicle spaces is to be calculated on a pro rata basis of spaces required for the relative proportions of different uses within the building.

C4.	Service vehicle parking spaces, including spaces for bike couriers are to be: <ul style="list-style-type: none"> a) located near vehicle entry points and near lifts; b) clearly designated and signposted for service vehicles only; c) screened from the street where possible; and d) located completely within the boundary of the site, clear of parked vehicles; and clear of through traffic.
C5.	Parking spaces for service vehicles are not to be used for other purposes such as storage of goods and equipment.
C6.	The total requirement identified in Table B-M may be reduced for developments with a gross floor area in excess of 50,000sqm where it can be demonstrated to the satisfaction of the consent authority that: <ul style="list-style-type: none"> a) the proposed uses are complementary in terms of servicing demand; and b) at least one space per tenancy for business owners is provided.
C7.	All service vehicle parking spaces must be designed in accordance with AS 2890.2:2018 Parking facilities – Off-street commercial vehicle facilities. These spaces must be large enough for at least a medium rigid vehicle (8.8m) to accommodate removalist trucks.

Table B-M

Land use	Service Vehicle Parking Requirements
Residential	1 space for the first 50 dwellings or serviced apartments; plus 0.5 spaces for every 50 dwellings/serviced apartments or part thereafter
Commercial	1 space per 3,300sqm GFA, or part thereof, for the first 50,000sqm; plus 1 space per 6,600sqm, or part thereof, for additional floor area over 50,000sqm and under 100,000sqm; plus 1 space per 13,200sqm, or part thereof, for additional floor area over 100,000sqm
Shops, shopping centres	1 space per 350sqm GFA, or part thereof, up to 2,000sqm; then 1 space per 8,000sqm GFA thereafter
Hotels	1 space per 50 hotel bedrooms, or part thereof, up to 100 bedrooms; then 1 space per 100 hotel bedrooms; plus 1 space per 400sqm of reception, lounge, bar and restaurant area GFA, or part thereof, for the first 2,000sqm; then 1 space per 8000sqm of reception, lounge, bar and restaurant area GFA thereafter.
Industry, warehouse, distribution centre	1 space per 700sqm GFA, or part thereof
Other	1 space for 1,750sqm GFA, or part thereof, or to meet needs.

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B3.10 Car Share

Objectives

- O1. To provide car sharing facilities to meet current and future needs.
- O2. To reduce car usage and reliance.

Controls

C1. Car sharing facilities must be provided in Rhodes East in accordance with the following table:

Type of development	Car share facilities required within 400m or less walking distance to station.	Car share facilities required if greater than 400m walking distance to station.
Multi dwelling housing, Residential flat building, Shop top housing	1 per 20 dwellings	1 per 40 dwellings
Car share rate to reduce car parking provision	N/A	1 car share space in lieu of 3 private car parking spaces

C2. Car share spaces are to be for the exclusive use of car share scheme vehicles.

C3. Car share parking spaces are to be:

- Exclusive of visitor car parking;
- Retained as common property of the Owners Corporation of the site and not sold or leased to an individual owner/occupier at any time;
- Made available for use by operators of car share schemes;
- Grouped together in the most convenient locations relative to car parking entrances and pedestrian lifts or access points;
- Located in well-lit places that allow for casual surveillance; and
- Signposted for use only by car share vehicles and made known to building occupants and car share members through appropriate signage which indicate the availability of the scheme and promotes its use as an alternative mode of transport.

C4. Development Applications are to demonstrate how the car share parking space(s) is to be accessed, including where access is through a security gate.

C5. A covenant is to be registered with the strata plan advising of any car share parking space. The covenant is to include provisions that the car share parking space(s) cannot be revoked or modified without prior approval of Council.

B4 Waste Management

Objectives

- O1. Assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans.
- O2. Minimise overall environmental impacts of waste and foster the principles of ecologically sustainable development (ESD).
- O3. Facilitate source separation and provide design standards that complement waste collection and management services offered by Council and private service providers.
- O4. Manage waste in accordance with the Waste Hierarchy to:
 - i) Avoid producing waste in the first place;
 - ii) Minimise the amount of waste produced;
 - iii) Re-use waste materials wherever possible;
 - iv) Recycle once re-use options have been exhausted; and
 - v) Dispose of what is left, as a last resort, in a responsible way to appropriate waste disposal facilities;
- O5. Ensure waste management systems are convenient and safe for residents and waste collection personnel.



Waste Hierarchy diagram

B4.1 General Controls

Controls	
C1.	A Waste Management Plan is required as part of the development application documents for all developments.
C2.	On site storage for waste and recycling facilities must be provided in designated areas for all new developments. The area should be located so as not to cause offence to adjoining property owners or occupiers with regard to smell, visual appearance, noise disturbance and traffic.
C3.	Source separation facilities and containers shall be provided in kitchens for waste to be divided into separate waste streams to encourage the composting and recycling of materials. Space must be allocated and receptacles supplied with the capacity to store at least 2 days' worth of residual waste, recyclables and food waste.
C4.	Common composting facilities should be provided at accessible locations away from dwellings to every residential development for garden waste and organic kitchen waste.
C5.	Consideration should be given to bin storage space for garden organics that are not able to be composted on site e.g. thick branches as garden organics cannot be disposed of in Council serviced waste bins.
C6.	Source separation facilities shall be provided on building sites so that different waste streams may be easily separated during construction and demolition to encourage the re-use and recycling of materials. The source separation facilities are to be clearly indicated on the drawings. Tipping docket for disposal and recovery of all wastes are required to be held on site during this phase and are subject to auditing and/or inspection by Council.

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C7.	<p>In the design of buildings waste should be minimised by:</p> <ul style="list-style-type: none"> • Matching building dimensions to standard sizes of building materials; • Using recycled materials; • Selecting materials that can be re-used or recycled in the future; and • Utilising component parts that may be easily replaced.
C8.	<p>Plans and drawings of the proposed development that highlight the location of and space allocated to the waste management facilities and the nominated waste collection point must be included in the Waste Management Plan. The path of access for both users and collection vehicles must also be highlighted.</p>

Understanding Council's Waste Service

C9.	<p>Waste, recycling and garden organics generation rates are provided as minimum requirements:</p>
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Residential Developments	Waste generation per week		
	Waste	Recycling	Garden organics*
Per Premises	120L	120L	120L

*For multi-unit developments, 1 x 240L garden organics bin is to be designated per 10 residential units (rounded up).

C10.	<p>Standard space dimensions for residential waste, recycling and garden organic bins:</p>
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	Height	Width	Depth
120L	980mm	500mm	540mm
240L	1140mm	580mm	715mm
660L	1200mm	1260mm	780mm
1100L	1330mm	1240mm	1070mm

Note: Standard dimensions are a guide only and may differ depending on the manufacturer.

C11.	<p><u>Collection Vehicle Dimensions</u></p> <p>City of Canada Bay and its waste contractors currently use rear-loading, compacting collection vehicles of various capacities for on-site collection. In order to ensure access for both current vehicles, and future-proof allowance for any changes in waste fleet requirements, on-site access is to be designed for a vehicle of the following dimensions (provided for a standard heavy rigid vehicle as identified in Australian Standard 2890.2:2018):</p>
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Table B-N Table 1 Standard dimensions for a HRV from AS 2890.2 Parking Facilities: Off-street Commercial Vehicle Facilities

Heavy Rigid Vehicle Dimensions	
Overall length (m)	12.5
Design width (m)	2.8
Swept circle (m)	27.8
Clearance (travel height) (m)	4.5
Roadway/ramp grade (max)	1:6.5 (15.4%)
Rate of change of grade (max)	1:16 (6.25%) in 7.0m of travel
Front chassis clearance	13 degrees
Rear chassis clearance	16 degrees

B4.2 Single Dwellings and Dual Occupancies

Controls	
C1.	Residential development are to provide storage space for waste, recyclables, and garden organics in accordance with the following: Allocated 1x 120L Waste Bin (1 per dwelling), 1 x 240L Recycling Bin (1 per dwelling) and 1 x 240L Garden Organics (1 per dwelling).
C2.	Space must be allocated within each property boundary behind the building line for storing Council specified waste and recycling bins.
C3.	The waste/recycling storage area shall be constructed of brick or other approved masonry material, have a concrete floor at appropriate level approved by Council and be suitably graded to allow drainage.

B4.3 Multi-unit Dwelling Residential Development

Controls	
C1.	Multi-unit accommodation refers to all buildings with three or more dwellings on one lot (whether self-contained or not) and includes the following: <ul style="list-style-type: none"> • Attached dwellings • Boarding houses • Group homes • Multi dwelling housing • Residential flat buildings • Seniors housing • Serviced apartments • Shop top housing

Bin Allocation

Controls	
C2.	Multi-unit dwellings may be permitted to have allocated one set of bins per dwelling, on approval by council, in accordance with the following: Allocated 1x 120L Waste Bin (1 per dwelling, collected weekly), 1 x 240L Recycling Bin (1 per dwelling, collected fortnightly) and 1 x 240L Garden Organics Bin (1 per dwelling collected fortnightly). Approval for allocation of one set of bins per dwelling will only be permitted where: <ul style="list-style-type: none"> • Each dwelling has direct access at ground level • Bin storage is provided at each dwelling, and the bin storage location is specified on the application. • A kerbside presentation point is nominated on the application • The space required for presentation at kerb does not exceed one-third of the width of the property frontage • Kerbside collection activity does not create an obstruction of the pathway or roadway or cause an illegal hazard • Kerbside presentation point is to be located so as to minimise the impacts from noise and odour during collection • The path for wheeling bins between each and every dwelling bin storage location and the kerbside presentation point is a maximum of 30m and does not exceed a grade of 1:14 at any point.

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C3.	<p>In all other cases, multi-unit dwellings with less than 20 dwellings are to provide storage space for waste, recyclables and garden organics in accordance with the following:</p> <p>Either:</p> <p>Allocated 1x 240L Waste Bin (per 2 residential units), 1 x 240L Recycling Bin (per 2 residential units) and 1 x 240L Garden Organics (per 10 residential units up to a maximum of 20 residential units).</p> <p>Or:</p> <p>Allocated 660L or 1100L bins, in accordance with waste generation requirements.</p>
C4.	<p>In multi-unit dwelling residential development containing 20 or more dwellings, a bulk waste and recycling collection service is required. Council supplies 660L and 1100L bulk recycling and waste bins.</p>

Waste Collection and Vehicle Access

Controls	
C5.	<p><u>Presentation to kerb</u></p> <p>Presentation to kerb is only permitted where council approval has been provided for one set of bins per dwelling, as per the Bin Allocation section above.</p> <p>Presentation to kerb will only be permitted where:</p> <ul style="list-style-type: none"> • A kerbside presentation point is nominated on the application • The space required for presentation at kerb does not exceed one-third of the width of the property frontage • Kerbside collection activity does not create an obstruction of the pathway or roadway or cause an illegal hazard • Kerbside collection point is to be located so as to minimise the impacts from noise and odour during collection • The path for wheeling bins between dwelling storage and the kerbside collection point is a maximum of 3Cm and does not exceed a grade of 1:14 at any point.

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C6.	<p><u>Collect and Return Collection</u></p> <p>Multi-unit dwellings with 20 or less units may be permitted to be provided with a Collect and Return collection service (also known as a wheel-out wheel-in service), on approval from Council. The Collect and Return service involves Council's waste collection vehicle parking at a designated kerbside collection point, parallel to kerbside (see collection vehicle dimensions above). Collection staff will enter the bin storage area on foot and collect waste, recycling or garden or-organics bins. The bins are wheeled to the rear of the vehicle to be emptied. Once emptied the bins are placed back within the bin storage area and the driver leaves the development.</p> <p>The following design elements must be demonstrated in order for Council to approve a collect and return collection.</p> <ul style="list-style-type: none"> • Communal bin storage area large enough to accommodate all bins assigned to the development. • Maximum walking distance from the front of each and every dwelling to the communal bin storage area is not to exceed 30m (excluding travel via lift) • The access pathway for wheeling bins between the bin storage area and kerbside collection point is to be level and free of steps. • The maximum manual handling distance between the bin storage area and kerbside collection point is 15m. • The bin storage area is constructed to allow physical separation from the bulky household waste area. • Minimum doorway width of 1400 mm. • The location of the proposed kerbside collection point is to be illustrated on the DA plans, and is to be level, free of obstructions and with sufficient height clearance to enable the safe mechanical pick up and set down of bins.
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	<p>Kerbside collection points should not be located:</p> <ul style="list-style-type: none"> • near intersections; • near roundabouts or slow-points; • along busy arterial roads; • in narrow lanes; • near possible obstructions, including trees, overhanging buildings, and overhead powerlines; or • where they pose a traffic hazard. <p>On approval from Council, bin storage areas may be locked via a PIN lock in order to reduce access by non-residents. The PIN code must be provided to council two weeks prior to the first service occurring.</p>
C7.	<p><u>On-Site Collection</u></p> <p>All multi-unit dwellings that are not approved for 'presentation to kerb' or 'collect and return' collection must provide on-site collection for Council vehicles, where the collection vehicle enters the property and services the development within the property boundary from a designated loading area.</p> <p>A nominated collection point must be designated where waste, recyclables and garden organics are loaded onto the collection vehicle. The location of the nominated collection point is to be illustrated on the DA plans. Nominated collection points are to be located, in order of preference:</p> <ol style="list-style-type: none"> 1) In the building's basement 2) At grade within the building in a dedicated collection or loading bay

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The nominated collection point is required to be within 15m of the bin presentation area. Note that all bins for collection must be located in the bin presentation area prior to collection (see 'Bin Storage Areas' for further details).

The nominated collection point is to be level, free of obstructions and with sufficient height clearance to enable the safe mechanical pick up and set down of bins.

In all cases, vehicles will enter and exit the premises in a forward direction. The following allowances are required for collection vehicle access:

- An unimpeded minimum vertical clearance of 4.5 metres throughout the entire onsite approach, including clearances of all ducts, pipes and other services
- A minimum width of driveway of 3.6 m
- A minimum turning circle radius as per the vehicle dimensions provided, or provision for changing the facing direction of a waste or recycling collection vehicle.
- The grades of entry and exit ramps must not exceed the capabilities of the waste collection vehicle compliant with *AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities*.

A swept path analysis must be provided with the application demonstrating that paths of vehicles travelling in the forward direction when negotiating access driveways and circulation roadways can be accommodated within the proposed development. Swept path analysis must also be used to establish that sufficient width is provided for the vehicle swept path, including manoeuvring clearances.

The following must be provided in a swept path analysis:

- Details of road geometry (details dimension of the driveway, width of the road (carriage way), footpath, kerb and gutter, median and on-street parking where applicable.)
- Dimension details of the design vehicle
- Turning radius and operable speed
- Three clear swept paths line namely wheel path, vehicle body path and 0.6m clearance path.

C8. Where collection staff or collection vehicles are required to enter a site a Servicing Agreement will be required to be entered into with Council giving power and authority to Council collectors to enter the site for the purpose of waste services.

Waste and Recycling Chutes

Controls

C9. All developments that meet the following criteria are required to incorporate a waste and recycling chute system:

- comprise four or more storeys; and
- include a lift within the development

For buildings with 9 or less storeys the chute system must consist of separate chutes for waste and recycling. Dual function chutes will have a mechanism for selecting the waste stream to be disposed of and a diverter at the bottom of the chute to direct the waste into the appropriate bin.

For buildings with 10 or more storeys the chute system must consist of separate chutes for waste and recycling.

All waste chutes serviced by 240 litre or 660L bins must discharge into a compaction unit. Compaction units shall not compact above the ratio of 2:1. Recycling bins and 1100 litre bins must not be compacted.

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Chute requirements include:

- Each floor will have a chute inlet with clear instructions on how to use the system.
- residual waste and recycling chutes will be co-located side by side for ease of use and to reduce the likelihood of contamination
- waste disposal points (chute inlets) on each residential level enclosed in a chute room
- the chute is to terminate in a dedicated waste and recycling room and discharge directly into a receptacle
- protective skirting between chute and bins is encouraged to prevent spillage and minimise dust or spray
- chute must be completely enclosed and fire-rated, compliant with the Building Code of Australia
- chutes must be cylindrical in section to avoid waste being caught within the chute, and with a diameter of 500mm or more
- chutes must be ventilated to ensure that air does not flow from the chute through any service opening
- residential chutes must operate separately to commercial chutes
- residents are not to be given access to the area where the chute discharges
- total maximum travel distance from any residential dwelling entry to a chute system on any given storey is not to exceed 30 metres.

- chute inlets must be designed to:

- effectively close off the service opening in the chute when the device is opened for loading
- automatically return to the closed position after use
- permit free flow of waste into the chute
- not project into the chute
- permit easy cleaning of the device and connection between the service opening and the chute
- be no less than one metre (1 m) or more than one and one-half metres (1.5 m) above the floor level

Waste management plans should include consideration of how the chute system has been designed to enable additional waste streams, such as food waste, to be collected if required in the future.

C10.

Chute outlets must discharge into a waste and recycling chute collection room. Chute collection rooms must be able to accommodate at minimum one days waste volume from the number of units it is servicing. The distance between chute collection room and central waste and recycling room must be minimised wherever possible. All transferring of waste from the central waste and recycling room to the collection point must occur underground.

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Bin Storage Areas

Controls

- C11. All waste and recycling bins are to be located in a dedicated bin storage area. Proposed bin storage areas must meet the following design requirements:
- Where a development does not include waste and recycling chutes, the maximum travel distance from any dwelling to a bin storage area must not exceed 30m, excluding the distance travelled by lift.
 - Bin storage areas are not to be located adjacent to a habitable room.
 - Bin storage areas should be out of sight or well screened from the street
 - A minimum door width of 1400mm is required to allow for easy movement of large bins and other equipment in and out of the room.
 - The floor is to be constructed with concrete to a minimum thickness of 75 mm, non-slip and smooth/even surface covered at all intersections.
 - Bin storage areas must be easy to clean, with access to water (a tap and a hose) and adequate drainage. Water from washing bins and/or bin storage areas should not flow into the stormwater drain. Wash areas must be designed in accordance with relevant EPA requirements.
 - Ideally, having covered floor junctions at walls helps with cleaning and avoids the build-up of dirt and spills.
 - Where a residential development and non-residential development occupy the same site, the waste and recycling handling and storage systems for residential waste and non-residential (such as commercial) waste are to be separate and self-contained, and capable of being secured.
 - Bin storage areas are to be detailed on DA plans and drawings submitted to Council, with clear floor space dimensions.

More than one bin storage area may be required in order to meet access criteria. If more than one bin storage area is required, the Waste Management Plan must specify the number of units serviced by each bin storage area and the number of bins required for that storage area, with reference to waste generation rates and bin capacities.

For developments with on-site collection, a single bin presentation area must be designated for presentation of all bins prior to collection. This bin presentation area must have sufficient storage space for all development bins and be located within 15m of the nominated collection point. It may be suitable for the bin presentation area to also be a bin storage area.

Dimensions of bin storage areas and bin presentation areas must be calculated using City of Canada Bay waste generation rates, bin dimensions, and a minimum manoeuvrability factor of 20%, using the following equation as a basis:

$$(no. of bins \times bin footprint(area)) + (waste equipment footprint (area)) \times 1.2$$

For example, four 660 L MGB (with dimensions (m): 1.2 H x 1.26 W x 0.78 D) with no specific waste equipment would need an area of at least:

$$(4 \times (1.26 \times 0.78)) + (0) \times 1.2 = 4.72 \text{ m}^2$$

All waste, recycling and organics bins are to be stored at all times within the boundary of the development. Distances between bin storage areas and the bin presentation area must be minimised, and the access pathways between bin storage areas and the bin presentation area are to be level and free of steps or kerbs.

	<p>Best practice design of storage rooms ensures flexibility and future-proofing is integrated into every aspect of the development. This is particularly important for a waste management system as waste contractors are likely to vary over the lifetime of any development; therefore the design should not be limited to one type of vehicle, bin, or equipment. Examples of how flexibility can be considered include:</p> <ul style="list-style-type: none"> • Ensuring bin storage areas are kept clear of potential obstacles that would make it difficult to modify existing bin sizes. For example, in communal bin areas, using fixed structures to separate individual bins should be avoided, as bin sizes and/or configurations may change • Designing access paths and doorways greater than the minimum width requirements to allow for possible future changes in bin sizes. • Sizing communal bin storage areas to allow for a potential increase in waste generation from the development or a change in allocated council services per dwelling.
C12.	<p>In high rise residential developments where there is a full time caretaker on site, it is advisable that access to waste facilities by residents is limited to only the service compartments located on each floor, and the bulky items storage area. This is to help prevent contamination of recycling bins. Council will not collect recycling bins that are contaminated with unacceptable materials.</p>

Bulky Household Waste Storage Room

Controls	
C13.	<p>A bulky household waste storage room must be located within the boundary of the development and must be located no more than 30 m walking distance from any dwelling, excluding travel via lift.</p> <p>A minimum area of 3m² is to be provided. The size of the bulky household goods area for developments of 20 or more dwellings is based upon the following calculation:</p> $\text{Bulky Household Goods Area (m}^2\text{)} = \text{[Number of units x 8]} \div 52$ <p>Note: All calculations are rounded up to next whole number (i.e. 4.1 m² = 5 m²).</p> <p>Bulky household waste storage must be separated from bin storage areas, and located within the boundary of the development. There should be unobstructed access to the bulky household waste storage area for residents, to eliminate the movement through other equipment and storage rooms for access to bulky household waste storage.</p> <p>The floor is to be constructed with concrete to a minimum thickness of 75 mm, non-slip and smooth/even surface covered at all intersections. A minimum door width of 1800 mm is required to allow for easy movement of large items in and out of the room. Bulky storage rooms are required to be indoors or under cover to reduce weather damage to potentially reusable items.</p> <p>The floor must be graded to a central drainage point connected to the sewer and have a supply of water through a centralised mixing valve with hose cock.</p>

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For all multi-unit dwellings of more than 20 units, additional space is required for recycling textile waste such as a clothes bin. The size required is 1m² per 50 units to a maximum 2m². This space should be in or attached to the storage area. Consideration should be given to allocating space for printer cartridge, toner bottle and mobile phone recovery bins as these items are able to be recovered by the private sector at no charge. Implementation of these types of recovery options will reduce the overall waste generated in these development sites.

Wherever possible, bulky household materials should be segregated, with separate areas for recyclable metals, mattresses, garden waste and furniture. Each separate area should be clearly signposted.

Residential amenity

Controls

C14.

Noise

Residential dwellings must be adequately insulated from noise and smell if they are adjacent to or above:

- chutes or waste storage facilities, or
- chute discharge, or
- waste compaction equipment, or
- waste collection vehicle access points.

Better practice principles that should be incorporated to reduce noise include:

- Locating bin bays and collection points far enough away from residents as to reduce the impact of noise during waste collection.
- Eliminating the need for collection vehicles to reverse.
- Chutes, if installed, should be well insulated to avoid noise disturbing neighbouring units.
- Select appropriate surfacing materials that will assist in minimising noise for pathways and driveways that bins will need to be wheeled over.

Provide detail on how material will be transferred into bins at storage points to reduce noise impacts.

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C15.	<p><u>Chute Acoustic Requirements</u></p> <p>For all buildings with waste and recycling chutes, where possible chutes should not be situated adjacent to habitable rooms due to the noise from hopper use and waste falling down the shaft.</p> <p>Chutes must be designed to meet the minimum acoustic requirements for both airborne and impact noise protection. Note that a condition of consent will require a report from a specialist acoustic consultant demonstrating compliance with acoustic performance requirements. Performance requirements are given for both airborne and impact noise protection respectively in terms of a Weighted Sound Reduction Index with Spectrum Adaption Term ($R_w + C_v$) and a Normalised Impact Sound Pressure level with Spectrum Adaption Term ($L_{n,w} + C_I$) as follows for waste chutes in residential premises.</p> <p>Any chute, duct or service carrying only residential waste and located in a building to serve, pass through or near a separate habitable area (non-residential or residential), is to be designed and built to be separated by a construction methodology that achieves the following minimum performance requirements:</p> <ul style="list-style-type: none"> • Be of a discontinuous/vibration isolated construction methodology. • Be certified in design by an appropriately qualified acoustic consultant to the satisfaction of a lawful certifying authority to achieve an $R_w + C_v$ of not less than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and achieve a $D_{nT,w} + C_v$ of not less than 50 in verification prior to occupation. • Be certified in design by an appropriately qualified acoustic consultant to the satisfaction of a lawful certifying authority to achieve an $L_{n,w} + C_I$ of not more than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and achieve a $L_{nT,w} + C_I$ of not more than 55 in verification prior to occupation.
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C16.	<p><u>Odour</u></p> <ul style="list-style-type: none"> • For enclosed storage and service areas, the air flowing from interim storage areas and central residual waste rooms should not exit close to units. • Ventilation openings should be protected against flies and vermin and located as near the ceiling and floor as possible, but away from the windows of dwellings. • If a forced ventilation or air conditioning system is used for enclosed storage areas, it should: <ul style="list-style-type: none"> - be in accordance with the ventilation requirements of the Building Code of Australia and Australian Standard 1668.2 The use of Ventilation and Air Conditioning in Buildings; and - not be connected to the same ventilation system supplying air to the units.
C17.	<p><u>Visual</u></p> <p>All waste management facilities and storage areas should be adequately screened, not readily visible from any public place and should blend in with the development. A poorly designed and located storage area can detract from the overall development, encourage misuse of the facilities provided and affect recycling outcomes.</p>

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Waste Management

Controls	
C18.	<p>For all multi-unit dwellings, the developer must provide an Operational Waste Management Plan that establishes responsibility for the tasks involved in ongoing waste management, including:</p> <ul style="list-style-type: none"> • Moving bins to and from the bin storage areas to the bin presentation area (if required) on collection day. • Moving recycling bins to bin storage areas as required. • Washing bins and maintaining storage areas to be kept in a serviceable condition that maximises amenity. • Managing communal composting/food recycling areas (if applicable). • Ensuring all residents are informed of the residual waste, recycling, organics and bulky waste arrangements. • Displaying and maintaining consistent signs on all bins and in all communal storage areas. • Keeping waste collection and storage areas free of clutter and dumped waste to minimise odour and vermin issues. <p>It is required that body corporate or a facilities caretaker is responsible for the movement of bins to their collection point and their subsequent return, particularly if on-site collection is occurring.</p>
C19.	<p>Signage in waste storage compartments must encourage residents to wrap waste prior to placement in chutes, specify that no dangerous or bulky items be placed in chutes and provide information about what is acceptable in the recycling system.</p>
C20.	<p>Note that design of waste management systems must be in accordance with The Disability Discrimination Act (1992). Consider people with special needs when designing waste facilities, particularly for height and design of waste chutes inlets.</p>

B4.4 Controls for Mixed Use Developments

Controls	
C1.	<p>Where a development mixes residential with commercial uses, the waste handling, storage and collection system for residential waste (from the residential area) and commercial waste (from the commercial area) are to be completely separate and self-contained. They must have separate keys and locking systems.</p>
C2.	<p>The Waste Management Plan prepared for a mixed use development must identify the collection points and management systems for both residential and commercial waste streams.</p>
C3.	<p>The waste handling and management system for each component of the mixed development must comply with the relevant provisions of this DCP (eg. Separate residential and commercial collection areas).</p>
C4.	<p>Sufficient space must be allocated in each waste and recycling storage room to store the amount of waste likely to be generated in each respective part of the development.</p>
C5.	<p>Each waste and recycling room must be located in an area that is easily accessible for waste services collection vehicles and convenient to the users.</p>
C6.	<p>Measures must be taken to ensure that noise and odour from the commercial waste facilities does not impact on residents.</p>
C7.	<p>Commercial tenants in a mixed development must be actively discouraged from using the residential waste facilities.</p>

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C8.	The waste storage and recycling area shall be designed to enable each separately tenanted or occupied area within the building or complex to be provided with a designated and clearly identified space for the housing of sufficient commercial bins to accommodate the quantity of waste and recycling material likely to be generated.
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Commercial/Industrial Premises

Controls	
C9.	A waste and recycling room must be provided on each floor level within a retail development. The waste and recycling area must have the capacity to store at least one (1) day's volume of waste and recycling likely to be generated on that floor level. Refer to Table B-O for waste generation rates.
C10.	Material from the waste and recycling room must be transferred to the centralised waste and recycling room or holding area daily or more frequently, as required.
C11.	If more than 10m ³ of non-compacted waste and recycling is calculated to be generated per day (as described in the Waste Management Plan), the central waste and recycling room must be separate from the goods receivable dock or service vehicle bay area.

Controls	
C12.	The waste and recycling area should be flexible in design so as to allow for a variety of bin sizes and types and future changes in the use of the commercial/ industrial units.
C13.	The waste collection area shall be covered, drained to the sewer as per a Sydney Water Trade Waste Agreement and may need bunding depending on the material to be stored within the area.
C14.	All development applications involving demolition or construction are to be accompanied by a completed Waste Management Plan. A Waste Management Plan form may be obtained from Council's website or Council's Customer Service Centre.
C15.	Sufficient space shall be provided on-site for waste separation.
C16.	A well designed and located waste storage and recycling area and/or garbage and recycling room shall be provided on-site.
C17.	Clear access for staff and collection services is to be provided.
C18.	Facilities are to be carefully sited and well designed to not have an adverse impact on adjoining premises or amenity.
C19.	Where multiple occupancy (such as a suite of shops or an office complex) is proposed, communal facilities may be appropriate, particularly where: <ol style="list-style-type: none"> a) The design makes it difficult for all units to have access to a collection point; or b) Site characteristics restrict entry of vehicles.

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C20.	The waste storage and recycling area shall have a concrete floor, suitably graded to allow drainage and be designed to enable each separately tenanted or separately occupied area within the building or complex to be provided with a designated and clearly identified space for commercial waste containers.	C26.	Grease traps must be provided, where appropriate. Contact should be made with Sydney Water to obtain their trade waste requirements.
C21.	The waste storage and recycling area should be sited to allow easy vehicular access (preferably from the rear of the property) and opportunities for screen landscaping.	C27.	Where special waste material is to be generated by professional services such as but not limited to medical centres, dentists and aged care facilities, special arrangements will be required which should be detailed in the Waste Management Plan.
C22.	A building containing more than three storeys shall be provided with an acceptable method for transporting waste from each level to a garbage and recycling room. Space must be provided on each floor for temporary storage of waste material and recyclables. Ongoing management should be detailed in the Waste Management Plan.	C28.	Commercial developments are to provide storage space for garbage and recyclables in accordance with Table B-O below.
C23.	For offices and commercial premises, particular attention should be paid to paper, cardboard, glass, aluminium, steel and plastic (1-7) recycling, with source separation at the waste storage and recycling area or garbage and recycling room.		
C24.	For restaurants and other premises which deal with perishable food stuffs, special attention should be paid to food scrap generation. Specialised containment should be provided and a regular/daily collection service arranged.		
C25.	Refrigerated garbage rooms should be provided when large volumes, perishables (such as seafood) and infrequent collection is proposed.		

CITY OF CANADA BAY

Development Control Plan

Part B

General Controls

Table B-O Waste generation rates for Mixed Use Areas and Neighbourhood Centres

Type of premises	Waste generation	Recycling generation
Backpackers accomodation	40L/occupant/week	40L/occupant/week
Boarding house, guest house	60L/occupant/week	60L/occupant/week
Childcare	50L/100m ² /day; plus Per 10 children aged 0 to 2: 75L waste per day; plus Per 10 children aged 2 to 3: 35L waste per day	50L/100m ² /day
Food Premises		
Butcher	150L/100m ² floor area/day	120L/100m ² floor area/day
Delicatessen	150L/100m ² floor area/day	120L/100m ² floor area/day
Fish shop	150L/100m ² floor area/day	120L/100m ² floor area/day
Greengrocer	240L/100m ² floor area/day	120L/100m ² floor area/day
Restaurants	10L/1.5m ² floor area/day	2L/1.5m ² floor area/day dining
Supermarket	240L/100m ² floor area/day	240L/100m ² floor area/day
Takeaway	150L/100m ² floor area/day	120L/100m ² floor area/day
Hotel	5L/bed/day; plus 50L/100m ² /bar area/day; plus 10L/1.5m ² of dining area/day	120L/100m ² /of bar and dining areas/day
Licensed club	50L/100m ² of bar area/day; plus 10L/1.5m ² of dining area/day	120L/100m ² of bar and dining areas/day
Motel (without public restaurant)	5L/bed/day; plus 10L/1.5m ² of dining area/day	1L/bed/day
Offices	10L/100m ² floor area/day	40L/100m ² floor area/day
Retail (other than food sales)		
Shop less than 100m ² floor area	50L/100m ² floor area/day	25L/100m ² floor area/day
Shop over 100m ² floor area	50L/100m ² floor area/day	50L/100m ² floor area/day
Showrooms	40L/100m ² floor area/day	10L/100m ² floor area/day

B5 Water conservation

Water conservation is an important element of an integrated ESD strategy. Measures can be implemented to match water quality with its intended use, to reduce water demand and use water more efficiently.

Applicants are required to satisfy the requirements of SEPP (BASIX) and Water Sensitive Urban Design Strategies.

Controls	
C1.	Water saving devices such as dual flush toilets, tap aerators, low water use dishwashers and washing machines must be provided to all new developments.
C2.	Spring return taps must be used for all public amenities.
C3.	Appliances and plumbing hardware should have a "AAA" Australian Standards Conservation Rating.
C4.	Implement fit for purpose substitution by matching water quality with its intended use. Roofwater should be retained on site for use externally, such as garden watering, cleaning and irrigation. The collection and storage of rainwater for toilet flushing should be considered. The recycling of grey water for toilet flushing or external use should also be considered.
C5.	The installation of insinkerators is not permitted.
C6.	Water conserving landscape practices, such as use of mulch, irrigation zoning, limited turf areas and flow regulators on hoses should be incorporated into design and management arrangements.

C7.	<p>Minimum water requirements, include:</p> <ul style="list-style-type: none"> • Drip irrigation to all planters/ on slab landscaping, except turf areas • Water efficient taps • Non-potable (recycle) water reticulation to all apartment WC's and laundries (washing machine supply), the irrigation of gardens and the supply of carwash bays • Recycling of water from the fire pump testing system
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B6 Urban Forest

Vegetation to which this Part applies is declared to be vegetation to which Part 2.3 of SEPP (Biodiversity and Conservation) 2021 applies.

Objectives

- O1. To conserve and enhance the tree canopy and greenscape and to enhance visual amenity in the public domain
- O2. To protect all protected and heritage trees.

B6.1 Tree maintenance

Objectives

- O1. To conserve urban canopy and enhance visual amenity in the public domain
- O2. To retain healthy trees of environmental and aesthetic value;
- O3. To retain viable representative samples of native vegetation and biodiversity values wherever practicable;
- O4. To facilitate the removal of undesirable exotics, noxious weeds, dangerous trees and any other inappropriate plantings, and to replace these with suitable species.

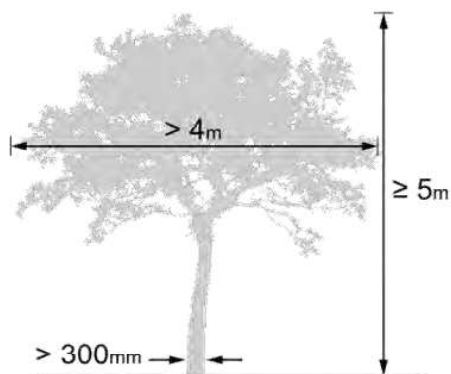


Figure B6.1 Diagram of a 'Protected Tree'. See Part L for definition

General Requirements

Controls

C1.	A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any protected or heritage tree, or other vegetation to which this development control plan applies without a permit granted by the Council. See also Figure B6.1.
-----	--

Note: A protected tree is:

- a) any tree with a height equal to or greater than 5 metres above ground level (existing); or
- b) any tree that is under 5 metres in height that has a trunk diameter of more than 300mm at ground level (existing); or
- c) has a canopy spread of over 4m; or
- d) a native palm, cycad or mangrove, irrespective of its dimensions.

Note: A heritage tree is:

- a) any tree that is identified individually or contained within a property identified in the Canada Bay Local Environmental Plan in Schedule 5 or shown on a Heritage Map.

Tree pruning and removal permit

Controls

C2.	A permit is required for the pruning and/or removal of a Protected Tree. Note: Refer to controls below for circumstances where development consent is required for the pruning and/or removal of a tree.
C3.	Replacement planting must be provided in accordance with this DCP.

Note: Permits are issued in accordance with SEPP (Biodiversity and Conservation) 2021, Part 2.3.

CITY OF CANADA BAY

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Development Consent

Development consent will be required from Council if the following controls apply:

Controls	
C4.	The tree is a Protected Tree, and the tree is on land identified within the Canada Bay Local Environmental Plan as: <ol style="list-style-type: none"> A Heritage Item, or Within a Conservation Area.
C5.	Replacement planting must be provided in accordance with this DCP.

Note: Refer to Definitions contained within this DCP.

Exemptions

A person will be exempt from requiring a permit or development consent with respect to particular tree works if Council establishes that:

- The tree was dead or that the works were limited to the removal of dead branches;
- The tree was one of the following exempt species (provided the tree is not listed as a Heritage Item in an environmental planning instrument – in which case the prohibition applies):

<i>Alnus jorullensis</i>	Evergreen Alder
<i>Bambusa</i> spp	Bamboo
<i>Celtris occidentalis</i>	Sugarberry
<i>Erythrina x sykesii</i>	Indian Coral
<i>Erythrina crista-galli</i>	Coral Tree
<i>Ficus elastica</i>	Rubber Tree
<i>Ligustrum</i> spp	Privet
<i>Nerium oleander</i>	Oleander
<i>Olea Africana</i>	African olive
<i>Populus</i> spp	Poplar

<i>Salix</i> spp	Willow
<i>Schefflera</i> spp	Umbrella Tree
<i>Syagrus romanzoffianum</i>	Queen/Cocos Palm
<i>Toxicodendron</i> spp	Rhus Tree
<i>Cinnamomum camphora</i> (Camphor Laurel) or <i>Liquidamber</i> spp (Liquidamber) where the outside edge of the trunk of such tree is located within 3 metres of any single storey dwelling (not being an out building eg. Garage, carport, shed, etc).	Camphor Laurel or Liquidamber
A fruit tree grown for the purposes of fruit or fodder production except <i>Acmena</i> spp (Lilly Pilly), <i>Syzygium</i> spp (Lilly Pilly) or <i>Elaeocarpus</i> spp (Blueberry Ash).	Lilly Pilly or Blueberry Ash

- The tree is a declared noxious weed in the local government area of the City of Canada Bay under the Noxious Weed Act 1993; and
- The tree works were limited to the maintenance of a minimum clearance of five hundred (500) millimetres from domestic service leads as specified by Energy Australia, provided that the works were carried out by an Arborist of Australian Qualification Framework (AQF) level 3 and above, in accordance with the Australian Standards for the Pruning of Amenity Trees AS4373-2007.

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Part B

General Controls

B6.2 Assessment of trees

Objectives

- O1. Providing a guide to the regulatory framework for the preservation of trees;
- O2. Helping in establishing a coordinated approach to the assessment and management of trees.

Controls

C1. Council may issue a permit or development consent for the removal of a tree(s) if one of the following criteria are met:

- a) The tree is a poor specimen and is in decline and/or inappropriate for the location as deemed by Council; or
- b) The tree has caused significant structural damage and supporting documentation is provided to demonstrate there is an on-going problem with the tree and no other course of action will rectify the problem.

Evidence will be required to demonstrate that the tree to be removed meets the above criteria. This evidence is to be in the form of an arborists' report or a structural engineers' report, or both.

C2. Council may issue a permit or development consent for the pruning of tree(s) if the following criteria are met:

- a) The tree(s) have structural defects and or disease and remedial pruning (to AS4373-2007), will improve the health of the tree; and
- b) The tree(s) require crown thinning (no reduction in height permitted) to reduce weight within the tree if the tree is overhanging property or for other areas deemed appropriate i.e. access issues etc. A percentage no greater than 15% is generally issued.

In some circumstances it may be necessary for you to supply, at your cost, an independent arborist's, structural, plumber's and or pest report. A comprehensive report must meet the criteria as outlined in Council's Guidelines for the Preparation of Reports available from Council. The Tree Management Officer will determine if such reports are necessary and such circumstances may include those where there is the possibility that the tree has been deliberately tampered with or extra supporting information is needed.

Emergency Procedures

Controls	
C3.	<p>a) Where a tree(s) pose a potential hazard to property, the applicant should identify this on the application form. Council may expedite the assessment. No responsibility shall be taken by Council should a tree fail and cause damage or injury prior to inspection and the issue of the Tree Preservation Permit;</p> <p>b) Emergency Permits may be issued to applicants if deemed necessary by Council's Tree Management Officer(s); and</p> <p>c) In respect of potential hazard situations, tree problems do not usually occur in the short term, (except in the event of physical/mechanical damage i.e. storm activity etc)</p>

B6.3 City of Canada Bay tree species

- O1. To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.

Indigenous species

Controls	
C1.	Trees selected for inclusion in landscaping should comprise native vegetation indigenous to Canada Bay and should be chosen from Table B-P in the first instance.

Native and exotic species

Controls	
C2.	Trees selected for inclusion in landscaping may comprise alternative native or exotic species from Table B-Q.

CITY OF CANADA BAY

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Table B-P Indigenous trees

Botanical Name	Common Name	Evergreen (E) Deciduous (D)	Indigenous (i) Native (n) Exotic (ex)	Mature height in urban tree conditions	Features	Suitability			Diversity
						Street Plaza	Open space/Parkland	Private Domain	Family
Large indigenous trees									
<i>Angophora costata</i>	KAJIMBOURRA(D) Sydney Red Gum	E	i	8-20m	Open canopy, broad form, colourful bark, flowers on outer canopy, bird attracting	y	y	y	Myrtaceae
<i>Angophora floribunda</i>	BURRAM -BURRANG(D) or Rough Bark Apple	E	i	10-20m	Graceful upright form, medium canopy, showy flowers, bird and pollinator attracting	y	y	y	Myrtaceae
<i>Eucalyptus botryoides</i>	BANGALAY (D)	E	i	12-20m	Medium to open canopy, bird attracting		y		Myrtaceae
<i>Eucalyptus globoidea</i>	DTHAN DTHAANG(D) or White Stringybark	E	i	10-15m	Deep green foliage, bird attracting	y	y	y	Myrtaceae
<i>Eucalyptus paniculata</i>	PARRAGILGA (G) or Grey Ironbark	E	i	18-25m	Feature tree, bird attracting	y	y		Myrtaceae
<i>Eucalyptus punctata</i>	MAANDOWIE (D) or Grey Gum	E	i	18-25m	Textured and smooth salmon bark, bird attracting		y		Myrtaceae
<i>Eucalyptus resinifera</i>	Red Mahogany	E	i	18-25m	Feature tree, bird attracting	y	y		Myrtaceae
<i>Ficus rubiginosa</i>	BAIRA OR DTHAAMAN or Port Jackson Fig	E	i	8m x 12m	Interesting spreading buttress root system, long lived wide shade tree ideal for parks and open spaces		y		Moraceae
<i>Syncarpia glomulifera</i>	BOOREEAH or Turpentine	E	i	12-20m	Feature tree - predominately upright form, interesting leaves and fruit, bird attracting	y	y	y	Myrtaceae
Medium indigenous trees									
<i>Acacia parramattensis</i>	Sydney Green Wattle	E	i	6m	Long lived wattle, interesting seed pod, abundant flowers, bird and pollinator attracting	y	y	y	Fabaceae
<i>Acmena smithii</i>	Midjuburi (Cadigal) or Lilly Pilly	E	i	8-12m	Dense green canopy with vibrant red fruit, bush tucker	y	y	y	Myrtaceae
<i>Angophora bakeri</i>	Narrow-leaved apple	E	i	6-10m	Graceful upright form, medium canopy, showy flowers, bird and pollinator attracting	y	y	y	Myrtaceae

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<i>Banksia integrifolia</i>	COURRIDJAH(D) or Coast Banksia	E	i	5-12m	Tall open canopy tree with silver leaves, showy flowers and interesting fruit, bird attracting, bush tucker	y	y	y	Proteaceae
<i>Corymbia gummifera</i>	MANNEN(D) or Red Bloodwood	E	i	8-15m	Small Eucalypt in urban situations, decorative bark and fruit, creamy white flowers on outer canopy, bird attracting		y		Myrtaceae
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	E	i	8m	Upright tree with dense green foliage, white pink flowers and blue drupes, shade tolerant, bird attracting	y	y	y	Elaeocarpaceae
<i>Eucalyptus robusta</i>	CURRAMURRA (D) or Swamp Mahogany	E	i	10-15m	Interesting fruit, showy flowers, deep textured red and brown bark, wet areas, bird attracting	y	y		Myrtaceae
<i>Glochidion ferdinandi</i>	Cheese Tree	E	i	6m	Feature tree, interesting fruit, shade tolerant, wet areas	y	y	y	Phyllanthaceae
<i>Melaleuca styphelioides</i>	NAAMBARR(D) or Prickly Paperbark	E	i	8-12m	Decorative bark, showy flowers, wet areas, bush tucker	y	y		Myrtaceae
<i>Melaleuca linariifolia</i>	Snow in Summer	E	i	6m	Feature plant, showy flowers, bush tucker, wet areas	y	y	y	Myrtaceae
Small indigenous trees									
<i>Acacia binervia</i>	MYIMBARR(D) or Coastal Wattle	E	i	5m	Long lived wattle, small tree, beautiful silvery grey green foliage, fluffy spikes of golden flowers, fragrant wood	y	y	y	Fabaceae
<i>Angophora hispida</i>	BANDA (C) or Dwarf Apple	E	i	4m	Interesting rusty foliage and fruit, bird attracting	y	y	y	Myrtaceae
<i>Leptospermum polygalifolium</i>	YellowTea Tree	E	i	3-4m	Long lived white flowers, bird and pollinator attracting	y	y	y	Myrtaceae
<i>Melaleuca nodosa</i>	Ball Honeymyrtle	E	i	3m	Small paperbark tree, abundant flowers, bird and pollinator attracting	y	y	y	Myrtaceae
<i>Homalanthus populifolius</i>	Bleeding Heart	E	i	4 -5m	Attractive foliage (suitable for parks-plant with other clumps)	y	y	y	Euphorbiaceae
<i>Syzygium paniculatum</i>	Magenta Lilli Pilly	E	i	5-10m	Showy flowers and fruit, bird attracting, shade tolerant, bush tucker	y		y	Myrtaceae

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Table B-Q Native and exotic trees

Botanical Name	Common Name	Evergreen (E) Deciduous (D)	Indigenous (i) Native (n) Exotic (ex)	Mature height in urban tree conditions	Features	Suitability			Diversity Family
						Street/Plaza	Open space/Parkland	Private Domain	
Large native or exotic trees									
<i>Agathis robusta</i>	Queensland Kauri	E	n	25m	Feature tree		y		Araucariaceae
<i>Corymbia maculata</i>	YARRUN (D) or Spotted Gum	E	n	20-30m	Smooth long trunk with a high leafy crown	y			Myrtaceae
<i>Corymbia exima</i>	Yellow Bloodwood	E	n	10-12m	Interesting bark, bird and pollinator attracting	y		y	Myrtaceae
<i>Elaeocarpus eumundi</i>	Eumundi Quondong	E	n	10-18m	Tall narrow canopy, luscious green with rich red new growth	y			Elaeocarpaceae
<i>Flindersia australis</i>	Australian Teak	E	n	15-25m	Dense canopy, interesting fruit	y	y		Rutaceae
<i>Fraxinus oxycarpa</i> 'Raywood'	Claret Ash	D	e	10-15m	Deep red leaf colour, drought tolerant	y	y		Oleaceae
<i>Fraxinus pennsylvanica</i> 'Urbanite'	Red Ash	D	e	12- 18m	Large spreading tree, drought tolerant	y	y		Oleaceae
<i>Harpullia pendula</i>	Tulipwood	E	n	10-15m	Dense dark green foliage, colourful orange capsules, tropical native that is drought tolerant	y	y	y	Sapindaceae
<i>Lophostemon confertus</i>	Brush Box	E	n	15m	Federation planting to be planted to compliment Brush Box feature streets only, dense round crown	y			Myrtaceae
<i>Quercus palustris</i>	Pin Oak	D	e	10-12m	Drought tolerant, colour in Autumn- park Tree	y	y		Fagaceae
<i>Podocarpus elatus</i>	DAALGAAL or Plum Pine	E	n	8-12m	Broad dense foliage, bush tucker, very hardy, needs good drainage	y	y		Podocarpaceae
Small to medium native or exotic trees									
<i>Acer buergerianum</i>	Trident Maple	D	e	8-12m				y	Sapindaceae
<i>Acmena smithii</i> - varieties	Lilly Pilly - various	E	n	3-8m	Dense green canopy with vibrant red fruit, bush tucker (varieties grow to different heights)	y		y	Myrtaceae
<i>Alectryon subcinereus</i>	Native Quince	E	n	4-6m	Attractive dense form, small pale pink flowers, coppery new growth, bird attracting. Not readily available.	y		y	Sapindaceae
<i>Alphitonia excelsa</i>	Red Ash	E	n	6m	For sheltered areas only, small tree with silvery underside to leaves	y		y	Rhamnaceae

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<i>Buckinghamia celsissima</i>	Ivory Curl	E	n	5-8m	Dense foliage, scented white showy flower spikes	y		y	Proteaceae
<i>Brachychiton discolor</i>	Queensland lacebark	E/D	n	7m	Partly to completely deciduous hardy tree with red/pink flowers	y	y	y	Malvaceae
<i>Callistemon viminalis</i>	Weeping bottlebrush	E	n	6m	Vibrant red flowers, bird and pollinator attracting	y	y	y	Myrtaceae
<i>Caesalpinia ferrea</i>	Leopard Tree	E	e	6-8m	Smooth creamy dappled bark			y	Fabaceae
<i>Cercis siliquastrum</i>	Judas Tree	D	e	6m	For sheltered areas only, needs moist soils, prolific display of pink flowers in spring			y	Fabaceae
<i>Corymbia ficifolia</i>	Red flowering gum	E	n	5-8m	Great small tree for back yards, bird and pollinator attracting			y	Myrtaceae
<i>Geijera parviflora</i>	WILGA or Australian Willow	E	n	5-10m	Attractive drooping scented foliage, drought tolerant	y		y	Rutaceae
<i>Guioa semiglauca</i>	Wild Quince	E	n	6m	Small tree -shrub like	y		y	Sapindaceae
<i>Ginkgo biloba</i>	Maidenhair Tree	D	e	12m	Graceful leaves, requires moist soils		y	y	Ginkgoaceae
<i>Hibiscus tiliaceus var rubra</i>	Purple Leaf Hibiscus	E	n	5m	Hardy tropical tree with large maroon heart shaped leaves and sunny yellow flowers	y		y	Malvaceae
<i>Hymenosporum flavum</i>	Native Frangipani	E	n	5m	Showy fragrant flowers, shade tolerant	y		y	Pitiosporaceae
<i>Lagerstroemia indica</i>	Crepe Myrtle	D	e	4m	Colorful flowers, drought tolerant	y		y	Lythraceae
<i>Melaleuca bracteata</i>	Black Tea Tree	E	n	5-10m	Spikes of scented white flowers in summer. Suitable medium tree for narrow streets and footpaths	y			Myrtaceae
<i>Tristaniopsis laurina</i>	OORAMMILLY(D) or Water Gum	E	n	6m	Drought tolerant small green tree with yellow flowers, 'Luscious' variety needs more water	y			Myrtaceae
<i>Waterhousia floribunda</i>	Weeping Lilly Pilly	E	n	6-10m	Deep green dense weeping glossy foliage, good shade tree	y	y	y	Myrtaceae
<i>Zelkova serrata</i> 'Green Vase'	Japanese Zelkova	D	e	10-12m	Vase shaped, autumn colour, hardy, drought tolerant	y		y	Ulmaceae
Aboriginal language/ area		D - Dharawal (Sydney south of Botany Bay, Sydney West)							
		C- Dharag language of the Cadigal Clan (Sydney)							
		G -Gumbaynggir (Mid -North NSW)							

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B6.4 Biodiversity

Objectives

- O1. Maintain and enhance terrestrial biodiversity by protecting native fauna and flora.

Controls

C1.	Development on land in Zone E2 Environmental Conservation, land identified as Environmentally Sensitive Land on the Environmentally Sensitive Land Map, or within a biodiversity corridor on the Biodiversity Corridor Map must not have a negative impact upon vegetation identified on the Biodiversity Map.
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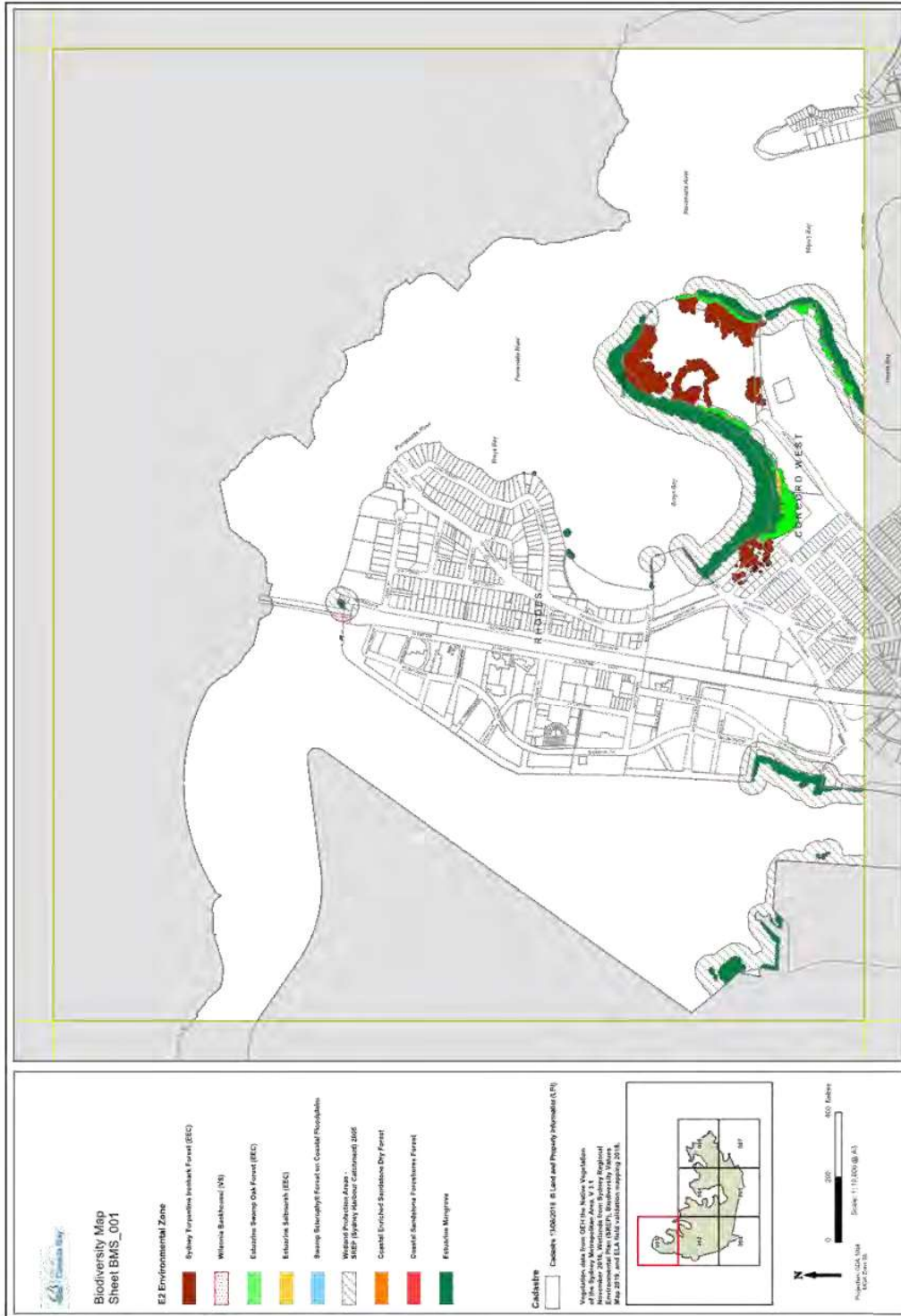
Note: Refer to Clause 6.3 of the Canada Bay LEP.

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Figure B6.3 Biodiversity map - Sheet 2

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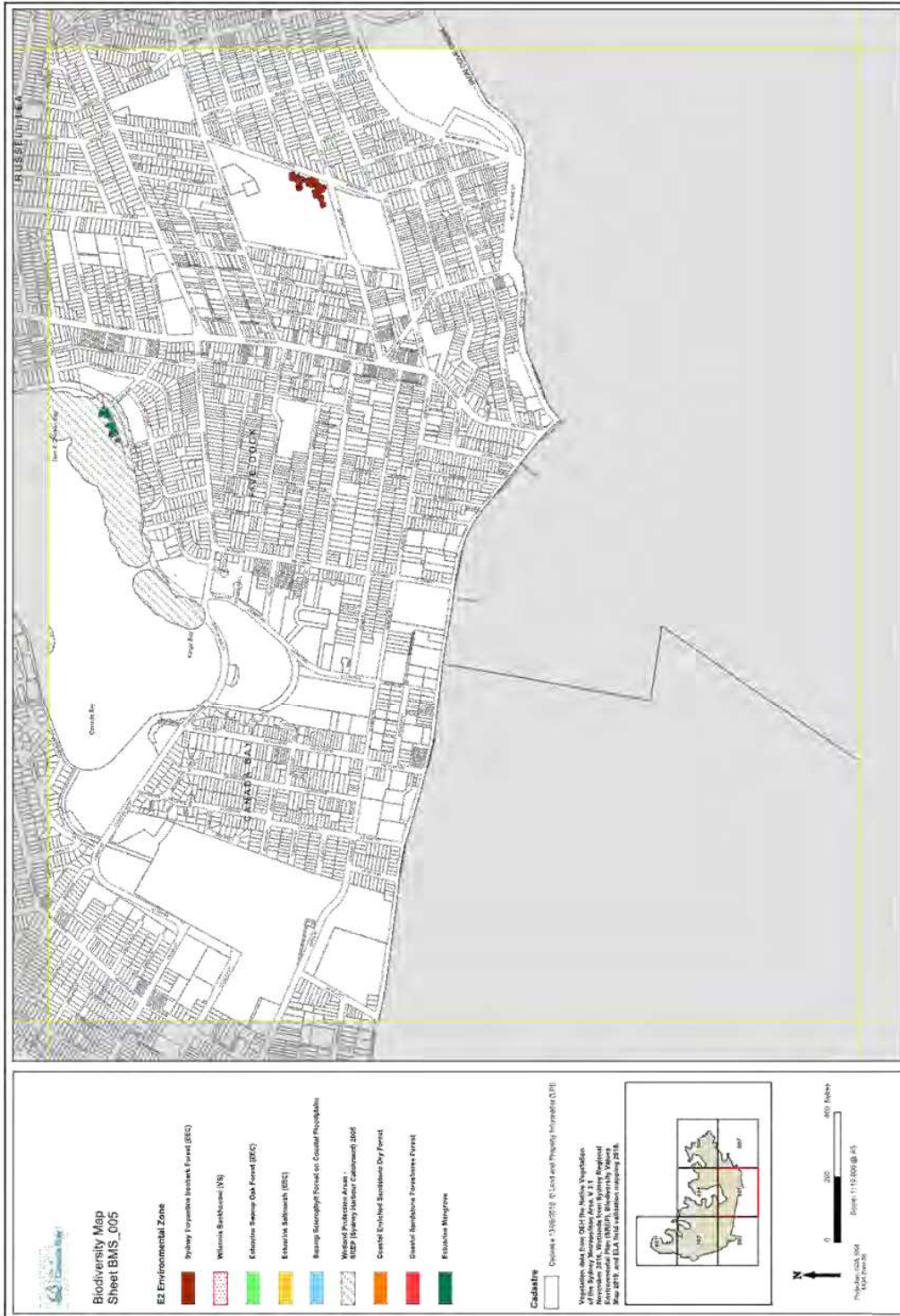


Figure B6.6 Biodiversity map - Sheet 5

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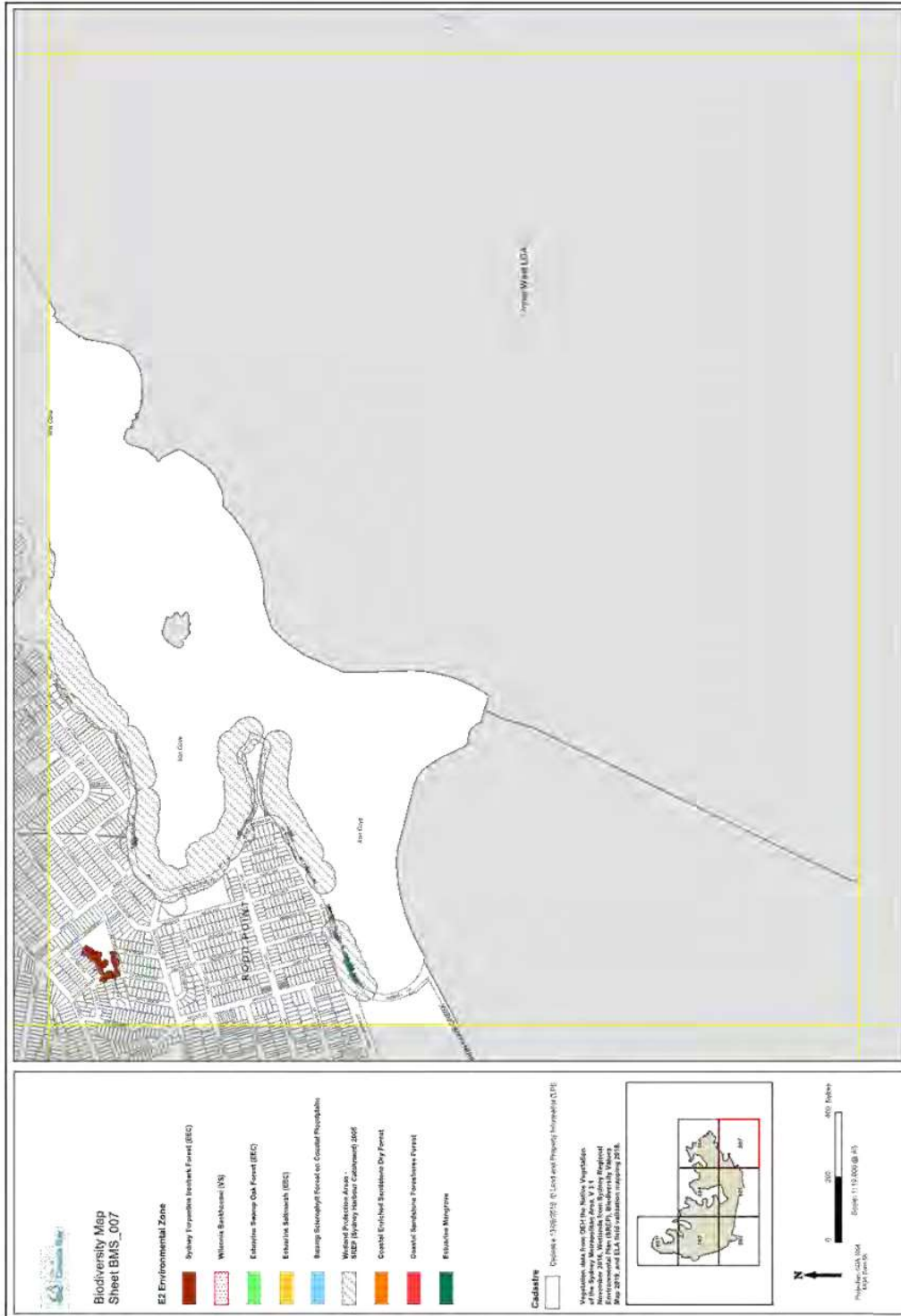


Figure B6.8 Biodiversity map - Sheet 7

B6.5 Habitat Connectivity

Biodiversity corridors provide linkages through urban areas to connect significant plant and animal communities remaining as endangered ecological communities, endangered populations, threatened or migratory species and their habitats. It is recognised that linkages to critical habitats may require reconstruction to play a significant role as part of a wildlife corridor or stepping stone for native flora and fauna.

Objectives

- O1. Enhance and connect remnant and fragmented habitat on public and private land.
- O2. Encourage plantings which increase habitat connectivity and tree canopy.
- O3. Improve habitat, biodiversity and environmental performance of developments through landscaping.

Controls	
C1.	Where land is located within a Biodiversity Corridor (refer to Figure B6.9 to Figure B6.15), local indigenous species (including canopy trees, shrubs and groundcovers) are required (refer to separate part of DCP for list of Plants suitable for corridors and restoration planting).
C2.	Existing habitat features including rocky outcrops, waterbodies, trees, shrubs, ridgelines and ground cover vegetation are to be retained.
C3.	Trees, shrubs, ground cover vegetation, waterbodies, rockeries and green roofs and walls are to be included wherever possible, particularly in high density urban environments where opportunities for deep soil landscaping are limited and/ or where large walls face active areas of private and public use.

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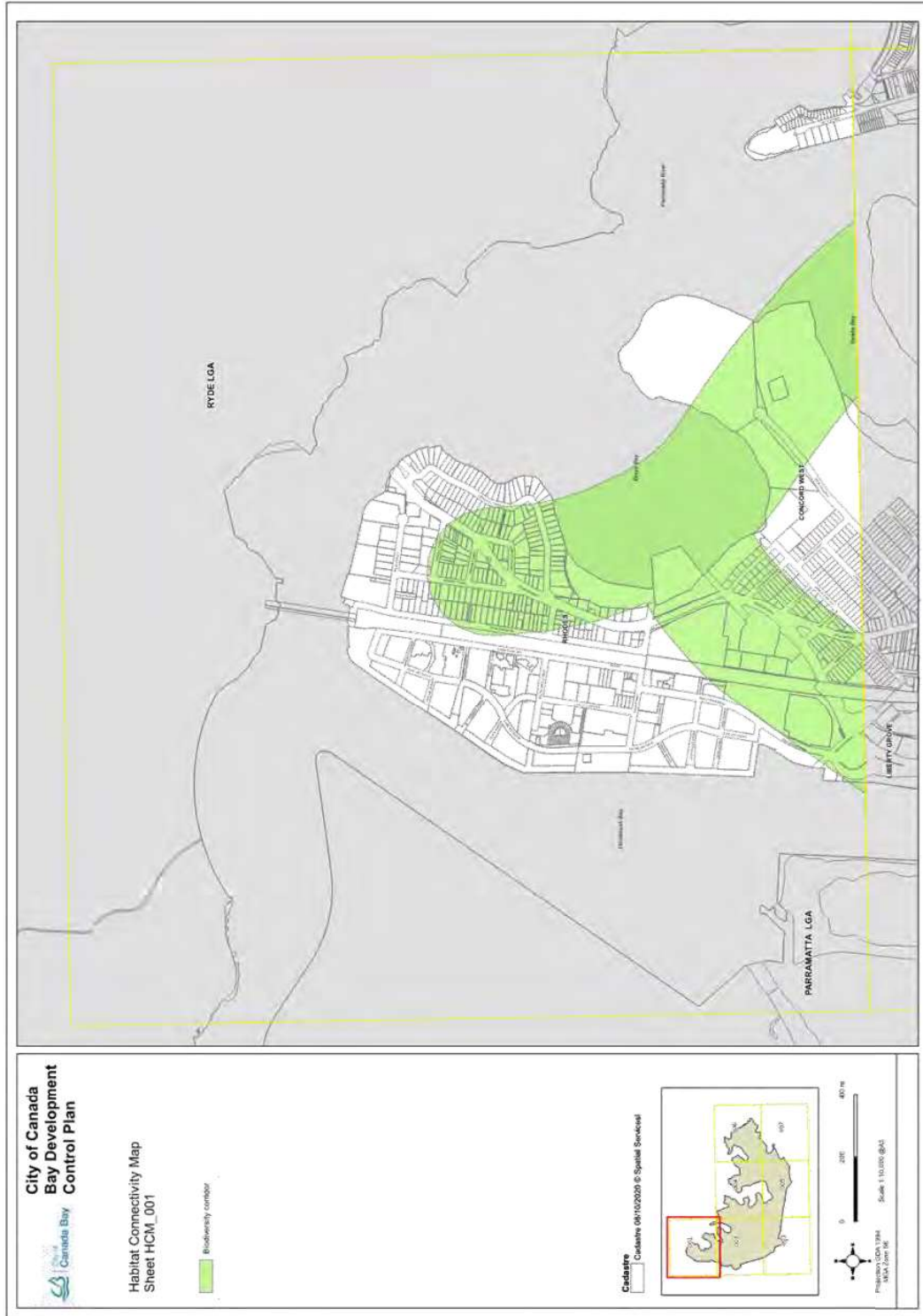


Figure B6.9 Habitat connectivity map - Sheet 1

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Figure B6.10 Habitat connectivity map - Sheet 2

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Figure B6.11 Habitat connectivity map - Sheet 3

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Figure B6.12 Habitat connectivity map - Sheet 4

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Figure B6.13 Habitat connectivity map - Sheet 5

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Figure B6.14 - Habitat connectivity map - Sheet 6

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Part B

General Controls

B6.6 Plants suitable for corridors and restoration planting

Objectives

- O1. Protect endangered flora and fauna through correct flora planting selection.

Controls

- C1. When land is zoned E2 Environmental Conservation, or identified as Environmentally Sensitive Land, or located within a Biodiversity Corridor, plants must be selected from Table B-R where possible.

Table B-R Plants Suitable for Corridors and Restoration Planting

Strata	Scientific Name	Common Name	Notes
Turpentine Ironbark Forest			
Trees	<i>Acacia parramattensis</i>	Parramatta Green Wattle	Grows in forest on shale derived soils (clay) but occasionally on sandstone. Attracts a wide variety of fauna.
	<i>Allocasuarina torulosa</i>	Forest Oak	As understorey in open forest to tall open forest. Usually on higher-nutrient soils and in moister situations than <i>A. littoralis</i> . Very long-lived.
	<i>Angophora costata</i>	Sydney Red Gum	Locally abundant large tree, on deep sandy soils or shallow soils on sandstone or heavy clay soils.
	<i>A. floribunda</i>	Rough Barked Apple	Medium tree, usually on deep alluvial sandy soils or on clay. Common along river edges.
	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	Small narrow tree, mostly in gullies or along watercourses, common in forest or near rainforest.
	<i>Eucalyptus acmenoides</i>	White Mahogany	Medium Eucalypt occurring on heavy soils.
	<i>E. globoidea</i>	White Stringybark	Medium Eucalypt in dry sclerophyll forest or woodland on well-watered sandy or alluvial soils of moderate fertility.
	<i>E. paniculata</i>	Grey Ironbark	Tall straight tree of forested areas on heavier soils
	<i>E. resinifera</i>	Red Mahogany	Medium to large Eucalypt; locally abundant in forest on deeper soils of medium to high fertility.
	<i>Syncarpia glomulifera</i>	Turpentine	Widespread medium to large long-lived tree in forests on heavier fertile soils. Reliable nectar producer every October.
Shrubs	<i>Acacia implexa</i>	Hickory Wattle	Very common tall wattle on clay soils. Forms small suckering stands if disturbed.
	<i>Ac. longifolia</i>	Sydney Golden Wattle	Short lived fast growing large wattle. Common in either sandy or clay soils post fire.
	<i>Ac. myrtifolia</i>	Myrtle Wattle	Small rounded shrub common on sandstone ridgetops also occasionally on clay soils in forest
	<i>Breynia oblongifolia</i>	Coffee Bush	Common regrowth shrub in forest. Soft red or black oily berries.
	<i>Bursaria spinosa</i>	Blackthorn	Common spiky tall shrub which prefers clay soils.
	<i>Daviesia ulicifolia</i>	Native Gorse Pea	Small prickly foliaged shrub. Adapted to clay soils.

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	<i>Indigofera australis</i>	Native Indigo	Common pea. Flowers abundantly in spring.
	<i>Kunzea ambigua</i>	Tick Bush	Very common regrowth shrub in sandy soils or margins of forests on clay soils. Forms dense thickets. Good nectar production for fauna in summer. Perfumed.
	<i>Leucopogon juniperinus</i>	Bearded Heath	Spiky small understorey shrub in forest on clay or enriched sandy soil.
	<i>Myrsine variabilis</i>	Muttonwood	Small tree from coastal areas and forest on sandy soils. Black fruit.
	<i>Ozothamnus diosmifolium</i>	White Everlasting	Fast growing daisy with abundant heads of small clustered white daisy flowers. Clay or sandstone. A common pioneer species.
	<i>Pittosporum revolutum</i>	Rough Fruited Pittosporum	Small shrub on clay or sandstone. Tolerates shade. May form suckering clumps.
Ground Layer	<i>Austrostipa pubescens</i>	Spear Grass	Tuff rigid grass with heavy open seed head. Very long lived. Common in clay and sandstone soils.
	<i>Commelina cyanea</i>	Scurvy Weed	Grows in moist forest or woodland; sometimes weedy.
	<i>Dianella caerulea</i>	Blue Flax Lily	Forests or woodland, all soil types heavy shade to full sun. Very tough.
	<i>Dichondra repens</i>	Kidney Weed	Grows in forest, woodland and grassland, and weed of lawns; widespread.
	<i>Dodonaea triquetra</i>	Large-leaf Hop-bush	Abundant medium shrub post fire disturbance. Short lived heavy seeder.
	<i>Echinopogon caespitosus</i>	Tufted Hedgehog Grass	Tall tufted grass. Winter growing.
	<i>Entolasia marginata</i>	Right Angle Grass	Sheltered forests on either clay or sandstone soils with moisture. All year growing.
	<i>Ent. stricta</i>	Wiry Panic	Narrow slender upright long-lived grass on either clay or sandstone soils. All year growing.
	<i>Imperata cylindrica</i>	Blady Grass	Competitive spreading grass which forms dense colonies in all soil types. Thicker growth in full sun. Summer growing.
	<i>Lepidosperma laterale</i>	Variable Swordsedge	Tufted plant with stiff upright seed heads. Forest and woodlands on sandy soils.
	<i>Lomandra longifolia</i>	Common Mat Rush	Grows in a variety of habitats; very tough and long lived.
	<i>Microlaena stipoides</i>	Weeping Grass	Spreading tufted grass. Number of specific forms Common in many environments. All year growing.
	<i>Oplismenus aemulus</i>	Basket Grass	Prostrate spreading grass very common in many situations. Grows quickly in warmer months.
	<i>Poa affinis</i>	Tussock Grass	Soft tufted grass which forms meadows. Shady sheltered conditions on clay or moist sandy soils. Winter growing.
	<i>Pratia purpurascens</i>	White Root	Spreading small groundcover with white flowers. Abundant underground spreading roots and shoots.
	<i>Pseuderanthemum variabile</i>	Pastel Flower	Tiny hardy plant with pretty lilac coloured flowers. Deep rooted.

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	<i>Themeda australis</i>	Kangaroo Grass	Tufted grass, very common in clay soils. Seeds reliably early summer. Long lived. Summer growing.
	<i>Zieria smithii</i>	Sandfly Zieria	Small aromatic shrub preferring sheltered site on either clay derived soils or enriched sandstone soils.
Vines	<i>Billardiera scandens</i>	Apple Berry	Common in forest or woodland on either clay or sandstone soils
	<i>Clematis glycinoides</i>	Headache Vine	Common in forest on either clay or sandstone soils
	<i>Hardenbergia violacea</i>	Sarsparilla	Very common post fire disturbance on either clay or sandstone soils.
	<i>Kennedia rubicunda</i>	Dusky Coral Pea	Scrambling fast growing vine on either clay or sandstone soils
	<i>Pandorea pandorana</i>	Wonga Wonga Vine	Widespread in moist soils. White tubular flowers.
	<i>Tylophora barbata</i>	Bearded Tylophora	Sheltered Forests on clay soils. Small plant.
Coastal Saltmarsh, Mangrove Forest and Swamp Oak Woodland			
Trees	<i>Casuarina glauca</i>	Swamp Oak	Tall narrow tree, in brackish situations along coastal waterways. Often forming pure stands.
Shrubs	<i>Aegiceras corniculatum</i>	River Mangrove	Shrub or tree mangrove in coastal and estuarine areas
	<i>Avicennia marina</i>	Grey Mangrove	Intertidal zones of estuarine areas
	<i>Goodenia ovata</i>	Hop Goodenia	Common pioneer plant in both forest of saltwater margins and Turpentine Ironbark Forest.
Ground Layer	<i>Baumea rubiginosa</i>	Bare Twig Rush	Evergreen with strappy green-yellow leaves grows upright with rigid stems which produce red-brown spiklets of flowers. Ideal for planting around ponds and in coastal landscapes and in mass planting. Full sun.
	<i>Ficinia nodosa</i>	Knobby Club Rush	Tufted dark green rush which grows near salt water. Formerly known as <i>Isolepis nodosa</i> .
	<i>Juncus kraussii</i>	Sea Rush	Large upright tufted rush common near saltwater in salt marsh environments.
	<i>Sporobolus virginicus</i>	Marine Couch	Tufted or creeping perennial pioneer grass. Good for stabilizing sand. Salt resistant. Will grow on brackish flats
	<i>Suaeda australis</i>	Seablite	Edible plant with pale green leaves and pink clusters of flowers in summer. Full sun to partly shaded in moist soils.
	<i>Triglochin striata</i>	Streaked Arrowgrass	Tufted or creeping perennial pioneer grass. Good for stabilizing shifting sand or dunes. Salt resistant. Will grow on brackish flats
	<i>Suaeda australis</i>	Native Couch	Low growing perennial grass. Good for lawns, all soil types, sun or shade, can be mown to promote growth.

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Coastal Enriched Sandstone Dry Forest			
Trees	<i>Allocasuarina littoralis</i>	Black Oak	In woodland or occasionally tall heath, on sandy or otherwise poor soils. Rarely on clay soils in forest.
	<i>Angophora costata</i>	Sydney Red Gum	Locally abundant large tree, on deep sandy soils or shallow soils on sandstone or heavy clay soils.
	<i>Banksia serrata</i>	Old Man Banksia	Common large Banksia which flowers heavily in summer. Long lived tree in sandstone soil.
	<i>Ceratopetalum gummiferum</i>	NSW Christmas Bush	Tall shrub or small tree which grows in moist sheltered positions in deeper sandy soils. Very long lived. Abundant red fruit in summer.
	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	Small narrow tree, mostly in gullies or along watercourses, common in forest or near rainforest.
	<i>Eucalyptus pilularis</i>	Blackbutt	Very tall Eucalypt common on fertile moist sandy soils and clay soils. Suits deeper gullies.
	<i>E. piperita</i>	Sydney Peppermint	Medium tree in forest along sandstone water courses and drier woodland hillsides on sandstone derived soils.
	<i>Syncarpia glomulifera</i>	Turpentine	Widespread medium to large long-lived tree in forests on heavier fertile soils. Reliable nectar producer every October.
Shrubs	<i>Acacia ulicifolia</i>	Prickly Moses	Sharp prickly small wattle common in forest or woodland chiefly on sandstone but also on clay soils.
	<i>Ac. suaveolens</i>	Sweet Wattle	Abundant wattle in woodland following fire disturbance. Slender short-lived fast-growing plant. Perfumed.
	<i>Ac. terminalis</i>	Sunshine Wattle	Uncommon ferny leafed wattle growing in forest on sandstone soils.
	<i>Dillwynia retorta</i>	Parrot Pea	Common small shrub of sandstone areas. Flowers profusely in early spring.
	<i>Dodonaea triquetra</i>	Large-leaf Hop-bush	Abundant medium shrub post fire disturbance. Short lived heavy seeder.
	<i>Grevillea buxifolia</i>	Grey Spider Flower	Very common Grevillea in sandstone country- both heath and woodland.
	<i>G. linearifolia</i>	White Spider Flower	Common understory plant in forest on sandstone soils. Mature plants develop a weeping habit.
	<i>G. sericea</i>	Pink Spider Flower	Common Grevillea in woodland and heath.
	<i>Hakea sericea</i>	Needle Bush	Densely spiky upright shrub with abundant white flowers in winter or early spring. Sandstone soils or transition areas into clay soils.
	<i>Kunzea ambigua</i>	Tick Bush	Very common regrowth shrub in sandy soils or margins of forests on clay soils. Forms dense thickets. Good nectar production for fauna in summer. Perfumed.
	<i>Leptospermum trinervium</i>	Flaky Barked Tea tree	Tall shrub with distinctive flaky trunk and sparse foliage. Long lived heavy flowerer in spring.
	<i>Lomatia silaifolia</i>	Crinkle Bush	Small low shrub which grows on sandstone soils. Deeply divided foliage.
	<i>Pultenaea daphnoides</i>	Daphne Leaved Bush Pea	Grows in heath to wet sclerophyll forest on sandy soils.

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Ground Layer	<i>Dianella caerulea</i>	Blue Flax Lily	Forests or woodland, all soil types heavy shade to full sun. Very tough.
	<i>Entolasia marginata</i>	Right Angle Grass	Sheltered forests on either clay or sandstone soils with moisture. All year growing.
	<i>Entolasia stricta</i>	Wiry Panic	Narrow slender upright long-lived grass on either clay or sandstone soils. All year growing.
	<i>Lomandra longifolia</i>	Common Mat Rush	Grows in a variety of habitats; very tough and long lived.
Vines	<i>Billardiera scandens</i>	Apple Berry	Common in forest or woodland on either clay or sandstone soils
	<i>Hardenbergia violacea</i>	Sarsparilla	Very common post fire disturbance on either clay or sandstone soils.
	<i>Kennedia rubicunda</i>	Dusky Coral Pea	Scrambling fast growing vine on either clay or sandstone soils
	<i>Pandorea pandorana</i>	Wonga Wonga Vine	Widespread in moist soils. Big plant.

B6.7 Replacement planting

Replanting requirements for trees removed from private land.

Objectives

- O1. To enhance and expand the tree canopy when a tree is removed.

Controls

- C1. If a tree (regardless of health or species) is proposed to be removed, a replanting ratio of 2:1 will apply, requiring the planting of two trees for every tree removed.
- Trees from the list of Canada Bay tree species provided in this DCP are to be given preference.

- C2. A 4:1 replanting ratio will apply where the tree to be removed is on land that is:
- In an E2 Environmental Conservation zone; or
 - Environmentally Sensitive Land; or
 - Identified as containing Biodiversity; or
 - Within a Biodiversity Corridor.
- Locally indigenous species (including canopy trees, shrubs and groundcovers) must be given preference (refer to list of Plants suitable for corridors and restoration planting).
- C3. Approval of a tree permit will require compliance with this Part unless it can be demonstrated that there is insufficient available area for additional tree planting.
- All development proposed via a development application is to be designed to enable planting to Part 6.7 and 6.10 requirements.

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B6.8 Wetlands and waterways

Wetlands and waterways play a critical function in ecological processes. Wetlands and waterways are valuable breeding sites for a large range of species and help sustain the food chain for wildlife. Wetlands also help purify water thereby improving the quality of the larger water bodies. Waterways also act as valuable corridors for wildlife.

It is essential that the connectivity between wetlands and waterways is recognised and equal attention is given to preserving and enhancing the quality of all elements.

Objectives

- O1. Protect, restore and maintain ecological processes, natural systems and biodiversity within wetlands and waterways.
- O2. Minimise sedimentation and pollution of wetlands and waterways.
- O3. Restore degraded wetlands, wetland buffer areas, waterways and riparian zones.
- O4. Ensure appropriate fire management regimes and hazard reduction techniques for wetlands, wetland buffer areas, waterways and riparian zones.
- O5. Encourage best practice environmental design measures so that the sustainability of wetlands and waterways is maintained or improved.

Controls

C1.	Development shall minimise changes to the local surface runoff and groundwater flows to ensure that appropriate water flow regimes are maintained to wetlands and waterways.
C2.	Stormwater flow is to mimic natural conditions and ensure a dispersed pattern of flow, avoiding newly created centralised or concentrated discharge points into the wetland or waterway.
C3.	Disturbance to stream and wetland sediments is to be minimised by regulated discharge of stormwater and dissipation of flows at discharge locations.

C4.	Development shall not result in detrimental changes to temperature, salinity, chemical makeup and sediment loads of water entering the wetland or waterway.
C5.	Where stormwater is proposed to be discharged to a wetland or waterway, pollution is to be reduced by installation of pollution and sediment control devices. Access to and cleaning of devices shall not compromise the wetland area's function or natural attributes. The following standards are to be met: <ul style="list-style-type: none"> a) Pollutant levels shall be below those outlined in the ANZECC (2001) Guidelines for the Protection of Aquatic Ecosystems. b) Pollution control devices shall be located so that they are not within a wetland or watercourse itself.
C6.	There shall be no clearing of indigenous vegetation within wetlands or riparian zones. Note: Any harm to or removal of marine vegetation including seagrass, macro algae and mangroves will require approval of NSW Fisheries.
C7.	There shall be no clearing of indigenous stream bank vegetation and aquatic habitat. <p>Note: The progressive removal of exotic stream bank vegetation and the rehabilitation with locally native species is supported.</p>
C8.	Removal of woody debris from wetlands and waterways should be minimised.
C9.	There shall be no in-stream blockages to fish passage. <p>Note: Any blockage to fish passage (temporary or permanent) will require approval by NSW Fisheries.</p>
C10.	Lateral connectivity between waterways and riparian vegetation must be maintained. Proposed landscaping will have to in part, reflect a natural environment in terms of finished levels and the distribution of vegetation.

B6.9 Threatened and migratory species

Threatened species are particular plants and animals that are at risk of extinction. Threatened species also include threatened populations and endangered ecological communities. Unless the processes that are threatening these species are controlled (habitat loss, pollution, competition from introduced plants or animals), they are at risk of disappearing.

In order to assist landowners in identifying where threatened species, populations and ecological communities are known to exist, all known sites in the City of Canada Bay have been mapped by Council (current at the time of publishing). These appear on the maps entitled "Threatened and Migratory Species" which form part of this DCP (see Figure B6.16 to Figure B6.22). For additional information refer to Council's website.

Objectives

- O1. To consider the impact of development on threatened species and ecological communities.
- O2. To protect threatened and migratory species.
- O3. To protect and enhance biodiversity.

Controls	
C1.	Development on land in Zone E2 Environmental Conservation and land identified as Environmentally Sensitive Land on the Environmentally Sensitive Land Map or within a biodiversity corridor on the Biodiversity Corridor Map must not have a negative impact upon vegetation identified on the Biodiversity Map.
C2.	Development must not have a negative impact upon individual species or biodiversity of locations of threatened and migratory species identified in the following maps.

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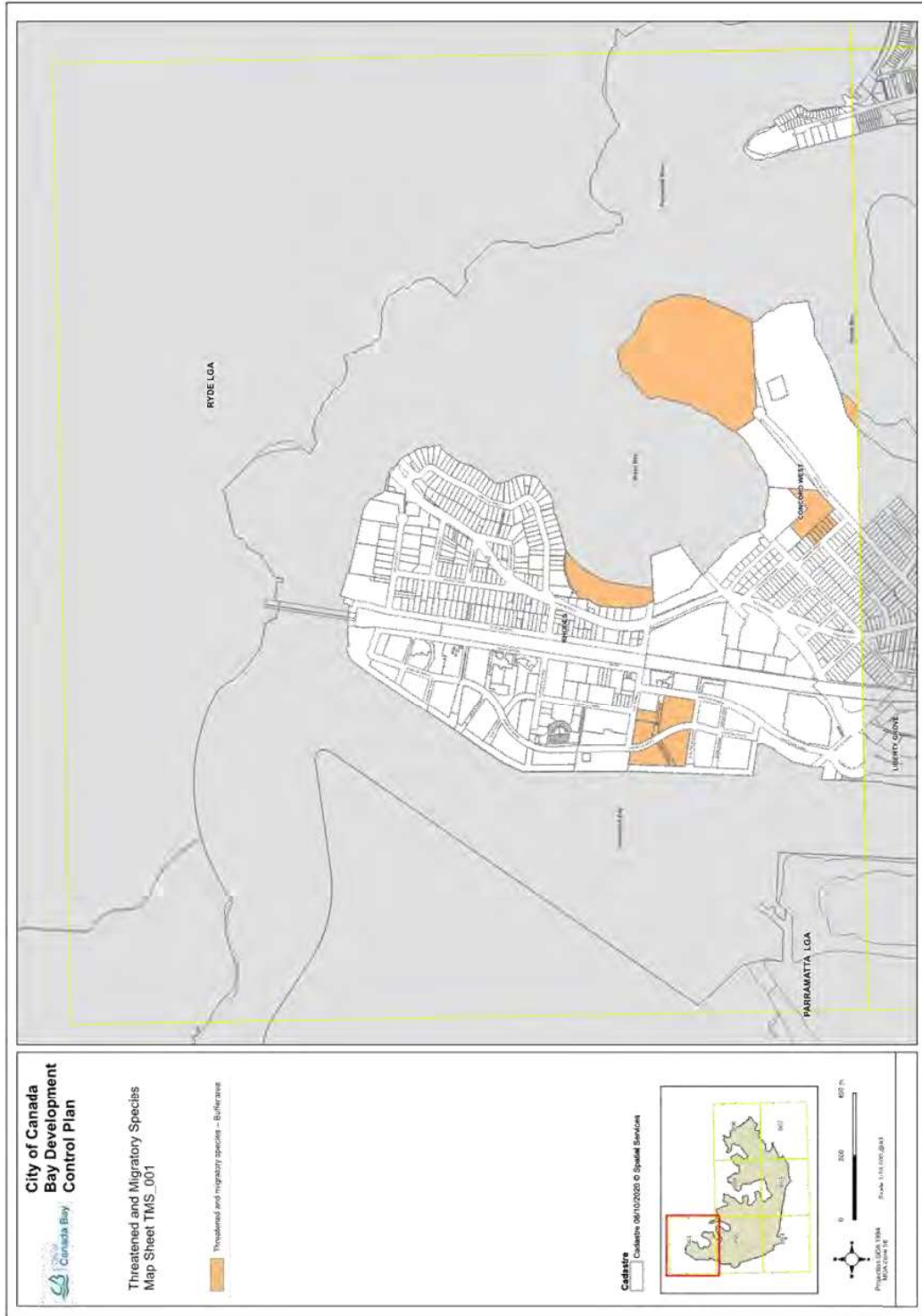


Figure B6.16 Threatened and migratory species map - Sheet 1

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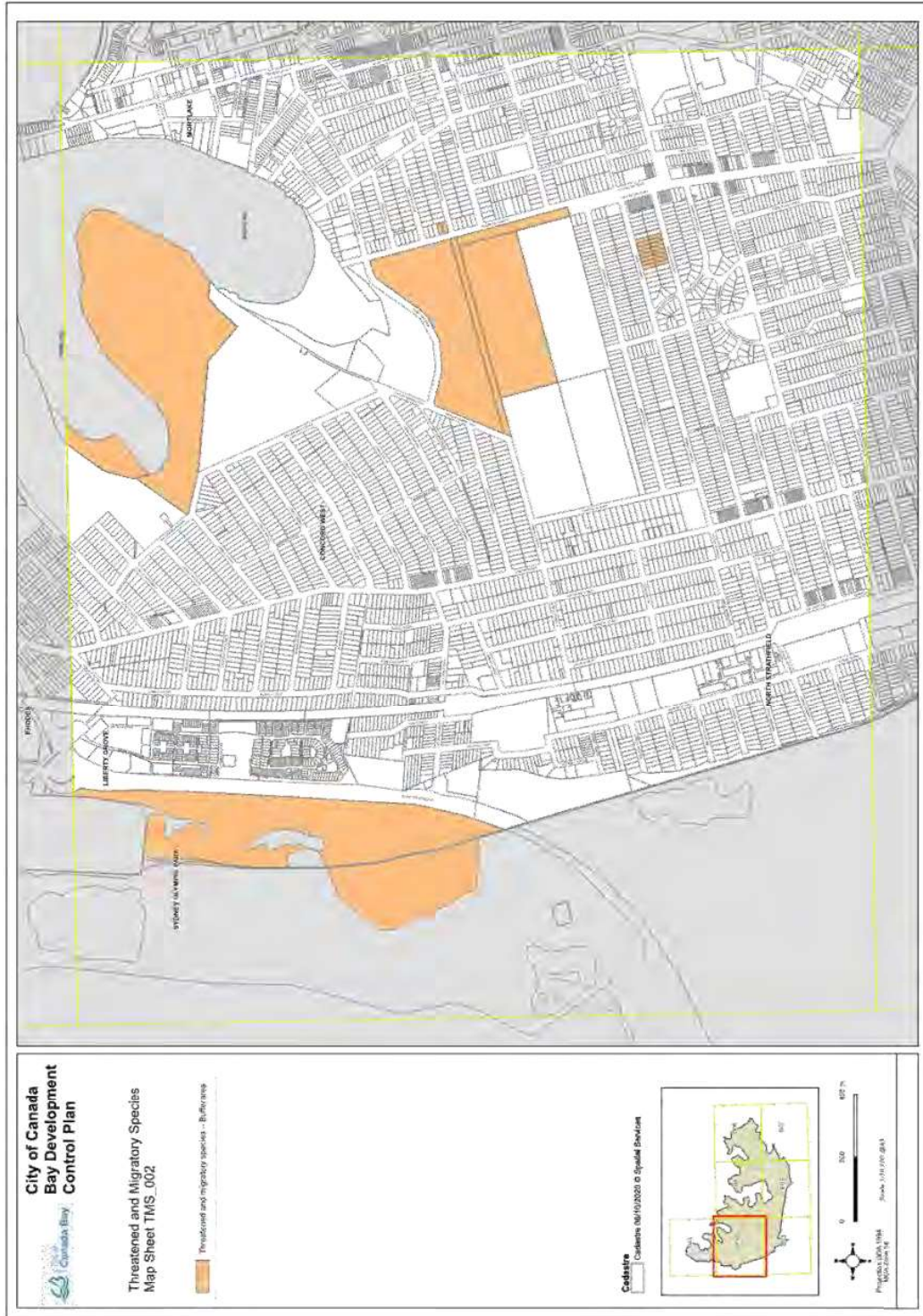


Figure B6.17 Threatened and migratory species map - Sheet 2

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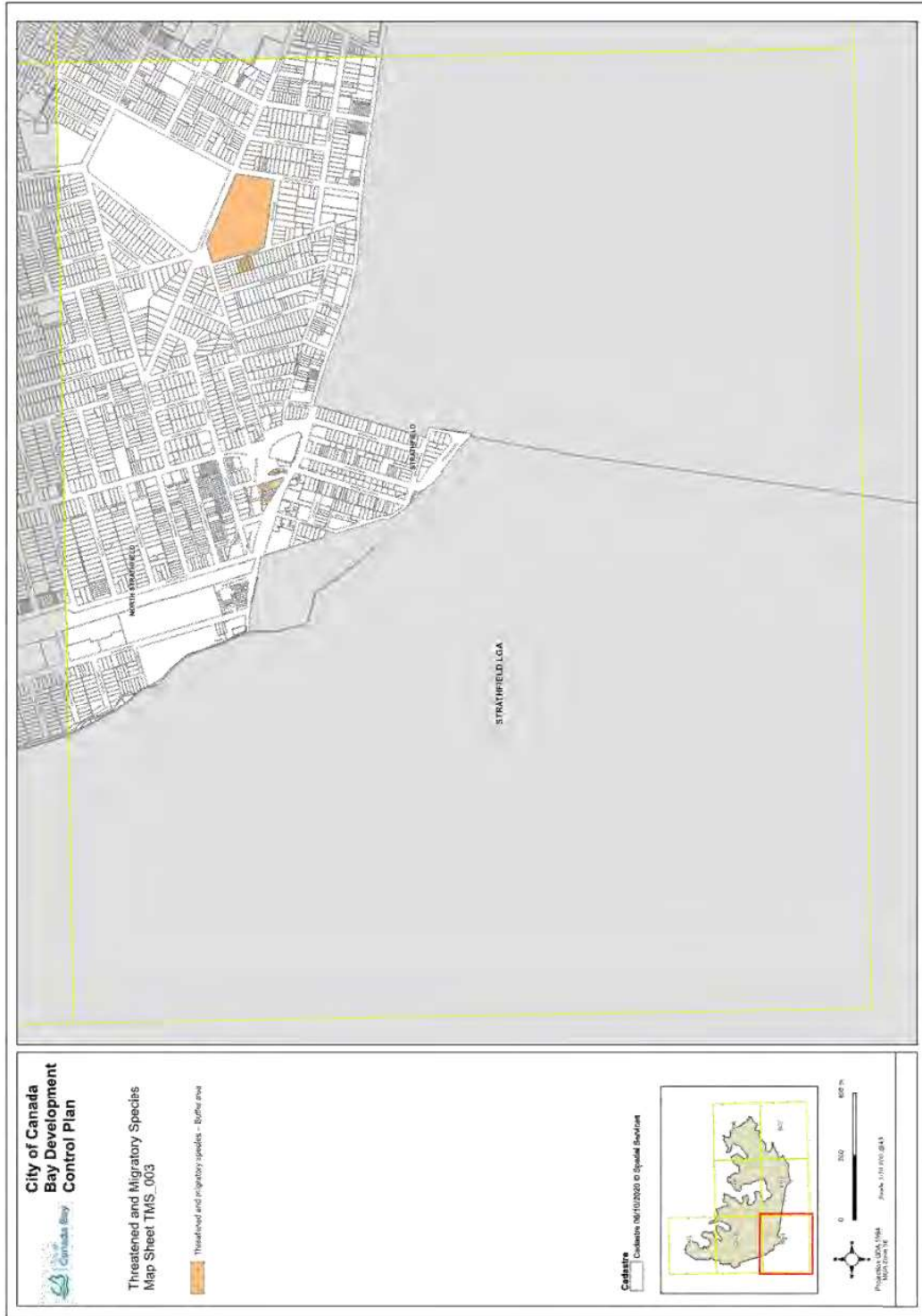


Figure B6.18 Threatened and migratory species map - Sheet 3

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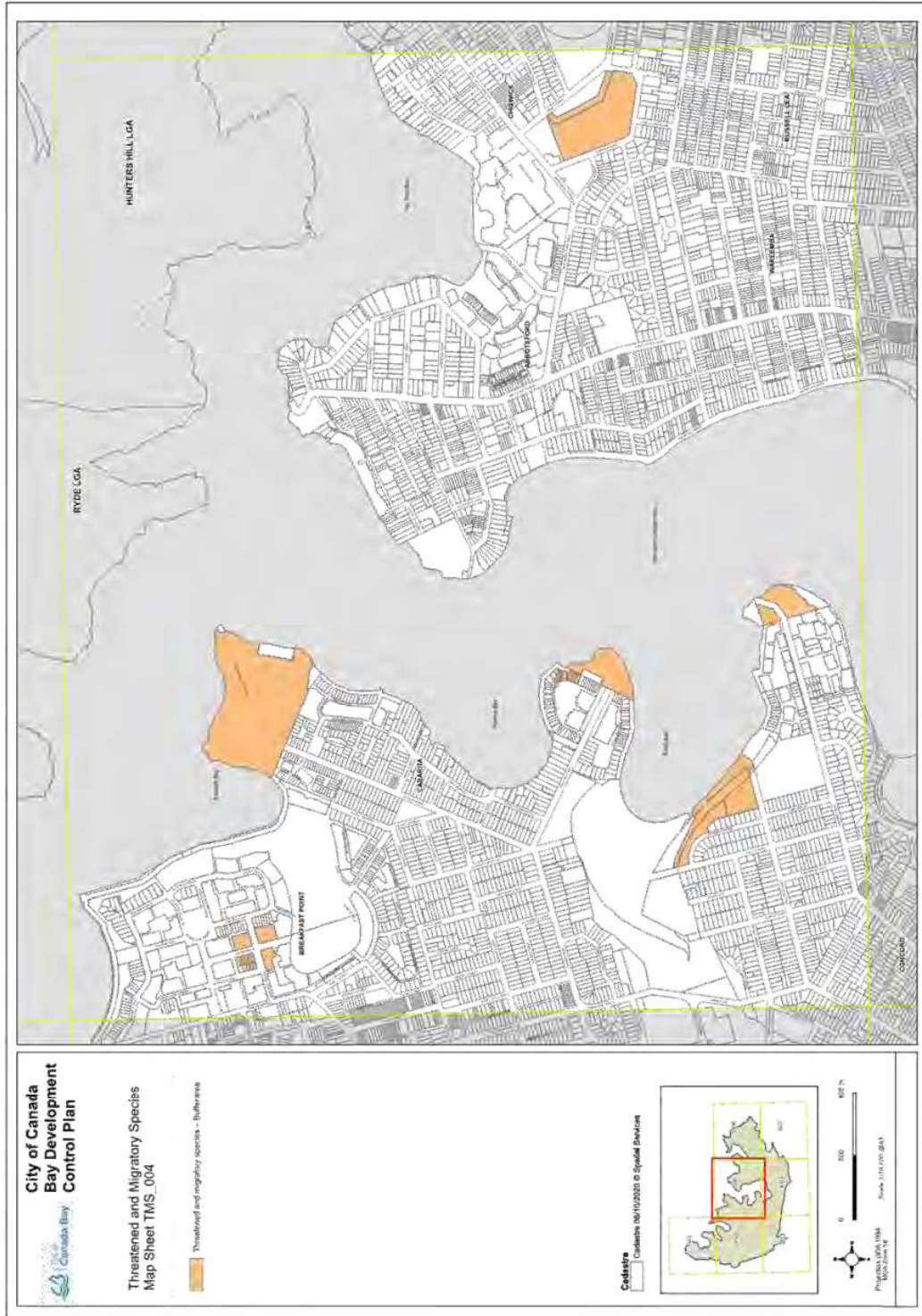


Figure B6.19 Threatened and migratory species map - Sheet 4

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Figure B6.20 Threatened and migratory species map - Sheet 5

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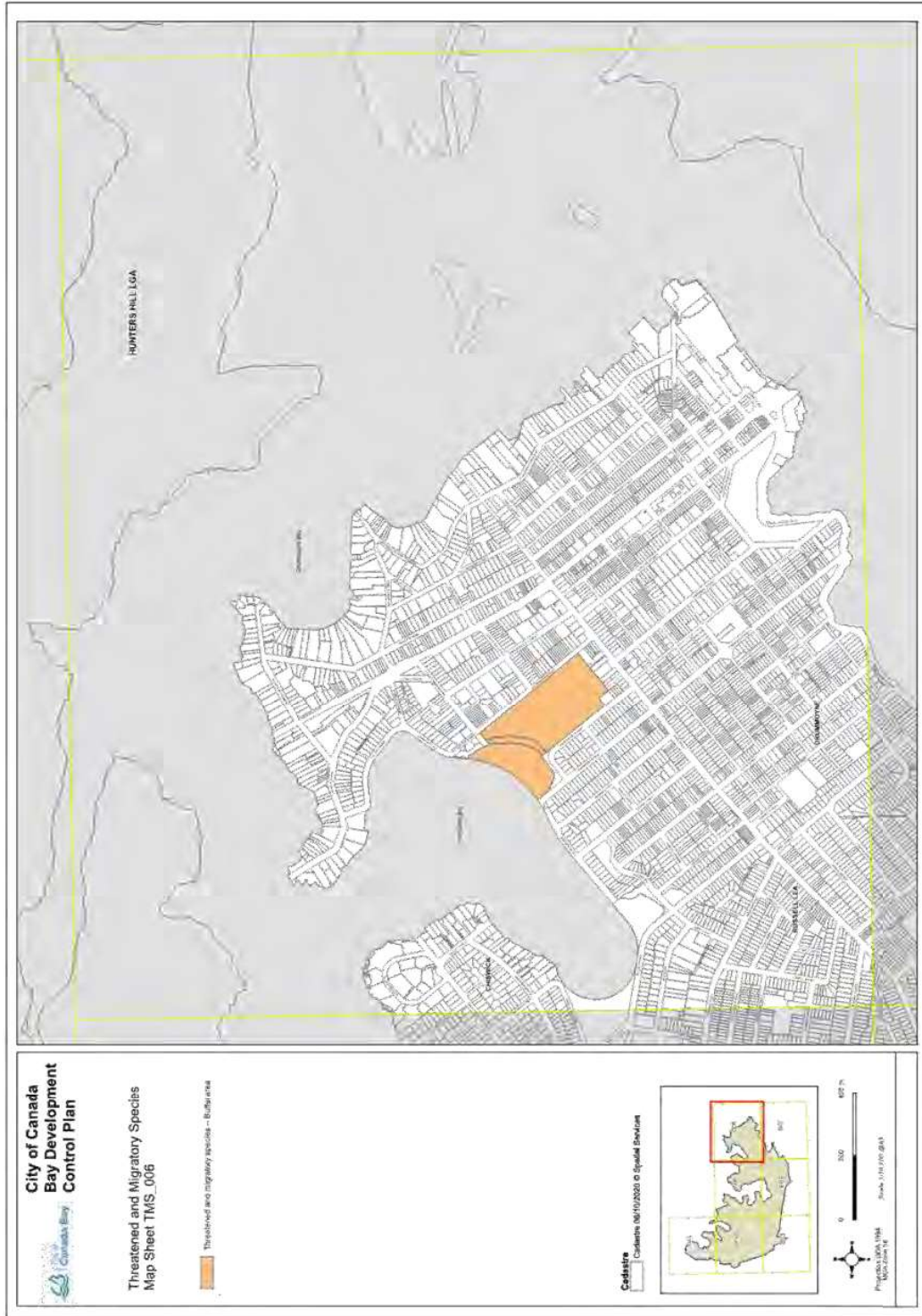


Figure B6.21. Threatened and migratory species map - Sheet 6

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Figure B6.22. Threatened and migratory species map - Sheet 7

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B6.10 Urban Tree Canopy

Urban trees play a critical role in creating healthy cities; they provide shelter, improve air quality, absorb carbon and rainfall, cool local environments, and support wildlife. Trees create attractive urban places, providing seasonal variation and creating memorable landmarks.

Collectively, urban trees make up an urban forest. A healthy and well-managed urban forest provides multiple environmental, social, and economic benefits.

Objectives

- O1. To protect the urban forest by increasing the retention of existing trees on public and private land.
- O2. To increase total canopy cover.
- O3. To enhance the urban forest for amenity, liveability, and biodiversity benefits.
- O4. Minimise conflicts between people, infrastructure and trees.
- O5. To grow and protect a resilient and diverse urban forest.

Controls

C1. The following minimum number of canopy trees are to be accommodated on site for all development and development types, whether new or involving alterations and additions:

Lot/ dwelling	Minimum number of canopy trees
Less than 400sqm	2
Greater than 400 but less than 600	3
Greater than 600 but less than 800	4
Every additional 200sqm	1 additional tree

- C2. If replacement planting is required in accordance with Part B6.7, the minimum number of canopy trees required on site in accordance with the above control shall be increased to accommodate the replacement planting in accordance with Part B6.7.

All proposed developments are to be designed to enable planting to these additional requirements unless, regardless of the design, it can be demonstrated that there is insufficient available area for additional tree planting.
- C3. Trees are to be evenly distributed between the front and rear yard wherever possible.
- C4. Trees that are to be accommodated within the front setback are to be provided in accordance with the table below:

Lot/ dwelling	Minimum number of canopy trees	Minimum height at maturity (m)	Minimum canopy spread at maturity (m)	Minimum permeable area (sqm)
Front setback <4.5m	1	6-8	5	10sqm 4.5m wide
Front setback >=4.5m	1	8-15	7	4.5 x 4.5

Controls

C5. Trees that are to be accommodated within the rear yard/private open space/ common open space are to be provided in accordance with the table below:

Lot/ dwelling	Minimum number of canopy trees	Minimum height at maturity (m)	Minimum canopy spread at maturity (m)	Minimum permeable area (sqm)
All	1	6-8	5	4.5 x 4.5

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C6.	If a tree is proposed to be removed a replanting ratio of 2:1 or 4:1 will apply, up to the maximum prescribed for the site.
C7.	Trees are to be chosen from the list of Canada Bay tree species provided in this DCP, unless otherwise required by this DCP eg in areas designated to enhance biodiversity and habitat connectivity.
C8.	Advanced trees are to be used in all new or replacement planting.
C9.	Trees should be positioned to shade the large areas of hard surfacing exposed to the northern and western sun within the urban environment, such as the walls of buildings, roofing, driveways, roads and footpaths.
C10.	Where a common access way or driveway is provided, the canopy tree(s) should be located to provide shading to the access way or driveway, if practical. Additional planting should be provided along any driveway.
C11.	Structures on the site should be positioned to maximise the retention of existing trees, planting of new trees and establishment of a substantial tree canopy.
C12.	Structures (including services) must be located outside the canopy spread of trees to be retained. This applies to street trees, trees on site and on adjoining sites.
C13.	Trees are to be planted a minimum of 2m from a building, wall, fence or property boundary (including the front boundary).
C14.	Trees are to be planted a minimum distance of 5m from any other tree to prevent a conflict between the canopies.

C15.	Where land in the immediate vicinity has access to views (as considered in Access to views section of this DCP), the proposed trees will consist of open form species to allow views to be gained through the canopy. Note: It may not always be possible to protect a view.
C16.	Where there is no opportunity for deep soil planting of canopy trees there may be an opportunity for planting on a structure. In such circumstances the following minimum soil depths specified in the Apartment Design Guide (NSW Department of Planning and Environment, 2015) shall be applied:

Plant type	Definition	Soil volume	Soil depth	Soil area
Large trees	12-18m high, up to 16m crown spread at maturity	150m ³	1,200mm	10m x 10m or equivalent
Medium trees	8-12m high, up to 8m crown spread at maturity	35m ³	1,000mm	6m x 6m or equivalent
Small trees	6-8m high, up to 4m crown spread at maturity	9m ³	800mm	3.5m x 3.5m or equivalent

Note 1: Trees are to be cared for by the land owner until established to a size consistent with the definition of a Protected tree.

Note 2: The above table containing minimum soil depths for planting on a structure has been calculated assuming fortnightly irrigation. Any sub-surface drainage requirements are in addition to the above minimum soil depths.

B7 Engineering Requirements for Development

B7.1 Engineering works

Council has adopted a separate Civil Infrastructure Works Policy and Engineering Technical Specification which aims to provide engineering requirements for the following:

- Road and Footpath Works
- Vehicular Access
- Stormwater Management

Council requires that all future public infrastructure, development and building works within the Canada Bay Local Government Area comply with the Engineering Technical Specification to ensure that developments and construction of public domain areas are undertaken to acceptable standards.

A full copy of the Engineering Technical Specifications is provided as Appendix 2.

B7.2 Objectives

Road and Footpath Works

Objectives

- O1. To provide adequate engineering standards for public domain areas, public road reserves and private access roads.
- O2. To ensure that there is a benefit to the public resulting from development and the result is that the public is catered for by uniform infrastructure. Such infrastructure includes the road carriageway, footway, footpath, pavement, kerb and gutter, street trees, utility services, ancillaries and the like.

Vehicular Access

Objectives

- O3. To ensure uniformity in the design and construction of vehicular crossings in the City of Canada Bay Local Government Area.
- O4. To ensure that safe and convenient vehicular access can be provided to and from parking spaces for all properties.

Stormwater Management

Objectives

- O5. To provide uniform guidelines and apply control systems to achieve consistency, in the assessment and conditioning of development applications, in relation to stormwater runoff from all development types.
- O6. To minimise any adverse impact on properties caused by stormwater runoff from all development types.
- O7. To ensure that the water quality of receiving waterways is not adversely affected by the discharge of pollutants such as nutrients and pathogens, from stormwater runoff as a result of development.
- O8. To ensure that uniform stormwater controls are applied throughout the whole of the City of Canada Bay Council Local Government Area.

B8 Flooding Control

B8.1 Introduction

Flooding can be a significant issue that affects people and development in some areas of the City of Canada Bay. The hazard can vary through a wide range over short distances and should be assessed on a location by location basis.

This Section establishes Council's approach to flood related development control for the whole LGA. Council's approach to flooding is based on the requirements of the New South Wales Government's Flood Prone Land Policy and Floodplain Development Manual as amended (FDM 2005).

Different controls are applicable depending on the land use, level of potential flood inundation and flood hazard category.

B8.2 Relationship to other documents

In areas where Council has adopted a Flood Study or Floodplain Risk Management Study or Floodplain Risk Management Plan that sets a flood planning area and freeboards, these will take precedence over the following DCP controls where there is any inconsistency.

Reference should also be made to the Canada Bay Local Environmental Plan for requirements in relation to flood planning and considerations.

B8.3 Land to which this Flood Control clause applies

This section applies to:

- Land which is shown as 'Flood Planning Area' in a Flood Planning Map. Refer to Figure B8.1 to Figure B8.5.
- Land which is recommended to be shown as a Flood Planning Area by a publicly exhibited and/or adopted Flood Study prepared in accordance with the Floodplain Development Manual (FDM) (2005).
- Other land at or below the flood planning level.

Where Council is of the understanding that land subject of an application is or may potentially be affected by flooding, Council may require the applicant to prepare a flood study.

Abbreviations:

- AEP: Annual Exceedance Probability
 FDM 2005: Floodplain Development Manual
 FRMP: Flood Risk Management Plan
 FRMS: Flood Risk Management Study

Objectives

- O1. To ensure the proponents of development and the community in general are aware of the potential flood hazard over the whole range of AEP and of the consequent risk and liability associated with the development and use of flood liable land.
- O2. To manage flood liable land in manner that is economically and environmentally sustainable and socially responsible.
- O3. To establish whether or not a proposed development or activity is appropriate to be carried out having regard to the economic, property, environmental and human impacts of flooding.
- O4. To protect community by ensuring that developments with high sensitivity to flood risk (eg. critical public utilities) are sited and designed to provide reliable access, continued operability during emergencies, quick recovery and to generally minimise risk from flooding.
- O5. To allow development with a lower sensitivity to the flood hazard to be located within the floodplain, subject to appropriate design and siting controls and provided that the potential consequences that could still arise from flooding remain acceptable.
- O6. To prevent intensification of inappropriate development.
- O7. To control the use of 'High Hazard' areas and Floodways, and wherever appropriate and feasible, allow for their conversion to natural waterway corridors.
- O8. To ensure that proposed development does not expose existing development to increased risks associated with flooding.
- O9. To ensure building design and location address flood hazard.

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- O10. To ensure that development does not result in unreasonable flood impacts upon the amenity or ecology of an area.
- O11. To incorporate the principles of Ecologically Sustainable Development (ESD).
- O12. To minimise the risk to life and property arising from flooding.
- O13. To ensure the provision of appropriate access to and egress from areas affected by flooding including for extreme events.
- O14. To provide controls to ensure that development is carried out in accordance with this Policy.
- O15. To implement the principles of floodplain risk management as defined by the NSW Government's Flood Prone Land Policy and the FDM 2005.

Design Principles

- D1. Development should not result in any increased risk to human life.
- D2. The additional economic and social costs which may arise from damage to property from flooding should not be greater than that which can reasonably be managed by the property owner, property occupants and general community.
- D3. Development should only be permitted where effective warning time is available for the evacuation of an area potentially affected by floods to an area free of risk from flooding.
- D4. Development should only be permitted where reliable egress is available for the evacuation of an area potentially affected by floods to an area free of risk from flooding.
- D5. Evacuation should be consistent with any relevant flood evacuation strategy or flood risk management plan where in existence.
- D6. Development should not adversely increase the potential flood affectation on other development or properties, either individually or in combination with similar developments(s) that are likely to occur within the same catchment.
- D7. Developments must make allowances for motor vehicles to be relocated to an area with substantially less risk from flooding within an effective warning time.
- D8. Developments must provide an evacuation plan detailing procedures that would be in place for an emergency (such as warning systems, signage or evacuation drills).
- D9. Flood mitigation measures associated with new developments should not result in significant impacts upon the amenity of an area by way of unacceptable overshadowing of adjoining properties, privacy impacts (eg. by unsympathetic house raising), alienation of otherwise usable open space or by being incompatible with the streetscape or character of the locality (including heritage).

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- D10. Raised structures shall be designed to cater for the forces of floodwaters. An Engineer's Certificate will be required for the structural design.
- D11. Development is to be compatible with any relevant Floodplain Risk Management Study, Floodplain Risk Management Plan, Flood Studies, or Sub-Catchment Management Plan.
- D12. Development must not divert flood waters, nor interfere with floodwater storage or the natural function of waterways.
- D13. Filling of land up to the Probable Maximum Flood (PMF) must not adversely impact upon flood behaviour. This must be demonstrated by appropriate modelling.
- D14. Development must consider the impact of flooding resulting from local overland flooding whether it is a result of Local Drainage or Major Drainage.
- D15. Where hydraulic flood modelling is required, flow hazard categories should be identified and adequately addressed in the design of the development.
- D16. Council strongly discourages basement car parks on properties within the floodplain. Where site conditions require a basement car park on a property within the floodplain, development applications must provide a detailed hydraulic flood study and design demonstrating that the proposed basement car park has been protected from all flooding up to and including the PMF event. An adequate emergency response and evacuation plan must also be provided where basement car parks are proposed in the floodplain.

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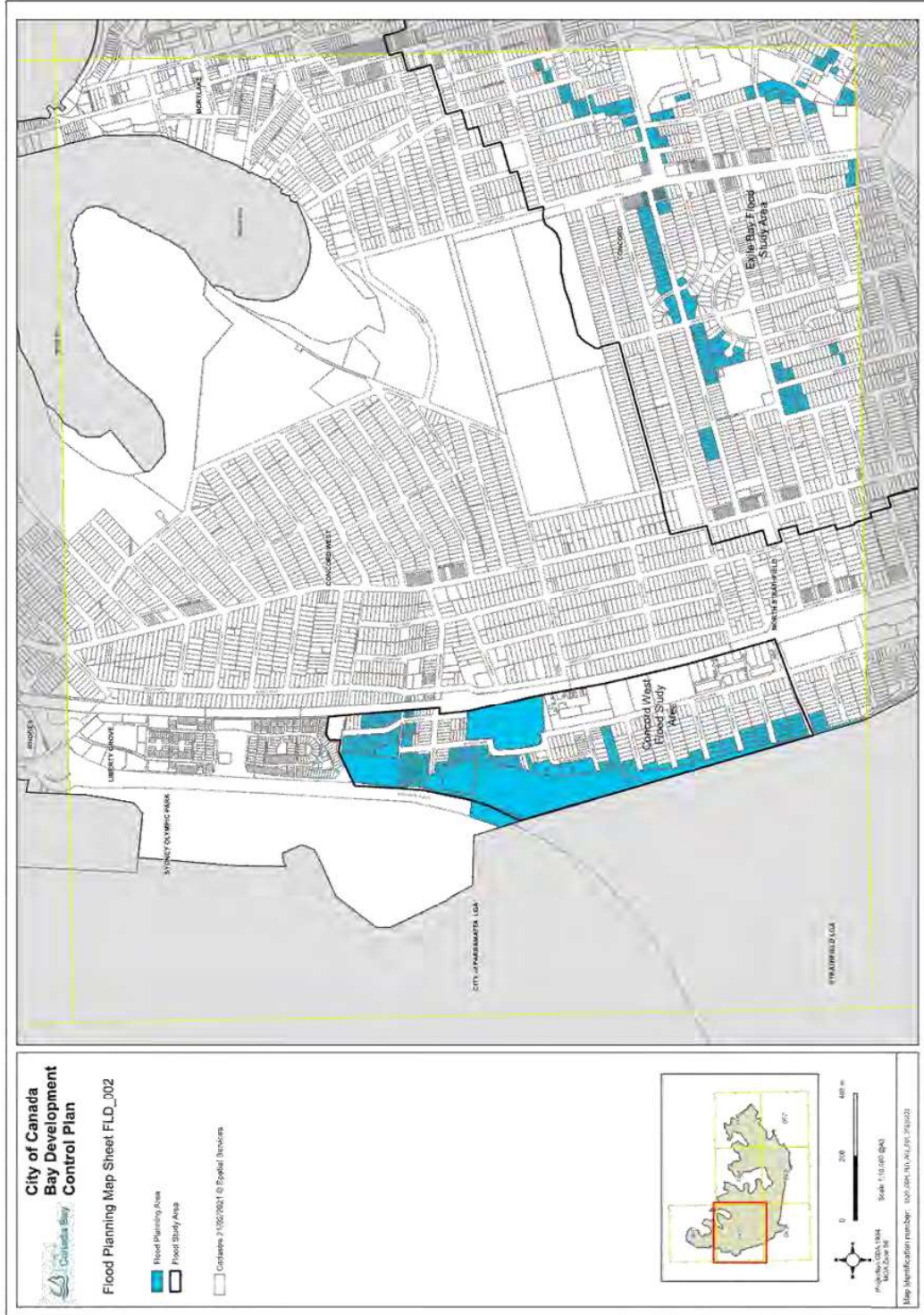


Figure B5.2 Flood Planning Map - Sheet 2

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Development Control Plan

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General Controls



Figure B8.3 Flood Planning Map - Sheet 3

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Development Control Plan

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General Controls



Figure B8.5 Flood Planning Map - Sheet 5

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General Controls

B8.5 Development Controls

All proposals are to have regard to the planning matrix at Table B-T. The procedure to determine which design standards apply to proposed development involves:

Step 1: identify the land use category of the development from Table B-T; and

Step 2: determine which flood risk category applies to the land (in some areas Council may have undertaken a formal flood study and published flood risk mapping or made the data available on application. Where Council is of the understanding that land subject of an application is or may potentially be affected by flooding, Council may require the applicant to prepare a flood study.); and

Step 3: apply the objectives and design principles as outlined in this section and then the design standards in the planning matrix at Table B-T as applicable to the floodplain and land use category, the numbers in Table B-T identify the controls which are applicable as detailed in B7.5 Details of Flood Controls (Flood Planning Matrix).

NOTE: An evacuation plan does not negate requirements for compliance with planning and building regulations.

Table B-S Land Use and Development Category Definitions

Sensitive Uses and Facilities	Community facilities or public administration buildings which may provide an important contribution to the notification and evacuation of the community during flood events(eg community buildings that may serve as evacuation centres); Facilities which involve concentrations of more vulnerable people; Child care centres; Hospitals; Residential care facilities; Seniors housing; Educational establishments. (See also "Concessional Development")
Critical Uses and Utilities	Public utilities, community facilities or public administration buildings which provide direct emergency response. (Eg Police Stations, Ambulance Stations, SES Headquarters, Council Works Depots, Telecommunication facilities.) Hazardous industries; Hazardous storage establishments; Offensive industries; Offensive storage establishments; Liquid fuel depots; Undertakings which may cause pollution during flooding, are essential to evacuation during periods of flood or if affected during flood events would unreasonably affect the ability of the community to return to normal activities after flood events; Waste management facilities. (See also "Concessional Development")
Subdivisions	Subdivision of land which involves the creation of additional allotments.
Filling	The net importation of fill material onto a site, except where: 1) final surface levels are raised by no more than 100mm over no more than 50% of the site; or 2) filling is no more than 800mm thick beneath a concrete building slab only. Earthworks involving both cut and fill shall not be considered to be filling provided that: 1) there is no net importation of fill material onto the site; and 2) there is no net loss of flood storage.
Residential	Residential accommodation unless more specifically included in the Sensitive Uses and Facilities category above or Commercial Industrial category below. (See also "Concessional Development")

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Commercial or Industrial	Bulky goods premises; Business Premises; Car parks; Depots; Entertainment facilities; Food and drink premises; Freight transport facilities; Funeral chapels; Funeral homes; Function centres; Hardware and building supplies; Heavy industries; Hotel accommodation; Industries; Landscape and garden supplies; Light industries; Materials recycling or recovery centres; Medical centres; Mixed use development; Office premises; Passenger transport facilities; Places of public worship; Public administration buildings (other than an essential community facility); Pubs; Recreation facilities (indoor); Registered clubs; Restricted premises; Retail Premises; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Vehicle body repair workshops; Vehicle repair stations; Vehicle showrooms; Veterinary hospitals; Warehouse or distribution centres. (See also "Concessional Development")
Tourism Related Development	Advertising structures; Kiosks; Markets; Information and education facilities; Signage.
Open Space or Non-urban Uses	Recreation facilities (outdoor); Recreation areas and minor ancillary structures (e.g. Amenities blocks or kiosks) Boat launching ramps; Boat repair facilities; Boat sheds; Jetty; Animal boarding and training establishments; Environmental facilities; Helipad.
Concessional Development	<p>Concessional development is any development or redevelopment that would normally not be permitted under this Plan, but may be permitted as a concession provided it:-</p> <ol style="list-style-type: none"> 1) is kept clear of any floodway; and 2) involves an acceptably small (see below for limits) addition or alteration to an existing development that will not cause a significant increase in potential flood losses or risks or have an adverse impact on adjoining properties; or 3) redevelopment that achieves a substantial reduction of the extent of flood affectation relative to the existing situation provided that such redevelopments incorporate, to the fullest extent practical, design features and measures to reduce the existing potential for flood losses and personal risks and avoid any adverse impacts on adjoining properties – especially obstruction or diversion of floodwaters and loss of flood storage. <p>Limits for residential development. The maximum size of a concessional development is:</p> <ol style="list-style-type: none"> 1) a once-only addition or alteration to an existing dwelling of no more than 10% or 30m² (whichever is the lesser) of the habitable floor area which existed at the date of commencement of this Policy or Plan; or 2) the construction of an outbuilding with a maximum floor area of 20m². <p>Limits for other (non-residential) development</p> <p>In the case of other development categories, the maximum size of a concessional development is a once-only addition to existing premises of no more than 10% of the floor area which existed at the date of commencement of this Policy or Plan.</p>

Table B-T Flood Planning Matrix

Planning & Development Controls	Flood Risk Precincts											
	Low Flood Risk				Medium Flood Risk				High Flood Risk			
Concessional Development												
Open Space & Non-Urban												
Tourist Related Development												
Commercial & Industrial												
Residential*												
Filling												
Subdivision												
Critical Uses & Facilities												
Sensitive Uses & Facilities												
Concessional Development												
Open Space & Non-Urban												
Tourist Related Development												
Commercial & Industrial												
Residential*												
Filling												
Subdivision												
Critical Uses & Facilities												
Sensitive Uses & Facilities												
Concessional Development												
Open Space & Non-Urban												
Tourist Related Development												
Commercial & Industrial												
Residential*												
Filling												
Subdivision												
Critical Uses & Facilities												
Sensitive Uses & Facilities												
Planning Consideration (the numbers below identify the controls which are applicable, as contained in section C7.5)												
Floor Level	3	3										
Building Component	2	2										
Structural Soundness	2	2										
Flood Affection	2	2	2	2	2	2	2	2	2	2	2	2
Car Parking & Driveway Access	1, 3, 5, 6, 8	1, 3, 5, 6, 8										
Evacuation	2, 4	2, 4, 6	5									
Management & Design	2, 3	2, 3, 4	1									

Colour Key: Not Relevant Unsuitable Land Use * For redevelopment refer also to 'Concessional Development' provisions

- i Canada Bay Local Environmental Plan 2013 identifies development permissible with consent in various zones. Notwithstanding, constraints to individual sites may preclude the granting of consent for certain forms of development on all or part of a site. The above matrix identifies where flood risks are likely to determine where certain development types will be considered "unsuitable" due to flood related risks.
 - ii Filling of site, where acceptable to Council, may change the FRP used to determine the controls applied in the circumstances of individual applications.
 - iii Any fencing that forms a part of a proposed development is subject to the relevant Flood Effects and Structural Soundness planning considerations of the applicable land use category. Fences may need to be of open design to address this cause.
 - iv Development within the floodplain may be subject to Clause 6.4 Limited Development On Foreshore Area and Foreshore building line provisions in the Canada Bay Local Environmental Plan 2013.
- Note that the land above the PMF level is not captured by the above matrix.

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General Controls

B8.6 Details of the Flood Controls

(Flood Planning Matrix see Table B-T)

Floor Level

Controls	
C1.	Floor levels to be equal to or greater than the 20 year Average Recurrence Interval (ARI) flood level plus freeboard.
C2.	Habitable floor levels to be equal to or greater than the 100 year ARI flood level plus freeboard.
C3.	All floor levels to be equal to or greater than the Probable Maximum Flood (PMF) level.
C4.	Floor levels to be equal to or greater than the 100 year ARI flood level plus freeboard. Where this is not practical due to compatibility with the height of adjacent buildings, or compatibility with the floor level of existing buildings, or the need for access for persons with disabilities, a lower floor level may be considered. In these circumstances, the floor level is to be as high as practical, and, when undertaking alternations or additions, no lower than the existing floor level.
C5.	A restriction is to be placed on the title of the land, pursuant to S.88B of the Conveyancing Act, where the lowest habitable floor area is elevated more than 1.5m above finished ground level, confirming that the subfloor space is not to be enclosed.
C6.	Because of the particular catchment characteristics of the Concord West Precinct, additional requirement is for habitable floor levels to be at a minimum of RL 3.0m AHD. Refer to sections 9.3.3, 9.3.6, and 10.2.3 of the CWFS.

Building Components and Method

Controls	
C7.	All structures to have flood compatible building components below the 100 year ARI flood level plus freeboard.
C8.	All structures to have flood compatible building components below the PMF.

Structural Soundness

Controls	
C9.	An Engineer's report is required to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year ARI flood level plus freeboard.
C10.	An Engineer's report is required to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF level.

Flood Affection

Controls	
C11.	An Engineer's report is required to demonstrate how and certify that the development will not increase flood affection elsewhere, having regard to: <ul style="list-style-type: none"> a) loss of flood storage; b) changes in flood levels, flows and velocities caused by alterations to flood flows; and c) the cumulate impact of multiple potential developments in the vicinity.
C12.	The impact of the development on flooding elsewhere to be considered having regard to the three factors listed in C1 above.

Car Parking and Driveway Access

Controls	
C13.	The minimum surface level of open parking spaces or carports shall be as high as practical, but no lower than 0.1m below the 100 year ARI flood level. In the case of garages, the minimum surface level shall be as high as practical, but no lower than the 100 year ARI flood level.
C14.	The minimum surface level of open parking spaces or carports shall be as high as practical, but no lower than 0.3m above the 20 year ARI flood level.

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C15.	Garages capable of accommodating more than 3 motor vehicles on land zoned for urban purposes, or enclosed car parking, must be protected from inundation by floods equal to or greater than the 100 year ARI flood. Ramp levels to be no lower than 0.5m above the 100 year ARI flood level.
C16.	The driveway providing access between the road and parking spaces shall be as high as practical and generally rising in the egress direction.
C17.	The level of the driveway providing access between the road and parking spaces shall be no lower than 0.2m below the 100 year ARI flood level.
C18.	Enclosed car parking and car parking areas accommodating more than 3 vehicles, with a floor below the 100 year ARI flood level, shall have adequate warning systems, signage, exits and evacuation routes.
C19.	Restraints or vehicle barriers to be provided to prevent floating vehicles leaving a site during a 100 year ARI flood.
C20.	Enclosed underground car parks shall have all potential water entry points protected from the PMF. The intent of this requirement is to mitigate the creation of life threatening circumstances and very high economic loss such as may occur with the complete inundation of an underground car park. Council may consider relaxation of this requirement if it can be shown by modelling that the catchment characteristics are such that the maximum depth of inundation is less than 300mm. Because of the particular catchment characteristics of the Concord West Precinct, an additional requirement within that precinct is for habitable floor levels to be at a minimum of RL 3.0m AHD. Refer to sections 9.3.3, 9.3.6, and 10.2.3 of the CWFS.

Evacuation

Controls	
C21.	Reliable access for pedestrians required during a 20 year ARI peak flood.
C22.	Reliable access for pedestrians and vehicles required to a publicly accessible location during the PMF peak flood.
C23.	Reliable access for pedestrians and vehicles is required from the site to an area of refuge above the PMF level, either on site (eg. second storey) or off site.
C24.	Applicant is to demonstrate the development is consistent with any relevant flood evacuation strategy or similar plan.
C25.	Applicant is to demonstrate that evacuation in accordance with the requirements of this DCP is available for the potential development resulting from the subdivision.
C26.	Adequate flood warning is available to allow safe and orderly evacuation without increased reliance upon SES or other authorised emergency services personnel.

Management and Design

Controls	
C27.	Applicant is to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accordance with this clause, and any applicable flood study, FRMS and FRMP.
C28.	Site Emergency Response Flood Plan required where the site is affected by the 100 year ARI flood level (except for single dwelling-houses).
C29.	Applicant is to demonstrate that area is available to store goods above the 100 year flood level plus freeboard.
C30.	No storage of materials below the 100 year ARI flood level.

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Part B

General Controls

B9 Contaminated land

Objectives

- O1. Minimise the risk to human and environmental health on land contaminated by past uses.
- O2. To ensure each development application includes information sufficient to allow Council to meet its obligation to determine whether development should be restricted due to the presence of contamination.
- O3. To facilitate appropriate site remediation to ensure the land is suitable for the intended use.

Note: These obligations are outlined in State Environmental Planning Policy No.55 at the time of adoption of this plan.

Controls

C1.	All development must take precautionary steps to prevent the release of substances that cause contamination of soil, surface water, air or groundwater.
C2.	Proposals for the development of contaminated land or potentially contaminated land will need to determine: <ul style="list-style-type: none"> a) The extent to which land is contaminated (including both soil and groundwater contamination) and; b) Whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out, and; c) Whether the land requires remediation to make the land suitable for the intended use prior to that development being carried out, and; d) If the land has been previously investigated or remediated, development cannot be carried out until Council has considered the nature, distribution and levels of residues remaining on the land and Council has determined that the land is suitable for the intended use.

C3.	In accordance with Clause 9(f) of SEPP 55, Council specifies the following additional works as Category 1 remediation works: <ul style="list-style-type: none"> a) Remediation work within 40m of an open drainage channel, creek or water body. b) Remediation work involving treatment of groundwater. c) Remediation work involving on-site treatment of contaminated soil e.g., soil stabilisation, land-farming, soil washing or thermal desorption. d) Remediation work involving on-site capping or containment of contaminated soils. e) Remediation work on a site where off site migration of contaminants has occurred. f) Remediation work involving the removal of Petroleum and other Underground Storage Tanks.
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B10 Crime prevention through environmental design

Objectives

- O1. Provide a safe environment and minimise opportunities for criminal and anti-social behaviour.

Controls	
C1.	Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space.
C2.	In commercial, retail or public buildings, facilities such as toilets and parents rooms are to be conveniently located and designed to maximise casual surveillance to facility entries.
C3.	Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment.
C4.	Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development. Where practicable lift lobbies, stairwells, hallways and corridors should be visible from the public domain.
C5.	Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night.
C6.	Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.
C7.	Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.
C8.	Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.

B11 Energy efficiency

Objectives

- O1. To encourage designs that make provision for current or future installation of energy efficient technologies.

Controls	
C1.	Roof forms shall be designed to allow for current or future installation of solar panels without adverse impacts on the amenity of neighbours or the streetscape.
C2.	Space should be provided within the building for the current or future installation of battery storage.

B12 Subdivision and allotment size

Subdivision is the division of land into two or more parts for separate occupation, use or disposition.

Objectives

- O1. To minimise any likely impact of subdivision and future development on the amenity of neighbouring properties.
- O2. To ensure lot size and dimension are able to accommodate a dwelling and provide adequate open space and car parking consistent with the relevant requirements of this DCP.
- O3. To ensure lot size and dimension take into account the slope of the land and existing vegetation identified in the site analysis.
- O4. To ensure lot size and dimensions enable dwellings or future dwellings to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views.

Where relevant, Torrens Title subdivision standards are contained on the Lot Size Map to the Canada Bay Local Environment Plan.

Controls

- C1. The minimum frontage to the street for normal allotments is:

Allotment type	Minimum frontage to street
Normal allotment	14.0m
Hatchet-shaped allotment	4.0m

Controls

- C2. Where the subdivision of an allotment is creating:
- a) A single battle-axe allotment, the minimum width of an access handle is 4.0 metres; or
 - b) Two or more battle-axe allotments, the minimum width of an access handle is 4.0 metres plus a passing bay at 30 metre intervals.

In each case, a 0.5 metre wide landscape strip is to be provided on the outer edge of the access handle.

Controls

- C3. A secondary dwelling must not be subdivided. It is to be located on the same lot of land as the principal dwelling and not being an individual lot within a strata plan or a community title scheme.

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Part B

General Controls

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K19 160 Burwood Rd, Concord (former Bushells Factory)



Figure K19-1 Aerial photo (source: nearmap.com)



Figure K19-2 Council area map



Figure K19-3 160 Burwood Road, Concord - Location Plan



K19 160 Burwood Rd, Concord (former Bushells Factory)



K19.1 Introduction

Location

The site is located at 160 Burwood Road, Concord, approximately 15km to the west of the Sydney CBD, 2.6km from Burwood District Centre and Burwood Train Station, 3km from Strathfield Train Station and 5.5km from Rhodes Strategic Centre. The nearest local commercial/ retail centre is located at Majors Bay Road, approximately 1.5kms from the precinct.

The precinct comprises approximately 3.9Ha of land and is bounded by Massey Park Golf Course to the north, Exile Bay foreshore area to the north east, medium density residential developments to the east, and low density residential developments to the west and south. Bayview Park is located further to the east along the foreshore line of Exile Bay and the Parramatta River.

Context

The precinct is surrounded by low to medium density residential development. To the east lies a medium density housing development known as 'Pelican Quays' / 'Pelican Point' which was built in the last 10-20 years. Another medium density development known as 'Phillips Landing' is located to the south of the precinct.

The Massey Park Golf Course is located along the northern boundary of the site and is publicly owned. The surrounding streets comprise tree lined avenues with on street parking reinforcing a residential streetscape character.

Current use, built form and character

The precinct is located on a small peninsula of land between Exile Bay and Canada Bay. The shape of the peninsula, combined with the generally flat topography of the surrounding area and 2 to 3 storey buildings along the foreshore, creates a landscape that has a strong horizontal dominance, formed by the water, the land and the tree line.

The site currently operates as a coffee manufacturing facility. The main industrial building is a multi-storey brick and concrete structure that is orientated north-south and is sited in the western part of the site and contains an industrial building, known as the 'Robert Timms Factory' or 'Bushell's Factory' featuring a prominent 78m high chimney stack. A two storey administration building is located to the eastern side of the factory and a covered walkway joins the two structures. A security booth/ gatehouse and boom gates are located at the Burwood Road frontage.

Vehicular access to the precinct is provided off Burwood Road, which extends along the centre of the peninsula to Bayview Park. A small section of the north west corner of the precinct connects to Zoeller Street.

K19.2 Desired Future Character

Vision statement

"The precinct will be a fine-grain, river-orientated village bringing broad public benefit to locals including new parklands, community uses, daily needs retail and diversity of housing choice. The retention of the existing Roasting Hall as a heritage item incorporating a combination of selected light industrial and commercial functions, as well as new economy and creative uses, will contribute to precinct activation and diversity and create a unique sense of place and enhance local identity."

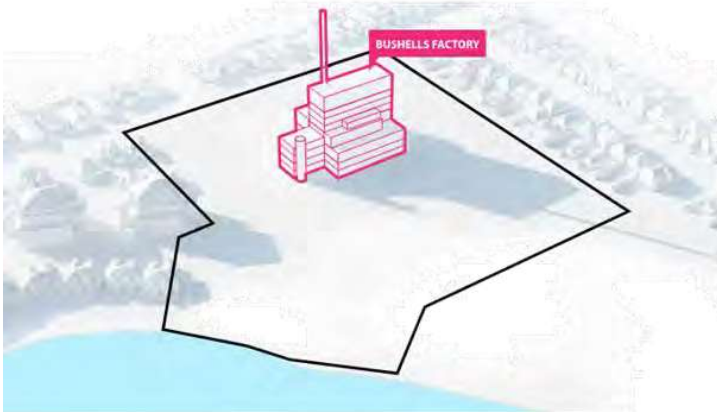
General objectives

- O1 To create a river-orientated 'urban village' providing jobs and diversity of housing.
- O2 To celebrate the natural landscape assets and the precinct's history through view corridors, unique public spaces and physical connections.
- O3 To reconnect the precinct to the water by providing a new public foreshore and publicly accessible plaza for the benefit of the wider community and ensuring the access to the site is inviting to the public.
- O4 To maintain the precinct's connection to the past by protecting and adaptively reusing the former 'Bushell's Factory' Central Roasting Hall for urban services and retail/commercial uses with residential above.
- O5 To sensitively transition to the surrounding residential built form and support the existing neighbourhood & landscaped character.
- O6 To focus on people and improve the overall 'quality of life' by fostering social connectedness, connecting people to place and strengthening the sense of community.
- O7 To support the health and wellbeing of Country by valuing, respecting, and being guided by Aboriginal people from the Wangal clan and informed by the Connecting with Country framework.
- O8 To achieve a high quality urban development that exhibits design excellence and reflects the desired future character of the area.



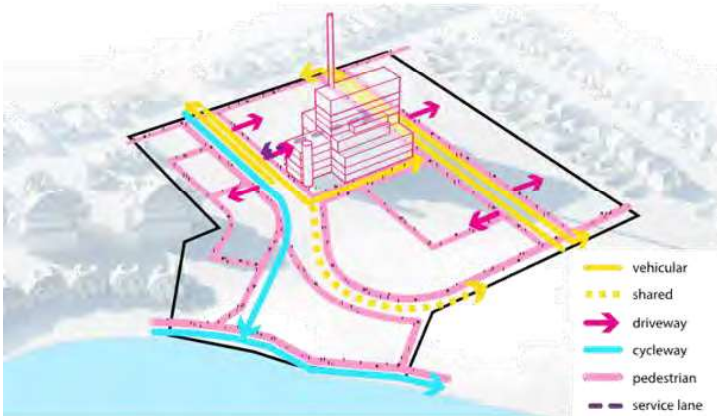
K19 160 Burwood Rd, Concord (former Bushells Factory)

K19.3 Urban Design Principles



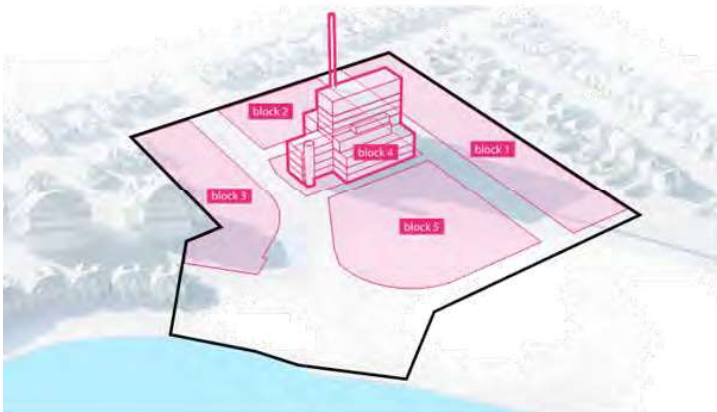
Character Retention

The existing former 'Bushell's Factory' Central Roasting Hall and associated chimney stack will remain the dominant built form features on the site, ensuring the value of the factory as a recognisable landmark.



Movement & Access

An internal hierarchy of movement networks increases the overall permeability & accessibility within the site and to other local networks. Free flowing public movement along the foreshore (east west) and along north south streets helps create a movement network that prioritises pedestrians.



Block Structure

The block structure and internal movement network orientates towards key landmarks and public places allowing for enhanced permeability and uninterrupted view corridors to key landmarks and spaces.



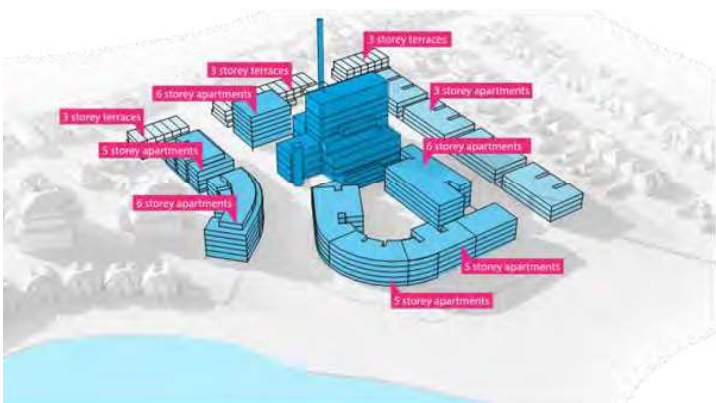
Public Domain

An abundance of flexible public space is a key public benefit, aiming to create a series of destinations, complementing the existing natural and urban context. Highly activated spaces create various stages for social and cultural connectedness, wellbeing and community relationships. Across the site, the public domain will be a combination of areas dedicated to Council and spaces that are privately owned but publicly accessible.



Greenery & Tree Retention

The adjacent diagram illustrates the concept of greening the precinct through public parks, planting new trees along pedestrian networks, as well as retaining significant mature trees which contribute to the overall amenity, local character and identity of the area.



Scale & Height Transition

Built form is appropriately scaled based on function, orientation and views to amenity and public spaces. Heights sensitively transition to the surrounds, maintaining privacy and amenity for neighbours with lower building heights to the precinct's periphery.

K19 160 Burwood Rd, Concord (former Bushells Factory)

K19.4 Movement and Access Network

Objectives

- O9 To provide a new, fine grain and publicly accessible access network that effectively connects the Precinct to its surrounds.
- O10 To provide a hierarchy of new local streets consistent with their function.
- O11 To maximise permeability and public access through the Precinct and to be visually and physically integrated into the surrounding street network.
- O12 To strongly promote active transport (walking and cycling) and the use of public transport.
- O13 To encourage activity in public (and publicly accessible) open spaces, with a particular focus on the Exile Bay foreshore.
- O14 To ensure the safety of pedestrians, cyclists and users of the foreshore walk and open space.
- O15 To enable access and a safe environment for all including children, disabled people and the elderly.
- O16 To enable innovative and effective access and loading solutions for the functioning of the urban services uses.

Access Network

Controls	
C1.	New streets, through-site links, and cycle and pedestrian routes are to be constructed to the satisfaction of Council in accordance with Figure K19-5 Public Domain Framework and Figure K19-8 to Figure K19-14 Building Envelope Controls Sections.
C2.	Any vehicle, pedestrian or cycle network that varies from that shown in Figure K19-5 Public Domain Framework, and Street Sections is to demonstrate an improved public benefit and design excellence having regard to: <ul style="list-style-type: none"> • The objectives, character statement and principles of this DCP; • The degree to which any alterations may enhance or detract from public enjoyment of the public benefits associated with the development.
C3.	The access point located on Burwood Road opposite Marceau Drive is to be the main vehicular access to and from the Precinct and provide access to retail, commercial and urban services, and the new public open space. The road network shall focus site traffic to that intersection.
C4.	An additional vehicular access point is to provide access between Burwood Road and Zoeller Street along a new north-south street. Vehicle access should in the first instance be provided from Burwood Road. Vehicle access from Zoeller Street may require the street to be extended to the east. This access should only be provided as an alternative or secondary access to the main access off Burwood Road and should not service any Heavy Rigid Vehicles (HRV) required for retail, commercial or urban service uses.

Pedestrians and Cyclists

C5.	Ensure permanent public access through the site and linkage to the new public open space, along publicly accessible private roads, is provided through an easement or similar.
C6.	<p>A Traffic Operations Plan is to be submitted with the development application and implemented prior to issue of the occupation certificate. The plan is to include measures to:</p> <ul style="list-style-type: none"> • calm traffic and implement a maximum speed of no more than 40km per hour for all streets and lanes; • 10km per hour maximum speed limit for service lanes; • prioritise pedestrian and cycle access across the site with kerb extensions, continuous raised footpath thresholds, tight corner radii and street trees; • discourage inappropriate through traffic; • manage potential vehicle and pedestrian conflict at the interface of open spaces and streets; and • manage access to commercial, retail and urban services including access by heavy vehicles for the servicing of permissible uses.
C7.	<p>Where roads or lanes are closed to vehicular access, connections to public open space or between public roads are to provide:</p> <ul style="list-style-type: none"> • public access whether or not the land is public; and • are to be designed so that the access is clearly public and encourages pedestrian and cycle traffic to and from the open space and the adjoining public roads.

Controls	
C8.	Pedestrian and bicycle access is to be provided as shown in the K19.3 Movement & Access Design Principle and to the satisfaction of Council.
C9.	Ensure the continuation of the foreshore walk through the public open space provides a wide, direct, accessible and legible route between Bayview Park and the Massey Park Golf Club.
C10.	<p>Pedestrian and bicycle access throughout the Precinct, including connections from roads to the public open space, is to be designed to:</p> <ul style="list-style-type: none"> • be direct and accessible to all; • be easily identified by users and have a public character; • include signage advising of the publicly-accessible status of the link and the places to which it connects; • be clearly distinguished from vehicle access unless it is a purpose built shareway; • allow visibility along the length of the link to the public domain at each end; • include materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant; • include landscaping to assist in guiding people along the link while enabling long sightlines; • be well lit to safety standards (AS1158 pedestrian lighting) with use of metal halide (white) lighting, giving regard to highlighting any unique architectural or public art features; and • be open to the sky along the entire length and accessible 24 hours a day.

K19 160 Burwood Rd, Concord (former Bushells Factory)

K19.5 Public Spaces & Public Access

Objectives

- O17 To provide high quality public space and a network of publicly accessible spaces and connections.
- O18 To capitalise on the precinct's unique setting and location by creating strong visual and physical connections to heritage items and the water.
- O19 To reconnect the precinct to Exile Bay and provide a highly accessible public park on the foreshore for the benefit of local residents.
- O20 To cater for a range of passive recreational activities within the public spaces.
- O21 To create memorable places with high quality public domain design that the wider community uses and enjoys.

Public Domain Network

Controls	
C11.	A highly permeable and high quality public domain network including various open spaces, foreshore plaza, and new internal streets and pedestrian links, is delivered as per Figure K19-5.
C12.	A minimum of 9,700m ² of publicly accessible, privately owned public domain is to be provided within the Precinct and is to be generally consistent with that shown in Figure K19-4. This includes any potential service lane.
C13.	The layout of public open space and publicly accessible, privately owned public domain is to be generally consistent with that shown in Figure K19-5. Alterations to that layout will be considered where they demonstrate an improved public benefit and design excellence having regard to: <ul style="list-style-type: none"> • The objectives, character statement and principles of this DCP; • The degree to which any alterations may enhance or detract from public enjoyment of the public benefits associated with the development.
C14.	Maximise direct sunlight to streets with active frontages between 9am and 3pm on 21 June.

C15.	50% of public and publicly accessible open space is to receive at least four hours direct sunlight between 9am and 3pm on 21 June.
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Foreshore Area

Controls	
C16.	The foreshore public open space is to be designed to provide for a range of passive activities.
C17.	A minimum of 5,900m ² of public open space as shown in Figure K19-4 is to be dedicated to Council and is to: <ul style="list-style-type: none"> • create a new and vital public space on the waterfront that may include i.e. seating and furniture, opportunity for markets and events, provision of public BBQ's & shelter, a community garden, heritage interpretation and public art; • be located and designed so that it is clearly identifiable as public space and encourages public use; • reflect and respond to the heritage landscape character; • have clearly defined pedestrian entrances and paths, appropriate seating, and zones for activities that are clearly defined and encourage use; • maximise access for people with mobility difficulties, through design and location of paths and entrances; • the public open space is to primarily feature soft landscaping except for civic spaces, pathways, and small areas ancillary to active frontages; • minimise area required for stormwater and overland flow paths; and • provide legible pedestrian and cycle connections along the foreshore and connecting to Burwood Road and Zoeller Street.
C18.	The concrete sea wall along the boundary of the site to Exile Bay is to be replaced with terraced steps or alternatively repaired to a standard acceptable to Council.



Publicly Owned Open Space
Privately Owned & Publicly Accessible Land

Figure K19-4 Public Spaces diagram

K19.6 Landscape Design

Objectives

- O22 To control climatic impacts on buildings and outdoor spaces, maximise provision of shade and reduce urban heat island effect.
- O23 To improve the local micro-climate, increase native fauna and flora habitats and promote biodiversity.
- O24 To promote high quality landscape design as an integral component of the overall design of new development, softening the appearance of buildings.
- O25 To allow adequate provision on site for infiltration of stormwater.
- O26 To strengthen indigenous vegetation and enhance Connecting with Country landscape values on Wangal land.
- O27 To encourage passive green roofs that increase building performance, air quality, biodiversity and contribute to urban greening.

Deep Soil

Controls	
C19.	Deep soil zones are to be provided as identified in Figure K19-5 Public Domain Framework plan. Additional opportunities for deep soil zones beyond the areas identified should also be considered.
C20.	Buildings and structures including basements are not to encroach into identified deep soil zones.
C21.	Non-permeable hard surfaces (i.e. concrete slabs) are not permitted in identified deep soil zones.

Landscape Screening

Controls	
C22.	Development is to provide sufficient setbacks with deep soil zones along the boundaries (for more detail see Section K19.9 Built Form Envelopes) in order to create adequate landscape screening to the surrounding residential areas.
C23.	Existing trees and vegetation along the western and eastern boundaries of the site are to be retained in a healthy condition to provide screening for adjoining residential areas. If any trees are lost, they are to be replaced with well established trees of similar mature height.
C24.	Vegetation in the landscaped setback to Burwood Road is to be provided to soften the appearance of new built form.

Native Species Selection

Controls	
C25.	Native species must comprise at least 75% of the plant schedule, incorporating a mix of locally indigenous trees, shrubs and groundcover appropriate to local climatic conditions.
C26.	Where exotic species are proposed to provide a change of form, texture and seasonal colour, these must be consistent with the character outlined in section K19.3 Urban Design Principles.

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Tree Canopy Cover

Controls	
C27.	A minimum of 25% of the precinct area is to be covered by tree canopy.
C28.	Generous landscape opportunities exist to achieve the above control including the foreshore park, plaza, street verges, communal open space of apartments, and retention of most existing trees along the western boundary.
C29.	<p>To demonstrate compliance with the above control, a landscape plan is to be submitted as part of any future development application (DA), prepared by a suitably qualified landscape architect and supported by an arborist statement/report that includes the following:</p> <ul style="list-style-type: none"> A site plan showing the entire precinct and identifying the percentage of canopy of all retained trees, and the percentage of canopy achieved by proposed new tree planting (calculated for all tree species at 'established age' of no more than 20 years); and A detailed plan showing the subject site of the DA including: <ul style="list-style-type: none"> all retained trees and their percentage of canopy; all new trees and their percentage of canopy at 'established age'; and detail in regard to landscaped setbacks and screening, deep soil zones, protection measures for retained trees, and type of tree species to be planted including information on mature canopy size and height.

Retention of Trees

Controls	
C30.	All trees and vegetation identified in Figure K19-5 Public Domain Framework plan are to be retained, protected and maintained.
C31.	Of particular importance are the mature groves of trees along the eastern and western boundary, which are to be retained and protected, to maintain the existing developed landscape and privacy for the neighbours.
C32.	Retention and ongoing protection of the large Hill's Weeping Fig (Tree 184) and its TPZ (tree protection zone) near the north eastern boundary of the site is a key requirement. This particular tree has been identified as "the best tree on the site" and is considered a significant item that contributes to the landscape of the precinct and the 'Factory in a Garden' setting.

Green Roofs

Controls	
C33.	Passive green roofs should be located on serviceable and visible parts of the roof, such as the roof of lower parts of a development with varying heights.
C34.	Green roofs must demonstrate adequate drainage, wind impact and waterproofing is provided for the species and volumes of plants and soil.

Other/ Miscellaneous

Controls	
C35.	Landscape design highlights architectural features, defines entry points, indicates direction, and frames and filters views from and into the site.
C36.	Consultation is to occur with the Massey Golf Course to determine if golf safety fences/ netting will be required to be constructed to protect people, vehicles and structures from potential stray golf balls. All fences would need to be of high design quality and visually unobtrusive.

Public Domain / Ground Floor Uses



Figure K19-5 Public Domain Framework Plan

K19 160 Burwood Rd, Concord (former Bushells Factory)

K19.7 Diversity of Uses

Objectives

- O28 To increase jobs and skills (employment generation) on site through the provision of adaptable retail uses and maker spaces.
- O29 To include industries that serve the population related needs of the Canada Bay community (urban support services).
- O30 To provide for a diverse mixture of housing types with a scale of built form that responds to existing neighbouring properties.
- O31 To ensure an adequate supply of low cost housing in the private market and facilitate the development of affordable housing by social and not-for-profit providers.
- O32 To minimise land use conflict and any potential impacts on the operational viability of employment/ light industrial uses.
- O33 To ensure new light industrial development, or other development for employment uses, is designed and built to mitigate any potential impacts they may have on existing and planned sensitive uses.
- O34 To ensure sensitive uses, particularly residential uses, are designed and built to mitigate against the potential impacts that light industrial uses, or other employment uses, may have on them.
- O35 To ensure appropriate noise attenuation measures are incorporated into building design and site layout.
- O36 To provide efficient vehicle access, circulation and loading docks that also ensures the safety and security of all users.

Housing Mix & Affordable Housing

Controls

C37.	Dwelling mix is to be provided in accordance with the Canada Bay Local Environmental Plan 2013.
C38.	Dwellings dedicated to Affordable Housing are to be of equivalent design quality, diversity and mix as all other dwellings.
C39.	Affordable housing is to be provided in accordance with the <i>Canada Bay Local Environmental Plan 2013</i> and the requirements of the <i>Canada Bay Affordable Housing Contribution Scheme</i> .

Urban Services, Commercial and Retail Uses

Controls	
C40.	The minimum provision of non-residential uses in the Precinct is 7,500m ² GFA.
C41.	Within the total 7,500m ² GFA, a minimum of 3,000m ² GFA is to be provided for 'urban services' (i.e light industrial uses).
C42.	A staged masterplan must be submitted to Council to demonstrate how non-residential GFA is to be distributed across the site. This must be provided with the first development application and updated for subsequent applications.
C43.	The maximum size of any supermarket in the Precinct is 1,000m ² GFA.
C44.	Non-residential uses should be predominantly located within the area zoned B1 Neighbourhood Centre.
C45.	Social and community uses, such as a childcare centre or community meeting space and/or gyms are encouraged within the commercial spaces.
C46.	Outdoor dining areas should be provided that overlook the foreshore plaza and public promenade.
C47.	Urban services including mixed light industry, new economy, operational making areas and creative uses are encouraged and should be located within the lower and upper ground floor levels of the Central Roasting Hall and the ground floor of adjoining buildings.
C48.	Any light industrial uses not located on the ground floor, must ensure suitable construction to accommodate floor loading, access and the suitability of space for industrial uses.
C49.	Buildings that are primarily for an industrial purpose are to have a minimum floor to ceiling height of 5m. This ceiling height may need to be adjusted slightly to accommodate the existing structure of the heritage Central Roasting Hall.
C50.	The design of large clear spans is desirable for light industrial floor spaces to achieve maximum flexibility.

C51.	Driveways which provide access to the development for car parking, deliveries for loading and unloading and waste collection, shall be provided from loading access locations identified on Figure K19-5 Public Domain Framework Plan.
C52.	New development should demonstrate that the design of driveways and loading docks is appropriate for the vehicular servicing requirements of the proposed use. Loading facilities should be provided in accordance with the current RMS 'Guide to Traffic Generating Developments 2002' and AS 2890.2.
C53.	Development must incorporate areas that accommodate bins for garbage collection and recycling of waste for industrial and other employment areas. These areas are not to be visible from the street or public open spaces.
C54.	The service access and loading dock(s) for industrial uses must: <ul style="list-style-type: none"> • allow easy access for the size, type and frequency of the service vehicles anticipated (ie Small Rigid Vehicles (SRV), Medium Rigid Vehicles (MRV) and/or Heavy Rigid Vehicles (HRV)); • incorporate sufficient space for service vehicles to turn within the site and minimise the need for trucks to reverse or manoeuvre on existing roads; • be separate from pedestrian routes and thoroughfares (unless the functionality of the service lane and safety of the pedestrians can be guaranteed); • demonstrate strong functionality and connectivity with any proposed freight lift; • accommodate the circulation of large items between the freight lift and industrial floor spaces, and; • be covered at least 1.2m beyond the edge of the loading dock to protect users and goods. Enclosed loading bays are encouraged.
C55.	

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C55.	<p>In granting development consent for non-residential development on sites with proximity to residential uses, the consent authority will have regard to the potential impacts on the amenity of existing and future residential uses. The following matters must be considered and addressed:</p> <ul style="list-style-type: none"> a) noise impacts; b) operating hours; c) privacy; d) vehicular and pedestrian traffic; e) vibration; f) reflectivity; g) overlooking; and h) overshadowing.
C56.	<p>All applications for noise generating uses adjacent to or located in a building containing a residential use must be accompanied by a Noise Impact Assessment from a qualified acoustic engineer, certifying that the acoustic standard can be met.</p> <p>The Noise Impact Assessment should include mitigation strategies, such as utilising landscape buffers, screened and acoustically sealed balconies, mechanical ventilation, triple glazing, green walls, and the use of other specific building materials or sound walls that manage noise.</p>

K19.8 Maximum Density (FSR)

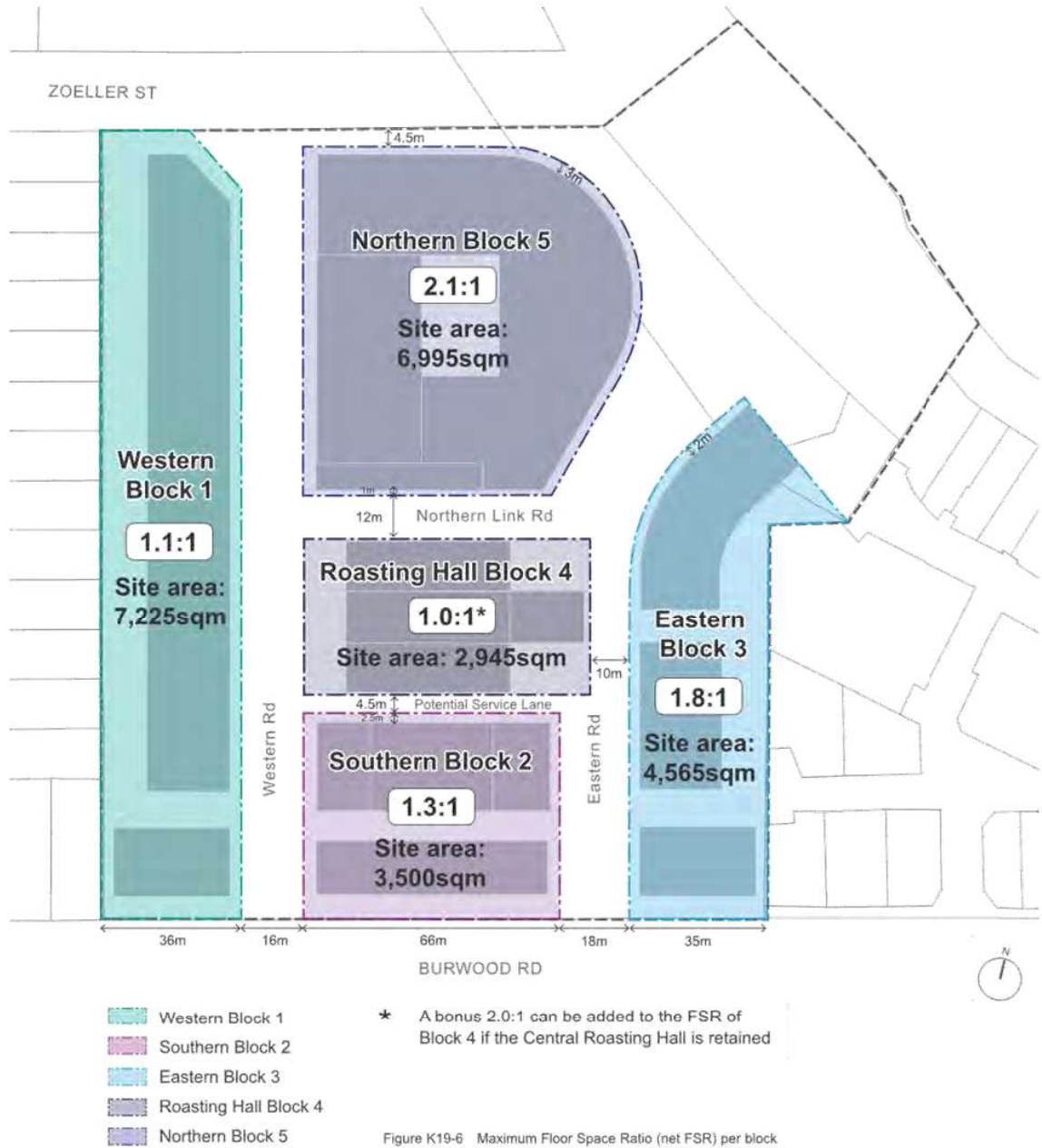
Objectives

- O37 To ensure the height and density of future development is compatible with the surrounding context.
- O38 To ensure each stage of the development contributes appropriately to the overall density of the Precinct.
- O39 To concentrate development at the centre of the site and away from the sensitive interfaces with surrounding area.

Controls

C57.	The maximum overall density of the Precinct is not to exceed the maximum FSR shown in the LEP.
C58.	Development of each part of the site is not to exceed the maximum floor space ratio shown in Figure K19-6.
C59.	Each stage of the development is to provide a table showing both the FSR of the parcel and the overall FSR (to date). The maximum FSR of both the parcel and the Precinct is not to be exceeded. If early stages maximise FSR, later stages may be required to have a lower FSR than shown on Figure K19-6 to ensure the maximum overall FSR is not exceeded.

Maximum FSR Block Plan



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K19.9 Built Form Envelopes

Objectives

- O40 To create building forms that reinforce the future desired character of the area and protect valued character attributes such as views to the foreshore and the Central Roasting Hall.
- O41 To facilitate daylight access and ventilation to streets, public places and neighbouring properties.
- O42 To define the proportion, scale and visual enclosure of the public domain and provide a level of consistency across the Precinct.
- O43 To ensure rooftop spaces do not create unreasonable amenity impacts such as overlooking, loss of privacy or unacceptable noise.

Building Heights

Controls	
C60.	New development is to conform with the maximum heights (in metres) as shown in Figure K19-7 Building Envelope Controls Plan and Figure K19-8 to Figure K19-14 Building Envelope Controls Sections.
C61.	New development is to conform with the maximum number of storeys as shown in Figure K19-7 Building Envelope Controls Plan and Figure K19-8 to Figure K19-14 Building Envelope Controls Sections.
C62.	New development in the Southern Block should not exceed the existing Roasting Hall parapet height of RL26.8.
C63.	Minimum floor to floor heights for new development are as follows:

Use	Minimum floor to floor height	Minimum floor to ceiling height
Retail	4.4m	4m
Commercial	3.7m	3.3m
Adaptable	3.7m	3.3m
Residential	3.1m	2.7m
Community	3.7m	3.3m
Urban Services	5.4m	5m

Note: Exceptions for floor to floor heights within the existing Roasting Hall structure may be acceptable.

Height Transition to Adjoining Land

Controls	
C64.	Building heights are to transition (be lower) towards the Precinct's boundaries and adjoining residential uses as identified in Figure K19-7 Building Envelope Controls Plan and Figure K19-8 to Figure K19-14 Building Envelope Controls Sections.

Heritage Integration

Controls	
C65.	New development is to minimise the impact on the visual curtilage and setting of the Central Roasting Hall.
C66.	New development near the Roasting Hall is to provide visual separation to preserve the iconic nature of the structure.

Solar Access/ Overshadowing

Controls	
C67.	Overshadowing of neighbouring buildings is minimised while direct sunlight to the public domain and publicly accessible spaces is maximised.
C68.	Direct solar access (sunshine) to windows of principal living areas and to the principal area of open space of existing dwellings, particularly along the eastern and western boundary, should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June (mid winter).
C69.	50% of publicly accessible open space is to receive at least four hours direct sunlight between 9am and 3pm on 21 June.
C70.	Shade from strong sun is available between September and March, for at least 20% of the area used for passive recreation, and protection from strong winds is provided to any space that is open to winds from the south.

Building Envelope Controls Plan



Figure K19-7 Building Envelope Controls Plan

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Building Footprints/ Envelopes

Controls	
C71.	<p>The maximum building/ floor plate depth of all residential apartment development is 18m. Deeper building/ floor plate depths may be considered where it can be demonstrated that apartments are able to satisfy ADG principles and all habitable rooms receive adequate ventilation and solar access.</p> <p>The maximum depth of medium density typologies (terraces) is 14m unless varied in accordance with K19.14 Medium Density Housing (Terraces) Control C118.</p>
C72.	<p>Along the western boundary of the site the maximum length of any building is 36m and buildings are to be broken into a minimum of five buildings with a building 'break' that is a minimum of 6m wide.</p>
C73.	<p>The maximum length of any building over 4 storeys high is 50m with a minimum building 'break' of 9.0m wide between buildings. This control does not apply to the 5 storey curved building within the Northern Block 5.</p>

Building Façades, Entrances and Articulation

Controls	
C74.	<p>Building façades are to be articulated into smaller elements at a scale or grain that reflects:</p> <ul style="list-style-type: none"> • different uses and/or components of the building; • the location of the building relative to pedestrian or public spaces; • building entries; and • the ground floor, lower floors, top floor and roof.
C75.	<p>Underground parking areas are to protrude no more than 1m above the level of the footpath or adjacent public domain and are to:</p> <ul style="list-style-type: none"> • be integrated into the landscape and building design; • not have car ventilation grills on the street frontage unless screened by landscaping in a garden bed with a minimum plan depth of 1m; and • have any ground floor car parking areas sleeved with uses fronting the street.
C76.	<p>Ground floor dwelling units facing the street and public domain are to have individual entries from the street.</p>
C77.	<p>Entrances to dwellings and or associated transitional spaces are to be designed to encourage personalisation of the space.</p>
C78.	<p>Individual dwelling layouts are to be planned and located to provide passive surveillance of the street and public open space.</p>

Setbacks

Controls	
C79.	New development must set back as identified in Figure K19-7 Building Envelope Controls Plan and Figure K19-8 to Figure K19-14 Building Envelope Controls Sections.
C80.	Setback areas are to be deep soil where identified in Figure K19-5 Public Domain Framework Plan. Basements are not permitted to encroach into deep soil zones.
C81.	'Undesirable' elements such as vents, electric substations, or plant and equipment spaces are not permissible within the setback area. Where unavoidable they must be screened from view by quality landscape.

Building Diversity and Architectural Character

Controls	
C82.	<p>To achieve diversity and interest in the architectural character of the Precinct:</p> <ul style="list-style-type: none"> • architectural expression of a development block should be varied and present as a group of buildings rather than one building designed by a single designer or company; • at least two architectural firms should be used within each block*; and • buildings designed by the same architectural company should not be adjacent or opposite to each other. <p>*Note: A single team may be permitted to design the urban service uses within the Central Roasting Hall and Southern Block 2 to solve the complexities of loading and servicing these uses.</p>

Rooftop Spaces

Controls	
C83.	<p>Private and communal open spaces may be provided on a podium or roof-top terrace if the following is shown to be addressed:</p> <ol style="list-style-type: none"> a) visual and acoustic privacy, b) safety and security, c) roof maintenance and servicing; and d) wind effects
C84.	Above ground open spaces must not directly overlook rooms and private landscaped areas of neighboring properties unless overlooking can be mitigated by increased setbacks, screening or other means.
C85.	The design of any rooftop spaces and associated rooftop lift overruns or structures must be integrated into the main building envelope and not increase the overall bulk and scale of the development.
C86.	The location and design of green roofs and rooftop spaces should not detract from the heritage significance of the Central Roasting Hall.

K19 160 Burwood Rd, Concord (former Bushells Factory)

Building Envelope Controls Sections



Figure K19-8 Section 1: Burwood Road and 3 storey terrace interface

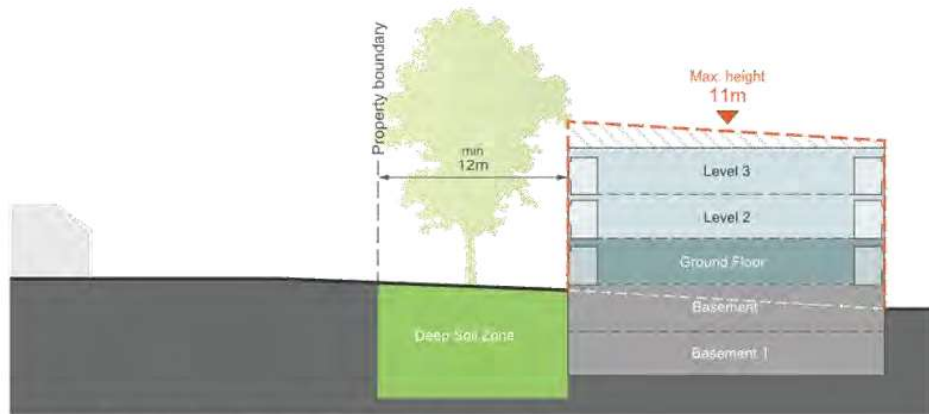


Figure K19-9 Section 2: Western boundary and 3 storey development interface



Figure K19-10 Section key

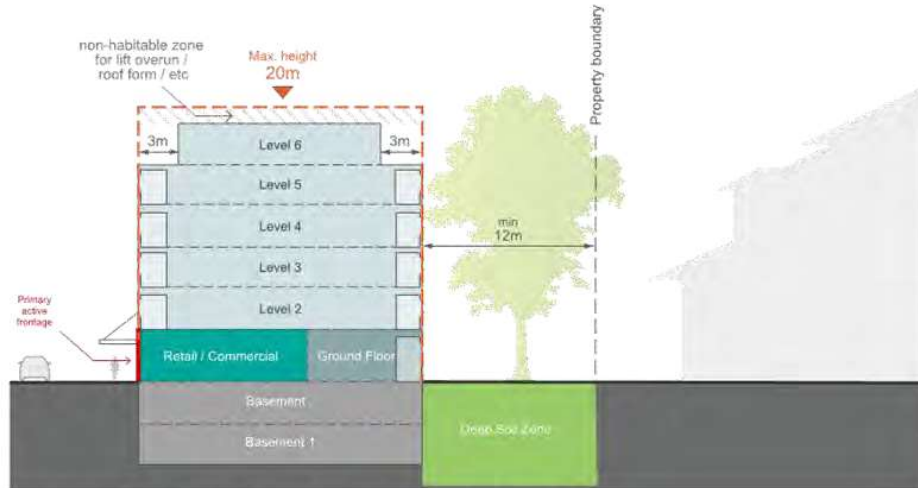


Figure K19-11 Section 3: Eastern boundary and 6 storey development interface

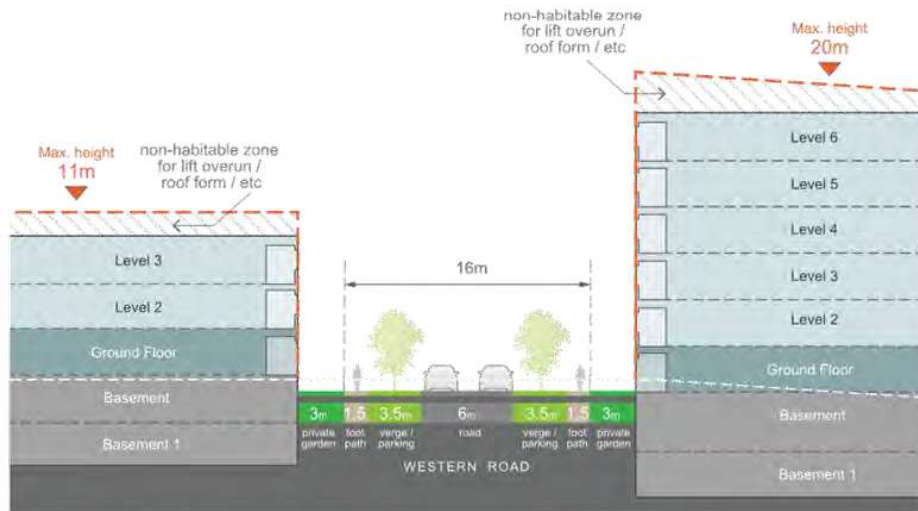


Figure K19-12 Section 4: Local street section



K19 160 Burwood Rd, Concord (former Bushells Factory)

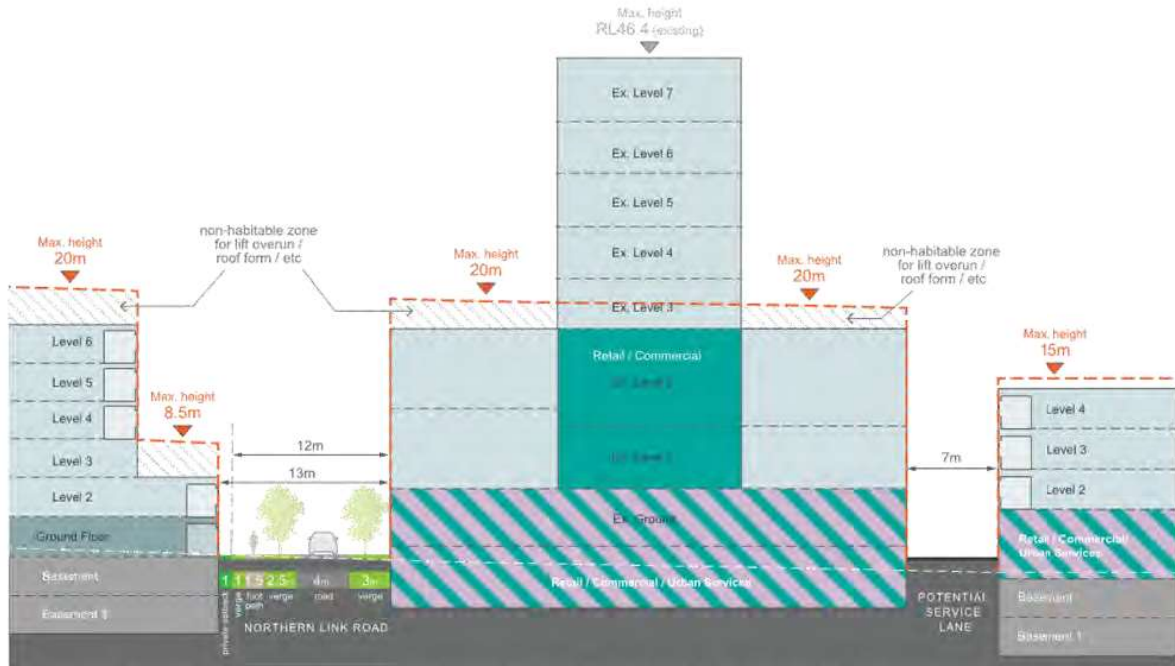


Figure K19-13 Section 5: Looking east towards 6 storey development, existing Central Roasting Hall and 4 storey development with indicative potential locations of urban service uses



Figure K19-14 Section 6: Local street section

- Basement
- Residential Ground Floor
- Residential
- Retail / Commercial
- Non-habitable Zone
- Urban Services

K19.10 Public-Private Interfaces

Objectives

- O44 To provide a safe, interesting and vibrant environment that encourages pedestrian activity and supports the economic success of the Precinct.
- O45 To maximise opportunities for passive surveillance of the public domain.
- O46 To enhance the commercial viability of the area and complement existing retail, commercial, entertainment and community uses.

Active Frontages on the Ground Floor

Controls	
C87.	Ground level active uses must be provided along 'Active frontages' as identified in Figure K19-5.
C88.	Vehicle access points are generally not permitted along active frontages. Where no alternative access point can be provided, their width must be kept to a minimum.

C89.	<p>Along active frontages:</p> <ul style="list-style-type: none"> • the finished ground floor level is to match the footpath level; where this is not possible, the ground floor level is to be a maximum of 0.35m above or below the footpath; • active uses/ tenancies must be a minimum of 10m deep; • continuous awnings must be provided to shelter pedestrians from weather conditions; and • the design guidance shown in Figure K19-15 must be applied.
C90.	Residential entries and foyers are permitted along active frontages, however, they are not to compromise the commercial/ retail activity along the street, by keeping their frontage width to a minimum. The maximum width for residential entries/ foyers is 6m. Awnings should be provided at residential entries and foyers.

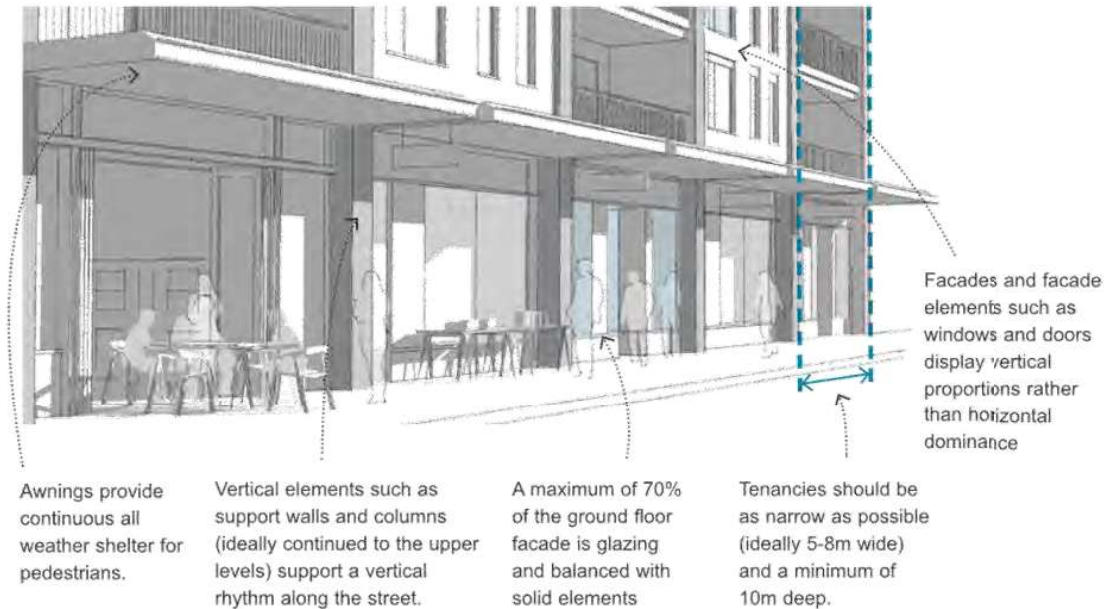


Figure K19-15 Design guidance for active frontages

K19 160 Burwood Rd, Concord (former Bushells Factory)

Activated Urban Services Frontage

Controls	
C91.	Consideration should be given to the nature of 'Activated urban services frontage' as identified in Figure K19-5.
C92.	Activated urban services frontage should be high quality with careful industrial detailing and integrated wayfinding. For reference, see the Caxton Works light industrial frontage in London.



Figure K19-16 Detailed, activated urban services frontage, Caxton Works, London (source: Google Streetview)

'Interactive' Frontages on the Ground Floor

Controls	
C93.	'Interactive' frontages comprise all ground floor frontages that address the public domain or publicly accessible spaces and are not designated as 'active frontages' in Figure K19-5.
C94.	Interactive frontages must: <ul style="list-style-type: none"> display a high level of architectural quality and detail; minimise vehicular access points; have a high level of visual permeability; minimise blank facades; avoid visually dominant building services where possible. Co locate service cabinets with loading, waste or parking areas where possible to avoid impact on the public realm; maximise the number of doors and windows and have no more than 5m along the ground floor facade that is without a door or window; and place a particular focus on 'human scale' and pedestrian views i.e. through the use of detailed design, insets and projections that create interest and diversity.

Residential Uses on the Ground Floor

Controls	
C95.	All ground floor residential units must have individual access directly off a street or laneway to improve activity levels and surveillance.
C96.	Where possible, ground floor residential units are to be elevated by up to 1m, with the exception of accessible units where level access off the street/ laneway/ footpath is preferred.

Safety & Surveillance

Controls	
C97.	New development is to address and define the public domain and publicly accessible spaces through entrances, lobbies, windows and balconies that overlook public spaces, maximising opportunities for passive surveillance.
C98.	The building design is to maximise opportunities for casual surveillance of the public domain and any semi-public or common open space, particularly adjacent to public open space.
C99.	Ground floor dwellings adjacent to public open space are to have an "address" or "front door" that is visible and directly accessible from the pedestrian paths within the public open space.
C100.	Balconies should be designed to balance visual privacy for the resident and opportunities to overlook the public domain. Design treatment may include a combination of solid and transparent balustrade materials.
C101.	A high level of surveillance is required from upper levels of buildings adjacent to public open space.
C102.	The detailed design of the external areas of the ground floor is to minimise blind-corners, recesses and other areas which have the potential for concealment.

K19.11 Massing and Articulation

Objectives

- O47 To ensure buildings and their individual elements are appropriately scaled to define the built form and respond to the surrounding character.

Controls	
C103.	The built form layout is to be generally consistent with that shown in Figure K19-7 Building Envelope Controls Plan and Figure K19-8 to Figure K19-14 Building Envelope Controls Sections. Alterations to the layout will be considered where they demonstrate an improved public benefit and design excellence having regard to: <ul style="list-style-type: none"> the objectives, character statement and principles of this DCP; the degree to which any alterations may enhance or detract from public enjoyment of the public benefits associated with the development; and the impact on neighbouring properties.
C104.	All buildings that are over 4 storeys, are to be clearly articulated i.e. base, middle and top.
C105.	The maximum length of straight wall without articulation, such as a balcony, recess, projection or return, is 15m.
C106.	Roof plant, lift overruns, vents, carpark entries and other service related elements are to be located within the maximum building height, visually unobtrusive, integrated into the built form and complement the architecture of the building.
C107.	Ensure buildings exhibit high design quality, and minimise overshadowing of neighbouring buildings and public and private open spaces.

K19 160 Burwood Rd, Concord (former Bushells Factory)

K19.12 Appearance

Objectives

- O48 To add visual quality and interest to new buildings, with a focus on breaking up massing of higher density forms when viewed from the public domain, publicly accessible places and neighbouring properties.

Controls

C108.	All development along Burwood Road, Zoeller Street and the new public open space are to be of the highest architectural quality and reflect the prominence of the streets and spaces that they face.
C109.	The composition of facades balances solid and void elements and does not display large areas of a single material, including glass.
C110.	Visually prominent elements such as balconies, overhangs, awnings, and roof tops are to be of high design quality.
C111.	Facades are articulated using techniques such as projections, recesses, eave overhangs and deep window reveals. Elements are not to protrude into the front setback area. In general, vertical articulation should be more 'pronounced' than horizontal articulation.
C112.	Buildings on corners address both streets and architectural elements are composed so that they 'turn the corner'.

K19.13 Heritage

Objectives

- O49 To retain and integrate remnants of the precinct's history and structures of heritage value and connection to the past.
- O50 To acknowledge and celebrate the site's industrial history and the Central Roasting Hall's quality as a 'factory in a garden' setting.
- O51 To retain the 'Bushells Factory' Central Roasting Hall, being one of the few remaining industrial structures on the Sydney waterfront.
- O52 To protect the Central Roasting Hall's prominence as an iconic visual landmark (including 'B' sign and chimney) that can be seen from the water and surrounding suburbs.
- O53 To ensure future development is guided by a clear understanding of the heritage values of the place.

New Development

Controls

C113.	Development must comply with requirements in the City of Canada Bay DCP Part C2 'Development of heritage items'.
C114.	Any future development is to embrace the existing industrial character of the Precinct. Particular consideration should be given to the following: <ul style="list-style-type: none"> + built form shape and scale; • roof form; • architectural detail (e.g. window design inspired by the prominent translucent wall of the Central Roasting Hall); and • appropriate colours and materials such as natural red/ brown brick.
C115.	Surrounding new development is of appropriate scale and provides adequate separation of the historic structure(s). The minimum setbacks are identified in Figure K19-7 Building Envelope Controls.

C116.	New development should support the heritage value of the Central Roasting Hall as a 'Factory in a Garden' setting, including the retention and ongoing protection of the large Hill's Weeping Fig (Tree 184) and other mature trees along the eastern and western site boundaries.
C117.	An archival record, in accordance with Heritage NSW guidelines, should be lodged with any application for demolition. The recording should include measured drawings.
C118.	A Schedule of Conservation Works, including drawings, must be prepared by a suitably qualified and experienced heritage consultant and submitted with any application for development.
C119.	A heritage Conservation Management and a heritage Interpretation Plan must be submitted with any application for development.

Adaptive Reuse of the Roasting Hall

Controls	
C120.	The arrangement of new built form, open space and roads is to enable the Central Roasting Hall to retain its landmark quality and 'factory in the garden' setting.
C121.	The Central Roasting Hall is to be protected and listed as an item of environmental heritage in the Canada Bay Local Environmental Plan 2013, including the Central Roasting Hall, chimney stack, 'B' sign and other characteristics such as the landscaped setting.

C122.	A Detailed Fabric Analysis of the Central Roasting Hall, undertaken by a suitably qualified heritage consultant, is required with any development application so as to help ensure no significant fabric of potential heritage value will be lost. The fabric analysis must include a grading of significance of building fabric and spaces.
C123.	All elements of the Central Roasting Hall with identified heritage value must be retained and restored including: <ul style="list-style-type: none"> • the chimney stack; • the 'B' sign; and • original structural elements and the translucent facade of the Roasting Hall.
C124.	The Central Roasting Hall is to be adaptively reused in accordance with Part 'C2.14 Adaptive reuse' of the City of Canada Bay DCP. Appropriate uses include the following: <ul style="list-style-type: none"> • community facilities and multipurpose cultural spaces; • spaces for temporary activation such as markets, events and concerts; • retail/ commercial and urban services uses; • food & drink premises, e.g. gourmet providores stores, wine/ tapas bars, market style food outlets; • short term accommodation; and • apartments.

K19 160 Burwood Rd, Concord (former Bushells Factory)

K19.14 Medium Density Housing (Terraces)

Objectives

- O54 To ensure high quality design of medium density residential typologies with a particular focus on their contribution to the local character.
- O55 To transition to lower density residential areas, in particular along the Burwood Road interface.

Controls

C125.	The maximum building depth is 14m unless it can be demonstrated that all habitable rooms receive adequate ventilation and solar access, e.g. through the use of a courtyard design.
C126.	The minimum overall landscaped area for terraces is 35% of the lot area. The minimum dimension of landscaped area is 1.5m. A minimum of 50% of the overall landscaped area is to be deep soil.
C127.	A minimum of 35% of the front setback is to be landscaped area. A minimum of 50% of the landscaped area in the front setback is to be deep soil.
C128.	The minimum area of private open space (POS) is linked to the number of bedrooms as follows: <ul style="list-style-type: none"> • 15m² for 1 bedroom dwellings • 25m² for 2 bedroom dwellings • 30m² for 3+ bedroom dwellings
C129.	Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² .
C130.	Driveways of front-loaded terraces are a maximum width of 3.5m.
C131.	Where basement parking is provided, the following applies: <ul style="list-style-type: none"> • basement car parking is not to protrude more than 1m above finished ground level except at the carpark entry; • carpark entries are to be set back behind the building line; • the first 4.5 metres of the carpark entry/ driveway measured from the street boundary is to be at grade; and • carpark entries are a maximum 2.7m high and 3.5m wide.

K19.15 Sustainability & Performance

Objectives

- O56 To celebrate the ecological values of the site and improve the ecology of the waterfront.
- O57 To reduce the embodied energy in new development through the retention and adaptive reuse of existing structures.
- O58 To achieve Australian leading practice in design, construction and operation to deliver on sustainability outcomes, targeting a net positive ecological impact.

Controls

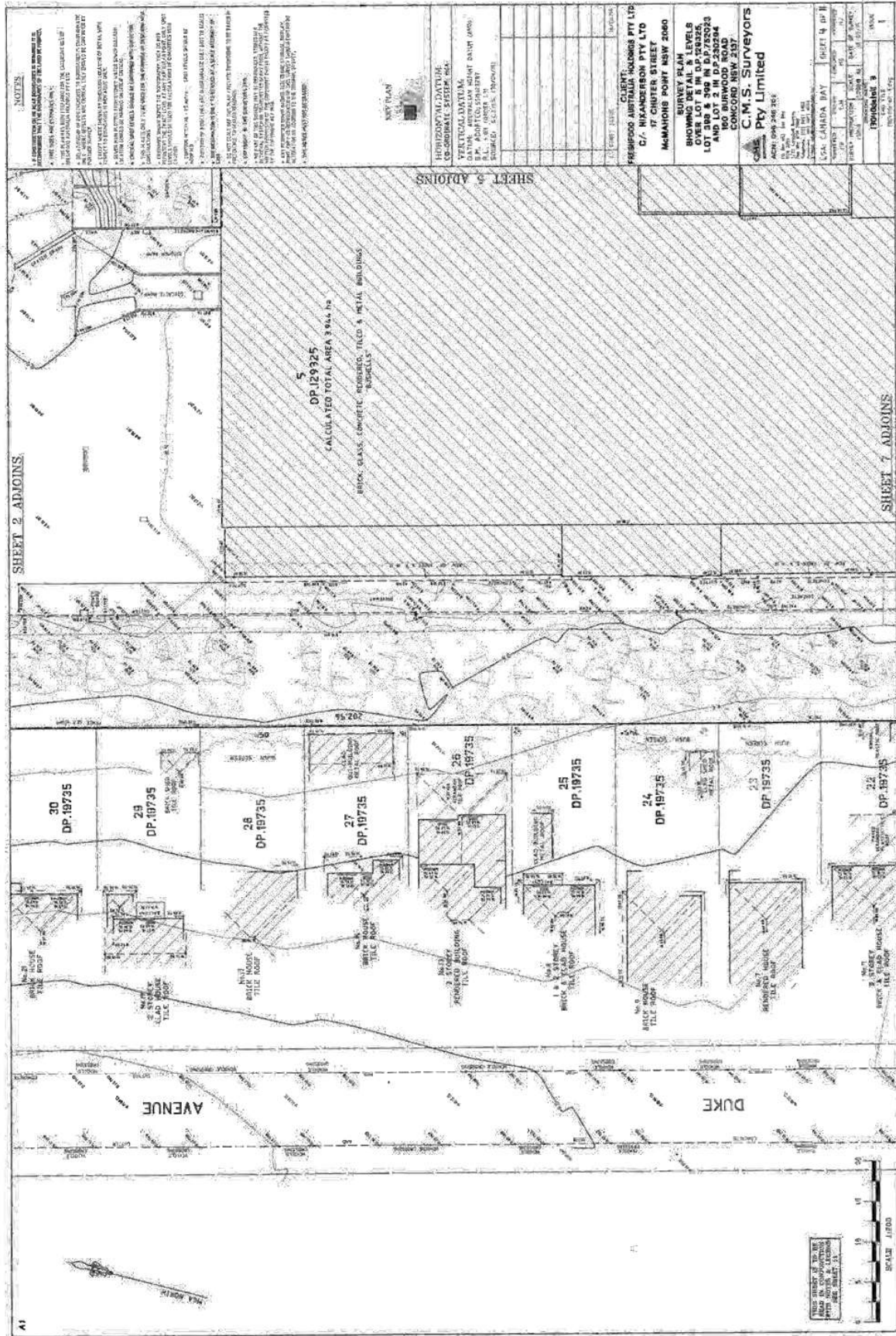
C132.	The development is to achieve beyond the baseline compliance requirements set by BASIX through the following key interventions: <ul style="list-style-type: none"> • efficient appliances and improved thermal design; • avoid natural gas in all residential development and provide appliances that can be powered by renewable energy sources such as; <ul style="list-style-type: none"> – electric heat pumps for hot water, – induction cooktops, – electric heating and cooling e.g. efficient air-conditioners with low GWP (Global Warming Potential); • solar photovoltaic and battery ready facilities; • recycled water infrastructure; • green facade treatment for cooler dwellings; and • access to car share facilities best practice parking measures including provision of EV charging and smart metering systems for all parking spaces.
C133.	All new buildings are to implement the technology (or similar) of the 'Modelled Scenario' identified in Figure K19-15 and achieve the impact performance identified in Figure K19-17.

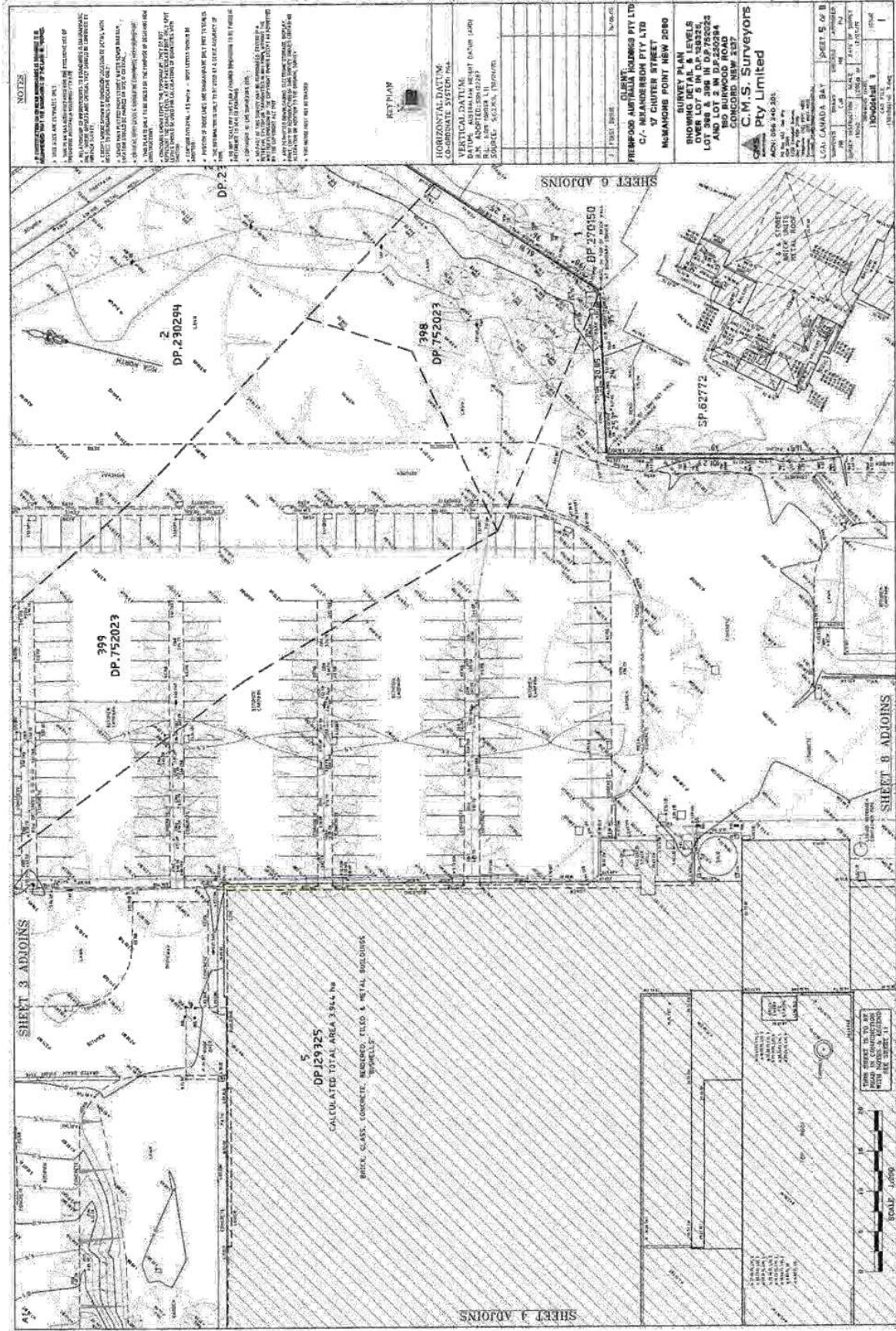
Technology	Benchmark	Modelled scenario
Hot water system	Centralised gas	Centralised gas
Thermal Design (NatHERS)	5-star average	8-star average (delivered through design & green façade)
Space heating and cooling	2-Star A/C	5-Star A/C
Lighting	Halogen, T8 & CFL	Efficient (LED)
Appliances	Dishwasher 2.5-star Energy, 2.5-star Water	Dishwasher 4-star Energy, 5-star Water
	Dryer 1.5-star Energy	Dryer Heat Pump Clothes Dryer
	Clothes washer (not installed)	Clothes washer 4.5-star Energy, 5-star Water
	Fridge (not installed)	Fridge 5-star Energy
Solar PV	None	300 kW* (0.5 kW per multi unit dwelling 2 kW per townhouse)
Water Fixtures & fittings	Toilet – 4-star Showerhead – 3+ Star Kitchen Taps – 5-star Other Taps – 5-star	Toilet – 4-star Showerhead – 3+ Star Kitchen Taps – 5-star Other Taps – 5-star
Water reuse	None	Recycled water for irrigation, toilet and laundry
Car parking rates	Affordable – 1 space 1 bed – 1 space 2 bed – 1.5 spaces 3 bed – 2 space 1 visitor per 3 apartments	Affordable – 0 space 1 bed – 0 space 2 bed – 1 space 3 bed – 1.5 space 1 visitor per 5 apartments Unbundled parking Provision of car share spaces

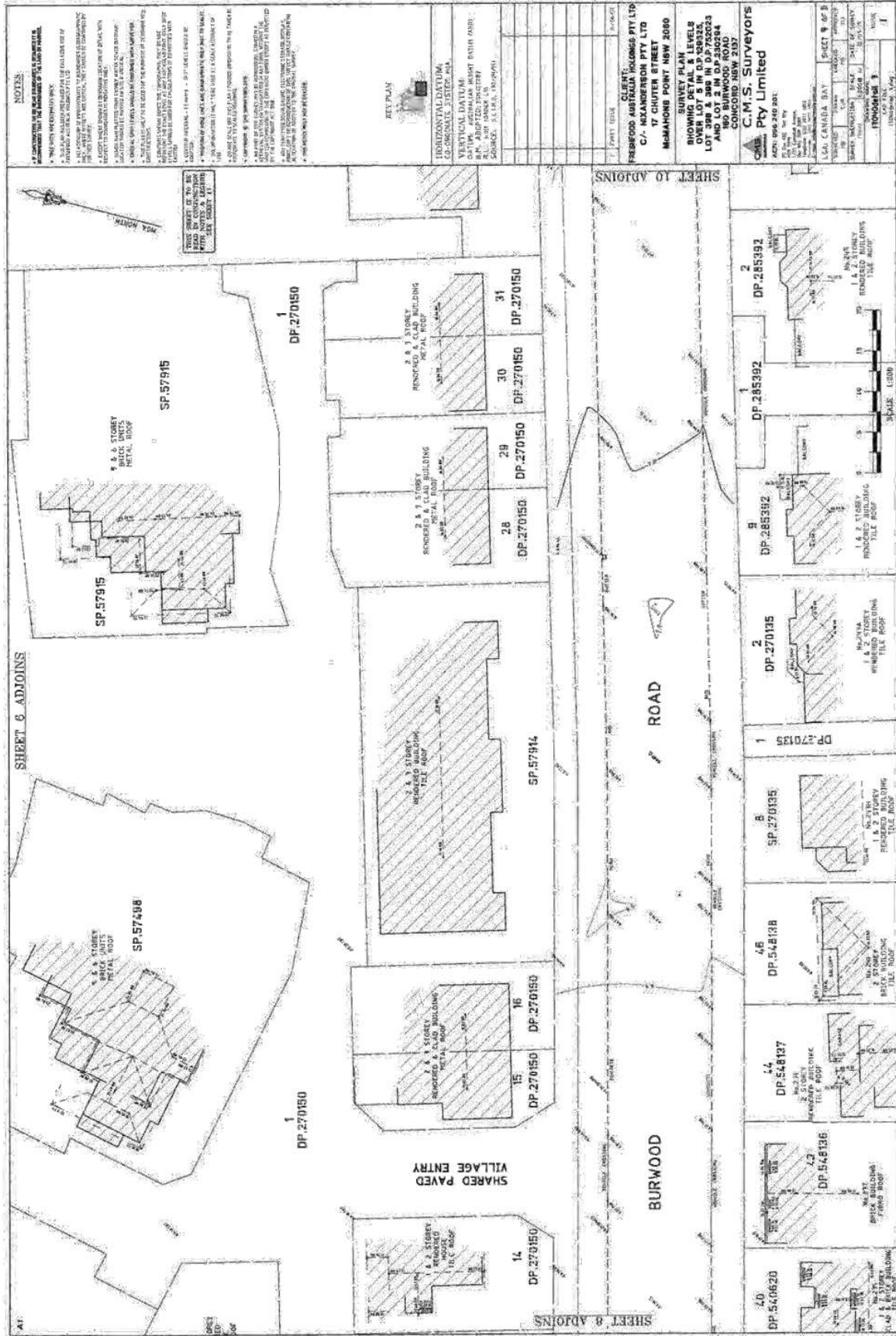
Figure K19-17 Technological assumptions for scenarios (Kinesis, Feb 2019)

	Impact of interventions
Greenhouse gas emissions	▼34%
Water consumption	▼38%
Peak electricity	▼50%
Solar PV contribution	20%
Recycled/rain water contribution	30%
BASIX Energy score (estimated)	53
BASIX Water score (estimated)	66
Annual household cost savings	\$7,200

Figure K19-18 Impact of interventions table (Kinesis, Feb 2019)







NOTES:

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. THE SHEDS ARE EXISTING.
3. ALL CONCRETE WORK IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR CONCRETE.
4. ALL ROOFING IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR ROOFING.
5. ALL ELECTRICAL WORK IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR ELECTRICAL WORK.
6. ALL PLUMBING WORK IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR PLUMBING WORK.
7. ALL MECHANICAL WORK IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR MECHANICAL WORK.
8. ALL PAINTING IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR PAINTING WORK.
9. ALL LANDSCAPING IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR LANDSCAPING WORK.
10. ALL FENCING IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR FENCING WORK.
11. ALL SIGNAGE IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR SIGNAGE WORK.
12. ALL UTILITIES ARE TO BE DELETED OR RELOCATED AS SHOWN ON THIS PLAN.
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31. ALL UTILITIES ARE TO BE DELETED OR RELOCATED AS SHOWN ON THIS PLAN.

KEY PLAN

CLIENT:
FRESHFOOD AUSTRALIA HOLDINGS PTY LTD
C/A MAXAMERSON PTY LTD
17 CHURCH STREET
MCMAHONS POINT NSW 2086

SURVEY PLAN:
SHOWING DETAIL & LEVELS
LOT 30B & 30B IN DP 755033
AND LOT 2 IN DP 230284
50 BURWOOD ROAD
MCMAHONS POINT NSW 2086

C.M.S. Surveyors
100/102 BURWOOD ROAD
MCMAHONS POINT NSW 2086
PH: 02 9390 1111
WWW.CMSURVEYORS.COM.AU

LOCAL COUNCIL:
LOCAL COUNCIL: CANADA BAY

DATE:
DATE: 17/11/2022

SCALE:
SCALE: 1:100

PROJECT NO.:
PROJECT NO.:

SHEET NO. OF 2:
SHEET NO. OF 2:

DATE OF ISSUE:
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DATE OF REVISION:
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REVISIONS:
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APPROVED BY:
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KEY PLAN:
KEY PLAN:

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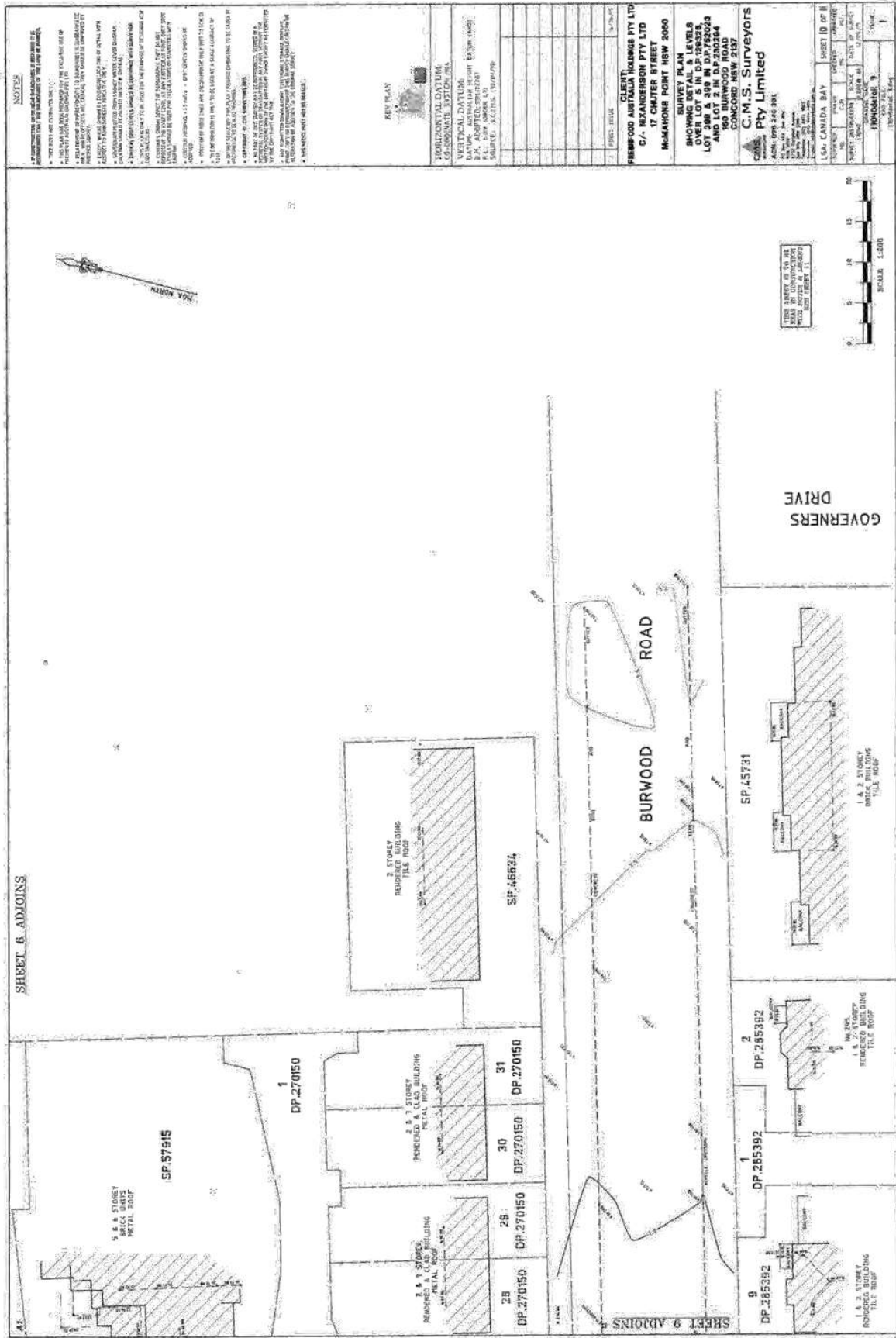
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BUSHHELLS 3.0

CREATING A BETTER PLACE

AMENDED PLANNING PROPOSAL IN RESPONSE TO THE
GATEWAY DETERMINATION REPORT



HATCH | RobertsDay

PLANNING PROPOSAL
URBAN DESIGN - GATEWAY RESPONSE
APRIL 2022

HATCH | RobertsDay

Title: Bushells 3.0 Amended Planning Proposal in Response to the Gateway Determination Report
Prepared for: NSW Department of Planning, Industry and Environment
Reference: CLL CON
Status: Draft
Date: April 2022
Prepared by: Antonio Pozzi, Elize Gay, Brigitta Schyngs, Oleg Biotserkevych
Approved by: Steven Moore

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ABN 53 667 373 703 ACN 008 892 135

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EXECUTIVE SUMMARY

BUSHHELLS 3.0 is the amended urban design concept in response to Canada Bay Council's Local Planning Panel (the Panel) advice, and has since been amended based on the Gateway Determination Report.

The amended concept maintains at its heart the public benefit of creating a large foreshore park and public plaza making Concord a better place for people. This public benefit aligns with the NSW Premier Priority of Greener Public Spaces with the goal of increasing the proportion of homes in urban areas within 10 minutes' walk green, open space and public space by 10 percent by 2023.

Based on the Panel's advice however, the foreshore park has been increased by an additional 800sqm to retain an existing mature Hills Fig (T184) - an overall increase in public benefit.

Also, the amended proposal commits to the Panel's advice of a landscape control of 25% tree canopy across the whole site, which will be achieved by the proposed site specific DCP. Generous landscape opportunities exist to achieve this control including the foreshore park, plaza, streets verges, communal open space of apartments, and retention of most existing trees along the western boundary.

In response to the Panel's advice regarding the retention of the Roasting Hall and its heritage significance, detailed heritage justification has been prepared by Heritage 21 and AJC Architects and is available under separate cover. In summary, the amended concept provides an appropriate heritage response for reasons including:-

- Important views of the Roasting Hall 'tower' element from the foreshore are maintained (and improved) by the deletion of building C5;
- There will be expansive open space in and around the building which is a characteristic of an industrial landscape setting;
- Proposed built form scale and articulation will break up the scale of proposed buildings;
- The adaptive re-use of the tower element itself will maintain its architectural qualities, as demonstrated by the AJC study.

In improving the proposal's relationship to local character and built-form response to its neighbours, the amended concept adopts the built form advice of the Panel including:-

- Buildings along the western boundary have been reduced to 3 storeys, with scale further broken down by creating four smaller 'garden apartment' buildings;
- Buildings along the eastern boundary have been reduced to be between 3 to 6 storeys;
- Buildings along the southern boundary are 3 storeys as viewed from the street;
- Proposed building C5 has been reduced from 9 storeys to 6 storeys;
- Proposed building E1 has been deleted to permit the retention of a Hall Fig.

In addition to the Panel's advice, to improve sunlight into the proposed Roasting Hall plaza the south-eastern wing of building C4 has been reduced from 5 to 2 storeys. The majority of the plaza, as well as the entire foreshore park, now benefits from direct sunlight throughout the majority of the day on mid-winter.

Through this place-led process, the proposed density has been reduced from 1.5:1 (approx. 475 apartments) to 1.25:1 (approx. 384 apartments) - a significant reduction.

This proposed density is considered appropriate for a number of reasons:-

1. The Greater Sydney Commission's Eastern District Plan – Planning Priority C17 identifies the fact there are few opportunities in existing urban areas to increase the quantity of quality open space, but when this occurs 'high density development' (over 60 dwellings per hectare) should be located within 200m of the open space. By creating a significant parkland with low-rise, high density development where all dwellings are within 200m of the open space, the proposal delivers this planning priority on the site itself.

2. When considered within its broader neighbourhood context (52ha) including the Pelican Waters redevelopment and detached housing the average density of the neighbourhood is approximately 23 dwellings per hectare. This is significantly less than Breakfast Point's neighbourhood density of 49 dwellings per hectare over a similar land area. Breakfast Point has been identified by Council and locals during engagement as having an appropriate density.
3. The proposal's perceptual density (i.e. as experienced by people walking) and its influence on local character also aligns with Council's suggestions as 'the experience' is largely identical. This is discussed further under Visual Analysis.
4. In response to the Panel's advice requesting updated transport modelling take into account new transport influences (e.g. opening West Connex and commitment to Burwood North Metro), a detailed Traffic Impact Assessment has been prepared by GTA and concludes the proposed density can be supported with key features including:
 - Easy access to high-frequency buses;
 - A shuttle bus service operating in a loop through the local area;
 - An on-site car sharing pod with a minimum of 10 cars;
 - A fleet of e-bikes and / or scooters for fast and easy connections to local destinations, including future Burwood North Metro;
 - Travel demand management technologies for future residents;
 - Integrated walking and cycling infrastructure;
 - A series of potential road network improvements

Finally, the amended concept commits to a range of other advice provided by the Panel including:-

- A minimum of 10% affordable housing;
- Restricting the size of any supermarket to a maximum of approximately 1,000sqm;

- An appropriate golf course fence to mitigate any risks agreed through detailed design. For example, the Zoeller Street extension creates a logical break between the golf course and proposal, is a proven typology for mitigating risks and may result in the requirement for some additional 'modest' fencing.
- Preparation of a site specific DCP including block-by-block FSRs (submitted under separate cover as part of the amended concept).
- The Gateway Determination process evolved the uses within the Roasting Hall, increasing employment opportunities on site.

Given Council has identified the strategic merit of the site's renewal as part of its Draft Local Strategic Planning Statement (LSPS), and the amended urban design concept responds to the site specific advice of Council's Panel, and the Gateway Determination Report, it is recommended the Planning Proposal proceed for approval.

AMENDED PROPOSAL

A SNAPSHOT OF THE KEY FEATURES

.....
**44% of site dedicated
to the public realm**
.....

**51% of public realm
is new foreshore
parkland + plaza**
.....

**6,983sqm GFA dedicated
to retail + community
orientated uses**
.....

**3,675sqm GFA of
light industrial/ urban
services within Bushells
Factory Building for
adaptive re-use**
.....

**25% of total site area
covered by tree canopy**
.....

**Heritage listing of
Roasting Hall tower
element**





INTRODUCTION

THE OPPORTUNITY

Select parts of the Parramatta River are undergoing transformation as mixed-use, river-orientated villages to diversify housing choice for existing communities and improve public foreshore access.

The Bushells Factory site is one of the final pieces of the puzzle – a 3.94 hectare site in single ownership.

As recognised by Canada Bay Council, including its inclusion of the site within its Draft Local Strategic Planning Statement (LSPS), the Bushells site represents a unique opportunity to create greener public spaces supporting an increase in homes within a 10 minute walk and range of other complementary uses and public benefits.

The provision of a large, quality foreshore park with continuous foreshore access will provide benefit to a significant number of locals within the immediate area.

Other benefits, such as the heritage listing of the Roasting Hall 'tower' elements protects the historic significance of the site going into the future.

Within this context, the site presents an ideal opportunity for place-led renewal in order to create a publicly accessible waterfront destination for locals providing daily needs and amenity, as opposed to continuing a pattern of largely private, gated enclaves with little public benefit.

THE RESPONSE

In evolving the master plan for the Bushells Factory to support an amended Planning Proposal in response to the advice of Council's Panel, RobertsDay (RD) was engaged by Colliers International (previously NixAnderson) to provide on-going urban design and place-making advice. RobertsDay has since been integrated with Hatch to become Hatch Roberts Day (HRD)

The evolved concept retains the design partnership of ACJ, BVN and Oculus.

The purpose of this report is to illustrate how the amended concept responds to the advice of Council's Panel and gateway determination feedback and letter. In addition, it reviews and supports the evolved Bushells Factory master plan against relevant urban design policy, urban design principles and precedents in order to ascertain the distinguished character and value added to the community.

Key responses to Council's Panel advice includes:-

- Reduction of the proposed scale and density with lowering of building heights;
- Improved traffic and transport strategy responding to new transport influences;
- Improved heritage response by lowering building heights around the retained Roasting Hall element to maintain important foreshore views;
- Retention of an important tree and provision of an appropriate landscape framework ensuring 25% total tree canopy;
- Preparation of a site specific DCP, including block-by-block FSR.

The balance of this report outlines this justification.

RESPONDING TO COUNCIL'S PANEL

- Reduction of building height and density
- Improved transport and traffic strategy
- Increased tree retention and foreshore park
- Improved views to heritage listing Roasting Hall

THE SITE IN CONTEXT



“ALWAYS DESIGN A THING
BY CONSIDERING IT IN ITS
NEXT LARGER CONTEXT
– A CHAIR IN A ROOM, A
ROOM IN A HOUSE, A HOUSE
IN AN ENVIRONMENT, AN
ENVIRONMENT IN A CITY
PLAN.”

ELIEL SAARINEN

HATCH | RobertsDay

STRATEGIC ANALYSIS

SETTING THE CONTEXT FOR THE MASTER PLAN

DESIGN ORIENTATED POLICY

GREATER SYDNEY COMMISSION REGIONAL PLAN AND DISTRICT PLAN

The Greater Sydney Regional Plan, *A Metropolis of Three Cities* and District Plan articulates the vision of 30 minutes community where most residents live within 30 minutes of their jobs, education and health, services and great places. Consisting with the 10 Directions in *Directions for a Greater Sydney* which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Plan's performance.

From a planning perspective, the Policy directly references existing State Environmental Planning Policies, Local Environment and Development Control Plans and influences the development of new ones.

THE OBJECTIVE

The vision brings new thinking to land use transport patterns to boost Greater Sydney's liveability, productivity and sustainability by spreading the benefits of growth.

WHAT IS A METROPOLIS OF THREE CITIES?

To transform Greater Sydney into a metropolis of three cities to meet the needs of a growing and changing population. Rebalancing economic and social opportunities to deliver the benefits more equally and equitably across Greater Sydney.

THE PRINCIPLES

Having three cities, each will supporting metropolitan and strategic centres, putting workers closer to knowledge-intensive jobs, city-scale infrastructure and services, entertainment and cultural facilities.

“A Metropolis of Three Cities will build on its social, economic and environmental assets to improve the quality of life for all its residents and to uphold its status as one of the top cities of the world”



GREATER SYDNEY REGION PLAN

A Metropolis of Three Cities

— connecting people



Mar 2016

Image: A Metropolis of Three Cities, 2018

How does Bushells Factory respond to the 'Regional Plan'?

1 INFRASTRUCTURE AND COLLABORATION	
A City supported by Infrastructure	Strengthens The Central River City concept by creating a river-orientated urban village providing jobs, diversity of housing and improved public transport.
A Collaborative City	Encouraging collaboration with local community resulting in the promotion and allocation of various public spaces, plaza's and other community facilities. Communities will be involved in the integration of community uses into the retained building.
2 LIVEABILITY	
A City for People	A focus on people and improving the quality of life by building strong social and cultural networks within the community through vast community, public open spaces.
Housing the City	Introduces a diversity of housing types within an area dominated by large detached houses. Unlike other gated estates, the concept offers inclusiveness and openness fostering social bonds and interaction.
A City of Great Places	Putting people near amenity; reconceiving the golf course as a community asset; creating a community focus (village green); integrating community uses into the retained building.
3 PRODUCTIVITY	
A Well-connected City	Contributes to 30 Minute City concept with reinstated ferry stop, cycling distance to three train stations and future rapid transit on Parramatta Rd. It also improves viability of local bus network and brings people closer to the new Metro Station at Burwood North.
Jobs and skills for the city	Increases Jobs and Skills on site through improved retail, maker space and other opportunities.
4 SUSTAINABILITY	
A City in its Landscape	Completes the green loop; improving the value of the golf course; enhanced foreshore connections; strengthening of the sports axis; new parks & tree retention.
An Efficient City	Providing a re-use to the Factory in the context of a new residential neighbourhood. Refined open spaces are fit for purpose, each with clear intent and scale relative to use. Proximity to public transport and promoting alternative modes.
A Resilient City	Providing resilience to local business owners and residents through various opportunities and maker space, adaptable open spaces and diverse/affordable housing stock.

How does the proposal respond to the District Plan?

“ Planning Priority C17 identifies the fact there are few opportunities in existing urban areas to increase the quantity of quality open space, but when this occurs 'highdensitydevelopment'(over60dwellingsperhectare) should be located within 200m of the open space. By creating a significant parkland with low-rise, high density developmentwherealldwellingsarewithin200moftheopen space, the proposal delivers this planning priority on the site itself. ”

DESIGN ORIENTATED POLICY

DEPARTMENT OF PLANNING LOCAL CHARACTER POLICY

The Eastern City District Plan guides the growth of the District within the context of Greater Sydney's three cities to further improve its social, economic and environmental assets.

Local councils and other relevant planning authorities, state agencies and communities can use the Policy for guidance about the tools available to them to incorporate consideration of local character into strategic planning and detailed planning for places..

THE OBJECTIVE

The NSW Government aims to ensure planning to accommodate housing and job growth in new and existing communities recognises and enhances local character.

WHAT IS LOCAL CHARACTER?

Character is what makes a neighbourhood distinctive. It is created by a combination of the land, public and private spaces and how they interact to make a distinctive character and identity of an area. This includes the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation.

THE PRINCIPLES

Key strategies to ensure that the places we plan today, become the much-loved places of the future include:

- Adopting a place-based, and design-led approach which builds on the valued characteristics of existing neighbourhoods and places;
- Recognising, and championing the important role communities play in defining existing character and shaping a desired future character for their local area; and
- Ensuring the right tools are available in the planning system to ensure that shared visions for the future are effectively realised.

Image: Respecting & Enhancing Local Character, 2018

“Character is a critical element of local areas and neighbourhoods and needs to be carefully considered in future planning.”



Planning circular

PLANNING SYSTEM

Prepared and published on:	16 December 2021
Classified:	Public
Revised:	17 January 2022
Replaces:	None

Stepping up planning and designing for better places: respecting and enhancing local character

This circular provides advice on how the NSW planning system will deliver development that meets the growing needs of NSW and is consistent with the vision, strategy and plans for the state. It sets out the NSW Government's approach to planning and design, including the role of local councils and the NSW Government in ensuring the character of places is maintained and enhanced.

What is local character?

Character is what makes one neighbourhood distinctive from another. It is the way in which 'looks and feels'. It is created by the way built and natural elements in both the public realm and private domain interact with one another, including the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation.

It is important to ensure that consideration of character is undertaken in the context of the overall character of the place and the way in which it has been established. The planning framework can be used to guide the degree of change needed to achieve that result.

Where major growth is planned, such as in growth areas or greenfields sites, and opportunities to enhance the future character of those areas through the planning system to ensure the places are great for the next generations of the future.

In other areas where the existing character is highly valued by the community, there are opportunities to plan for the conservation of that character for the enjoyment of existing and future residents.

Respecting character does not mean that new development cannot occur, instead, it means the design and approach needs to be implemented that builds on the valued characteristics of individual neighbourhoods and places. This includes scale and height as well as landscaping and street design. It plays a part in ensuring the character of an area is maintained while still allowing for new development to occur.

A new approach to include the role of character in the NSW planning system

NSW is adopting a new approach to planning for the growth of our cities, towns and regions.

While a growing population can bring the benefits of greater housing diversity and choice, more job opportunities closer to home and investment in infrastructure, facilities and services, communities are also concerned that new development can impact the local character and amenity of their neighbourhoods.

How does Bushells Factory respond to 'Local Character'?

<p>1 LANDSCAPE: CELEBRATING THE NATURAL LANDSCAPE</p>	<p>The distinctive landscape of the Parramatta River and Canada Bay reflected in various public open spaces and plazas to maintain connection to the local natural context through view corridors, green fingers and the only public foreshore space in the immediate locale.</p>
<p>2 HERITAGE: ADAPTIVE REUSE FOR THE ICONIC FACTORY</p>	<p>Response to future changing needs are incorporated into reprogramming of the iconic Bushells Factory which will be adapted to cater for light industrial, urban services, community events, temporary activation and retail/commercial uses.</p>
<p>3 PLACE BASED APPROACH: DESIGN SHAPING CHARACTER</p>	<p>The place based approach to the Bushells Factory concept creates a unique place based on the sites history and natural assets. The concept improves transition to existing/ surrounding residential built form, maintaining the existing surrounding character.</p>
<p>4 HARNESSING COMMUNITY: BUILDING CHARACTER</p>	<p>Combining all of the above, further enhancing the character of the local area is a key outcome. The concept heavily relies on the linear foreshore park in connecting people to place, creating a sense of community and building social and cultural networks.</p>

DESIGN ORIENTATED POLICY

'BETTER PLACED': NSW GOV'T ARCHITECTS

Better Placed articulates the means and methods to value and improve the built environment and public domain. Leveraging the GA200+ series of forums, workshops and discussions delivered to date, it offers directions towards design excellence at the scale of cities and towns, the public realm, and buildings.

The Policy directly references existing State Environmental Planning Policies, Local Environment and Development Control Plans and influences the development of new ones.

THE OBJECTIVE

The strategy aims to create a safe, equitable, sustainable built environment, which is distinctive and of its place, creates value and is fit for purpose.

WHAT IS DESIGN EXCELLENCE?

Every new development has the potential to transform people's quality of life, stimulate the economy and enhance the environment. The design of built environment shapes the places in which we live, work and meet.

The quality of design affects how spaces and places function, what they contribute to the broader environment, and which kind of end-user or audience they attract.

THE PRINCIPLES

Collectively, the principles, seen to the right, aim to achieve the kinds of urban places and spaces we collectively aspire to, how we deliver these and ultimately move towards better understanding, measuring and capturing the benefits of good design.

“Better Placed has been developed by the Government Architect to deliver the strategic approach needed to ensure that as our cities and towns grow bigger they get even better”



Image: Better Placed Strategic Design Policy, 2017

How does Bushells Factory respond to 'Better Placed'?

<p>1 BETTER FIT: CONTEXTUAL, LOCAL AND OF ITS PLACE</p>	<p>The distinctive landscape of the Parramatta River/Canada Bay reflected in Bushells Factory so as to maintain connection to the local natural context through view corridors, green fingers and public open spaces.</p>
<p>2 BETTER PERFORMANCE: SUSTAINABLE, ADAPTABLE, DURABLE</p>	<p>Response to future changing needs are incorporated into the masterplan, in the form of flexible ground floor spaces and reprogrammed factory adapted to cater for light industrial, urban services, events, temporary activation and retail/commercial</p>
<p>3 BETTER FOR COMMUNITY: INCLUSIVE, CONNECTED AND DIVERSE</p>	<p>A hybridized urban landscape strategy establishes links with the surrounds on water and land, connecting residents to natural amenity, community facilities, and appropriate transitions to local neighbourhoods of Canada Bay and Concord.</p>
<p>4 BETTER FOR PEOPLE: SAFE, COMFORTABLE AND LIVABLE</p>	<p>Bushells Factory is grounded by its liveable neighborhood core: complete with places for people such as shared streets, a new public foreshore park and clustered active community facilities, and local business space, supported by medium density residential.</p>
<p>5 BETTER WORKING: FUNCTIONAL, EFFICIENT AND FIT FOR PURPOSE</p>	<p>Providing a re-use to the Factory in the context of a new residential neighbourhood. Refined open spaces are fit for purpose, each with clear intent and scale relative to use. Proximity to public transport and promoting alternative modes.</p>
<p>6 BETTER VALUE: CREATING AND ADDING VALUE</p>	<p>The Parramatta River is an iconic part of Sydney's history and has been rich with meaning since Aboriginal inhabitation by the Darug people. The foreshore park ensures the value of this natural asset is maintained for the views, air cooling and natural habitat it provides.</p>
<p>7 BETTER LOOK AND FEEL: ENGAGING, INVITING AND ATTRACTIVE</p>	<p>A diverse and distinct urban, architecturally-excellent buildings and contemporary design will position Bushells Factory as an appealing and enjoyable place to experience.</p>

DESIGN ORIENTATED POLICY

'GREENER PLACES': DRAFT GREEN INFRASTRUCTURE POLICY

Greener Places is a Green Infrastructure policy produced by the Government Architect NSW to guide the planning, design and delivery of Green Infrastructure in urban areas across NSW.

The policy builds on the Sydney Green Grid - the design-led Green Infrastructure strategy developed to create a network of high quality green areas that connect town centres, public transport networks and major residential areas in Sydney.

The policy is assessed against agreed criteria, enabling better opportunities for industry to embed the benefits of a greener approach to projects.

THE OBJECTIVE

The draft policy aims to create a healthier, more livable and sustainable urban environment by improving community access to recreation and exercise, supporting walking and cycling connections, and improving the resilience of urban areas.

WHAT IS GREEN INFRASTRUCTURE?

Green Infrastructure is the network of green spaces, natural systems and semi-natural systems including parks, rivers, bushland and private gardens that are strategically planned, designed and managed to support a good quality of life in an urban environment.

THE PRINCIPLES

Green Infrastructure connects vital life support systems for urban environments. Well-designed Green Infrastructure responds to four key principles:

- Integration
- Connectivity
- Multifunctionality
- Participation.

“Greener Places is an overarching schema for ensuring connection and integration of our green assets, ensuring their contribution to quality of life, and that the environment and the economy are maximised, rendering a working whole that is far greater than the sum of its parts.”



Image: Greener Places Strategic Design Policy, 2017

How does Bushells Factory respond to 'Greener Places'?

1

INTEGRATION:
COMBINE GREEN
INFRASTRUCTURE
WITH URBAN
DEVELOPMENT + GREY
INFRASTRUCTURE

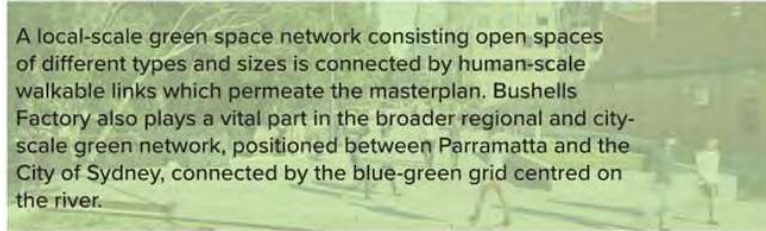
Bushells Factory transforms a landscape and delivers quality of life to residents through verdant greenery and functional open spaces.



2

CONNECTIVITY:
CREATE AN
INTERCONNECTED
NETWORK OF OPEN
SPACE

A local-scale green space network consisting of open spaces of different types and sizes is connected by human-scale walkable links which permeate the masterplan. Bushells Factory also plays a vital part in the broader regional and city-scale green network, positioned between Parramatta and the City of Sydney, connected by the blue-green grid centred on the river.



3

MULTI FUNCTIONALITY:
DELIVER MULTIPLE
ECOSYSTEM SERVICES
SIMULTANEOUSLY

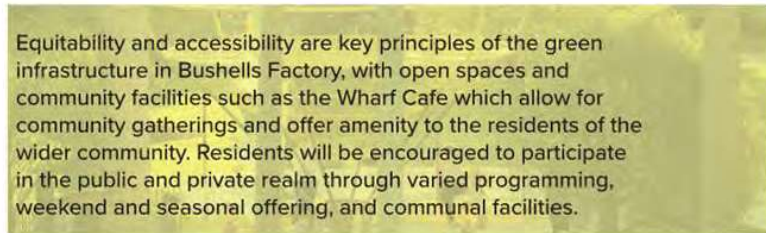
Landscape elements such as the foreshore park respond to multiple demands; acting as a social connector for the many people who will meet and spend time there, an economic anchor to potential future commercial uses, and an environmental asset via stormwater management, flood mitigation and biodiversity.



4

PARTICIPATION:
INVOLVE
STAKEHOLDERS IN
DEVELOPMENT AND
IMPLEMENTATION

Equitability and accessibility are key principles of the green infrastructure in Bushells Factory, with open spaces and community facilities such as the Wharf Cafe which allow for community gatherings and offer amenity to the residents of the wider community. Residents will be encouraged to participate in the public and private realm through varied programming, weekend and seasonal offerings, and communal facilities.



PROPOSAL BENCHMARKING

PROPOSAL PRECEDENTS AND BENCHMARKING

Featured precedent benchmarking has been primarily sourced from local projects located on the banks of the Parramatta River which have been chosen on the basis of being comparable to the Bushells Factory site. Key features of these projects include: foreshore interface, brownfield renewal sites, similar sub/urban context, built form scale, heights and FSR as well as appropriate transitions to existing neighbourhoods.

The second part of the benchmarking study features relevant local, national and international examples, which draw inspiration from various built form, public realm and place activation principles. This study enables the team to assess our concept against these examples and identify key lessons learned for the Bushells Factory.



BREAKFAST POINT, NSW



JACKSON LANDING, PYRMONT NSW



MEADOWBANK, NSW

PARRAMATTA RIVER SQUARE, NSW



RHODES EAST, RHODES NSW



RHODES WEST, RHODES NSW



WENTWORTH POINT, NSW



MELROSE PARK, NSW



PLACE INSPIRATION

Aligned with the philosophy of Gehl Architects in creating places for people, the intent of the amended proposal is to strengthen identity, improve public life and create a river-orientated destination:

IDENTITY THROUGH ADAPTIVE REUSE

MIDLAND RAILWAY SQUARE
PERTH, WESTERN AUSTRALIA



TRAMSHEDS, FOREST LODGE
NEW SOUTH WALES



CARRIAGEWORKS, SYDNEY
NEW SOUTH WALES



DENSITY DONE WELL

CASBA MIXED USE HOUSING,
WATERLOO NEW SOUTH WALES



KNUTSFORD HOUSING
FREMANTLE, WESTERN AUSTRALIA

PUBLIC LIFE & CONNECTION TO WATER

RHODES, NEW SOUTH WALES



SOL SQUARE, AUCKLAND NEW ZEALAND



AIRLIE BEACH LAGOON, AIRLIE BEACH
QUEENSLAND



WATERFRONT ACTIVATION, IZMIT
TURKEY



LIGHT THE NIGHT,
FAIRWATER VICTORIA

BOARDWALK, BLUE HILLS WETLANDS
NEW SOUTH WALES



EXPANDING MOBILITY NETWORK

STRATEGIC TRANSPORT CONNECTIONS

The NSW Transport network is preparing for 28 million trips a day by 2056, serviced by integrated systems which harness rapidly advancing technology and innovation. In the project's lifetime, Bushells Factory will be positioned at the nexus of a mobility network which has developed to accommodate this increasing movement throughout New South Wales, equipped for efficient and enjoyable journeys. In response to the extra 420,000 people expected to move into the corridor between Greater Parramatta and central Sydney over the next 20 years, Sydney Metro West is planned to service the Canada Bay precinct including proximate suburbs such as Burwood and Concord via a future station planned for Burwood North, and provide access to the 31 stations across the entire Sydney Metro network.

Future and existing transport modes will support residents at Bushells Factory. As outlined in the GTA Traffic Impact Assessment Report these include:

- Easy access to high-frequency buses;
- A shuttle bus service operating in a loop through the local area;
- An on-site car sharing pod with a minimum of 10 cars;
- A fleet of e-bikes and / or scooters for fast and easy connections to local destinations, including future Burwood North Metro;
- Travel demand management technologies for future residents;
- Integrated walking and cycling infrastructure;
- A series of potential road network improvements.





HATCH | RobertsDay

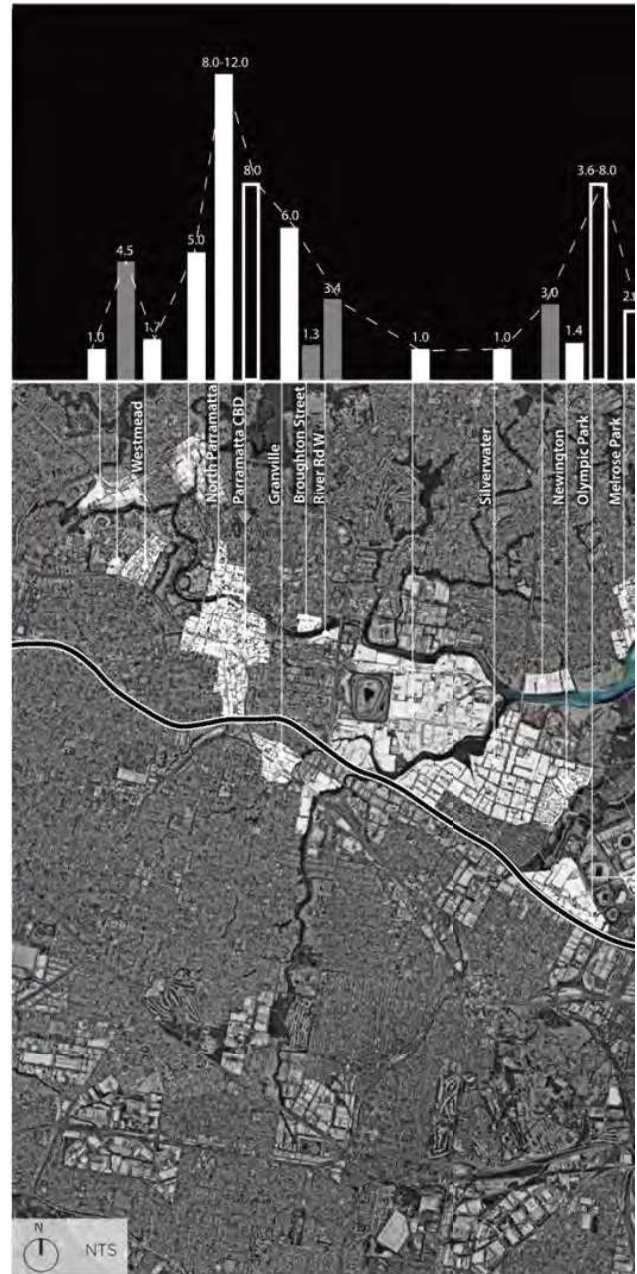
CONTEXT ANALYSIS

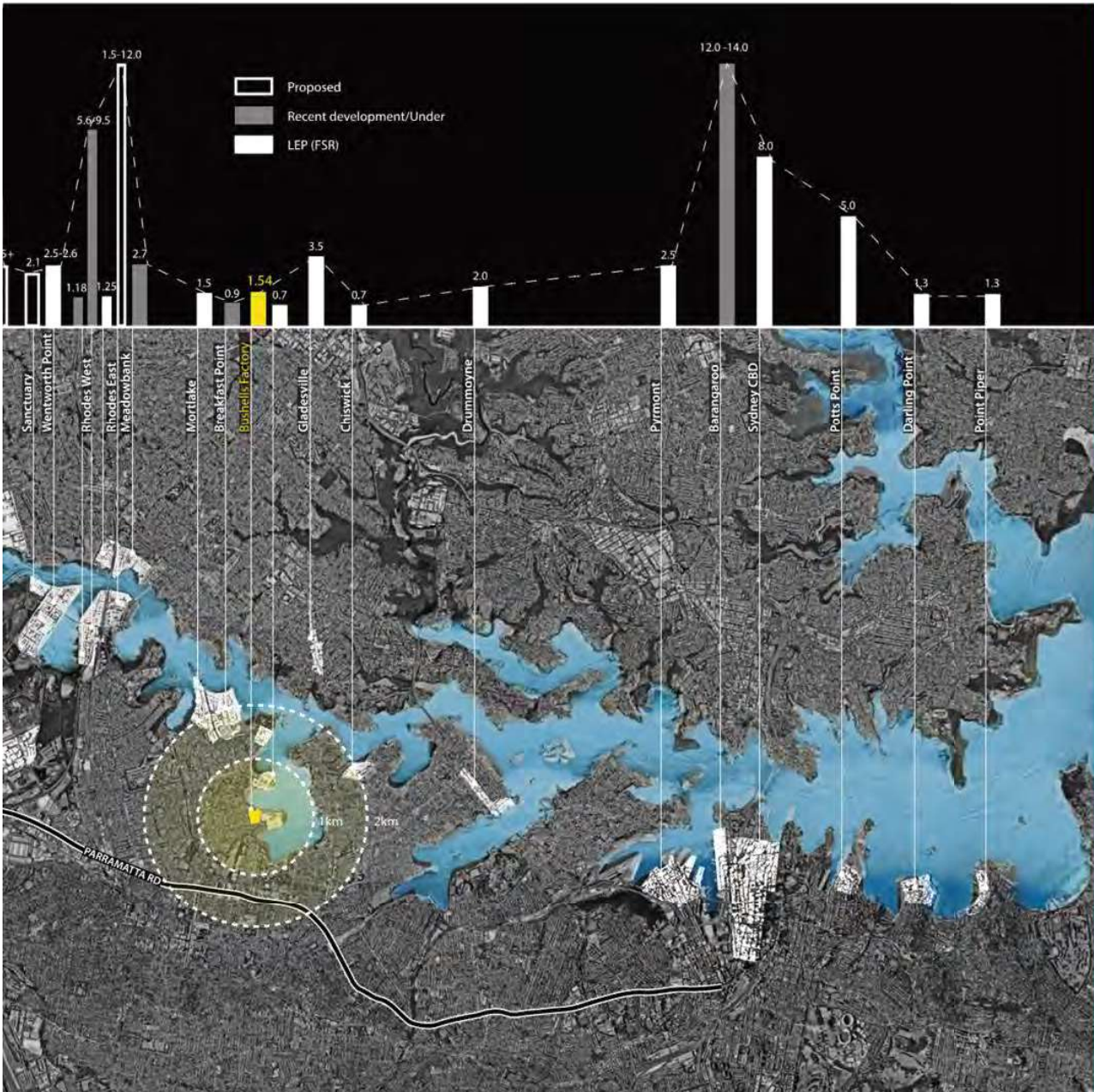
SETTING THE CONTEXT FOR THE AMENDED PLANNING PROPOSAL

RIVER-ORIENTATED CITY SHAPING

SKYLINE AND BUILT FORM

A macro observation of the central River City (Parramatta) and the eastern Harbour City (Sydney city) reveals a tradition of water-oriented city making where building height & floor space ratio is a compositional device. FSR at Bushells Factory (highlighted in yellow adjacent) will form part of a distinct and transitional skyline which traces along the Parramatta River, from the planned Aspire tower, to Jackson's Landing in Pyrmont to the towers at Barangaroo. Stylistically and vertically varied building heights at Bushells Factory will contribute to this built form rhythm and ultimately form part of a recognised and well-loved skyline.





20 MINUTE NEIGHBOURHOOD: COMMUNITY ANALYSIS

WHAT IS A 20 MINUTE NEIGHBOURHOOD?

A 20 minute neighbourhood is an identified urban area which allows its residents to access their day to day needs within a 20 minute walk, cycle or public transport trip. The Greater Sydney Commission highlights the vision for a 30minute city in the Eastern City District Plan which focuses on delivering social and economic opportunities (jobs education, health and other services) within a 30minute journey from where residents live.

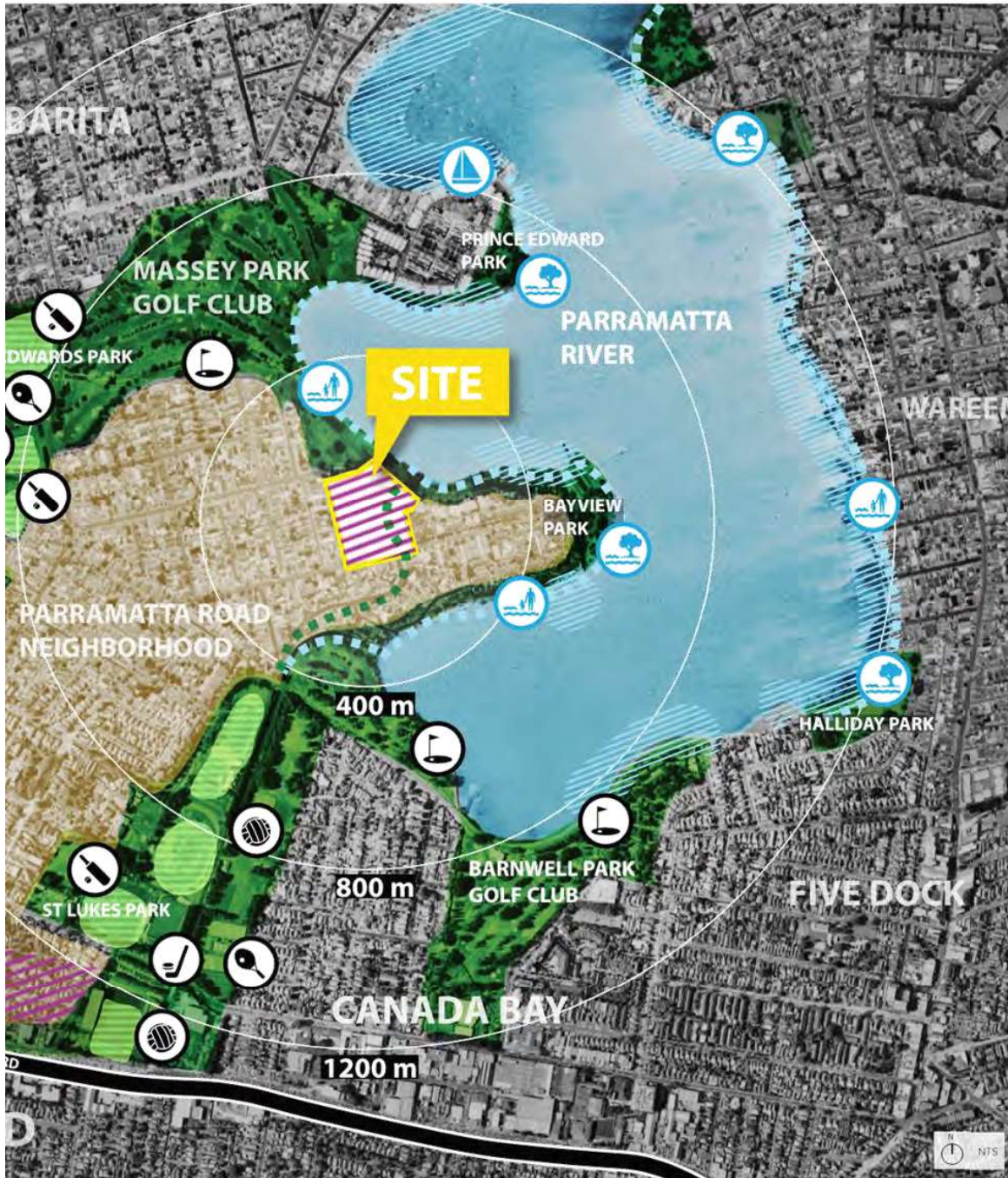
In this instance a 20minute neighbourhood is considered an appropriate and aspirational model given the sites proximity and existing connectedness to green space, the river, Concord Town Centre as well as various public transport networks. In this case, it is envisioned that the Parramatta Road Neighbourhood (highlighted adjacent) will become a 20 minute neighbourhood with the full incorporation of the Bushells Factory Master Plan within the context of the current north south corridor from the Parramatta River to Parramatta Road (Concord Town Centre).

THE OPPORTUNITY

A number of opportunities exist to build upon the site's connectedness and access to services and amenity to create a 20minute neighbourhood:

- The current privatisation of majority of the foreshore at Canada Bay presents an opportunity to open up public accessibility to the waterfront by increasing equity and public benefits around the community and providing more access to and along the foreshore.
- Link the new Bushells Factory community hub to the existing Concord local centre on Parramatta Road via green pathways and corridors.
- The narrative of the Green Loop and River Biome (ecosystem) emerges and provides impetus for a range of opportunities for density, site activation, public benefits and recreation types.
- Parramatta Road neighbourhood highlighted adjacent, is encompassed by a Green Loop featuring a collection of public and private passive and active open spaces (golf course, playing fields, parks). Opportunity to build upon the sites surrounding context of foreshore recreation, active lifestyle and connection to water.
- The River Biome offers opportunities to provide a greater amenity for new higher density, as well as water activities to support the community.
- Lack of local retail needs and opportunity to fill this gap by creating a river orientated mixed use village.
- Lack of social/community infrastructure and opportunity to create improved access to services.





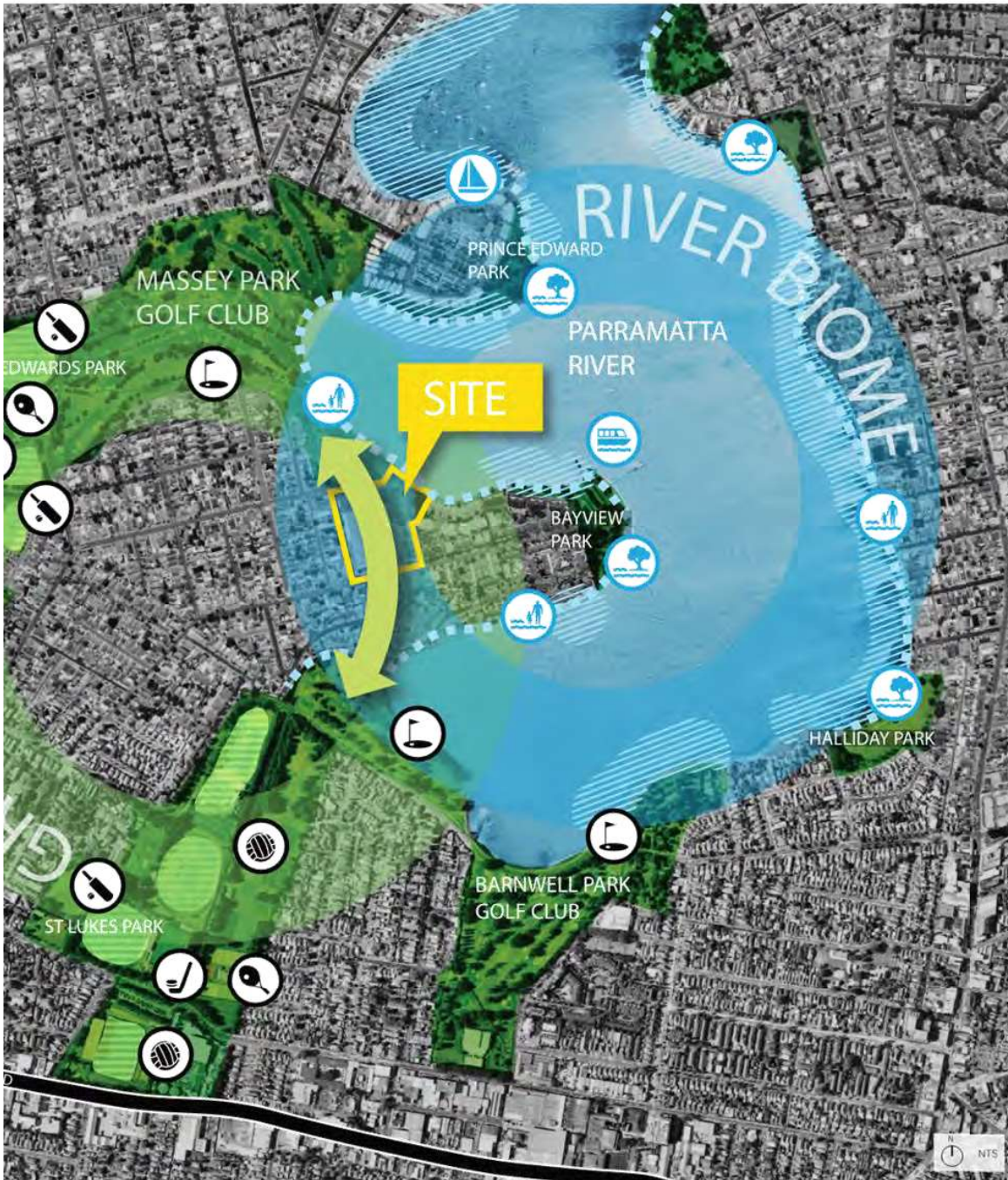
20 MINUTES NEIGHBOURHOOD: SYSTEMS RESPONSE

URBAN DESIGN RESPONSE

In order to create or realise a 20 minute neighbourhood at the Bushells Factory, there are a number of urban design responses which have been devised:

- Increase the amenity and activity on the foreshore walkway.
- Direct physical and visual access from the centre of site - Bushells Factory - to the foreshore.
- A hybridised urban grid which ensures connectivity and permeability whilst respecting the existing character of the community.
- Inviting and appealing ground floor experience in a walkable context.
- Green fingers' throughout the site.
- A hybridised urban grid which ensures connectivity and permeability whilst extending the organic Parkland setting.
- Inviting and appealing ground floor experience in a walkable context.
- Creating and realising the Green Loop which continues through the Bushells Factory site and overlaps with the River ecosystem (Biome) of the Parramatta River by offering increased density to support increased access (visual and physical) to amenity.
- Concentrate local retail needs at the centre of the Bushells Factory Site, to increase walkability and reduce unnecessary vehicle trips.
- Introduce social and community infrastructure, light industrial and urban services uses which further enhances the 20minute neighbourhood within the highlighted green loop.





LOCAL CONTEXT ANALYSIS

BUSHELLS FACTORY 1

The existing factory has a long and recognised history in Sydney. Bushells Pty Ltd bought land on Exile Bay in the mid 1950s and built the first stage of their present extensive plant in 1957-58. The distinctive chimney was added in the mid 1970s and soon became a landmark in the district. Industry played an important part of the early history of Canada/Exile Bay, with many industries set up along the shoreline; however Bushells is the last remaining working site.

SITE LEVELS 2

The site is relatively flat, with the highest point in the south west corner of the site. The site then slopes down towards the river foreshore before taking a significant step down to the water on the foreshore edge. The constructed retaining wall at the edge of Bayview park changes in condition to mangroves and a sandy beach. The Golf Course also slopes down from higher points towards the eastern foreshore edge.

EXISTING LANDSCAPE 3 4 5

The Bushells site contains numerous mature trees including large canopied trees along the western boundary as well as smaller trees along the eastern boundary in a park like landscape.

EXISTING SITE ACCESS 6 7 8

The site is bound by Duke Avenue to the west, Burwood Road to the south and Zoeller Street to the north, providing direct access to the sites internal car parking. There is a formalised entrance to the Factory off Burwood Road. To the east, the site is bound by existing medium to low residential buildings as well as open space and the river foreshore to the north east which do not provide access to the site. The site is inaccessible to the public as it is fenced off on Burwood Road.

CHARACTER OF ADJOINING PROPERTIES 9 10

The immediate adjacent properties vary from low to medium density residential, largely consisting of single storey bungalows to the west an newer multi-level residential townhouses and waterfront apartment dwellings east of the Bushells Factory (Pelican Quays).

The surrounding streetscape comprises tree lined avenues with on street parking reinforcing a residential streetscape.





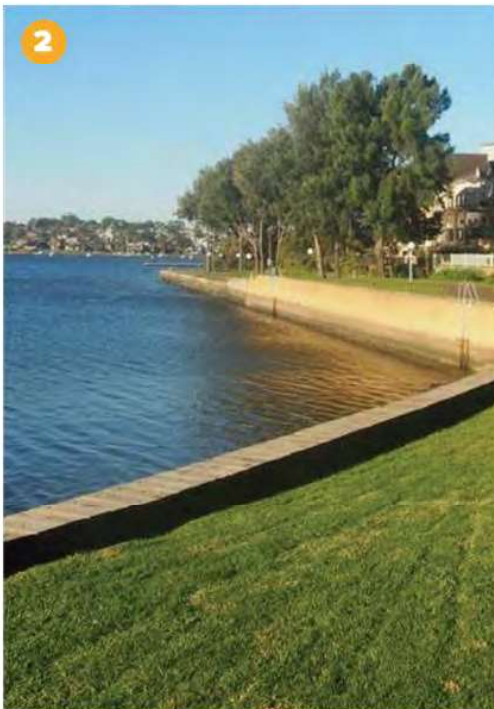
LOCAL CONTEXT ANALYSIS



Bushells Factory - Retained Character Building



Massey Park Golf Course



Retaining Wall & Foreshore Interface



Landscape at Exile Bay and Built Form Interface



Bayview Park Wharf



Burwood Road Entrance to Bushells Factory



Zoeller Street Entrance to site and Golf Course/Forshore



Foreshore Access along Exile/Canada Bay looking South East



Pelican Heights Medium density housing typology



Mixture of Low Density Dwelling Types on Duke Ave

CREATING A COMPLETE COMMUNITY

THE OPPORTUNITY

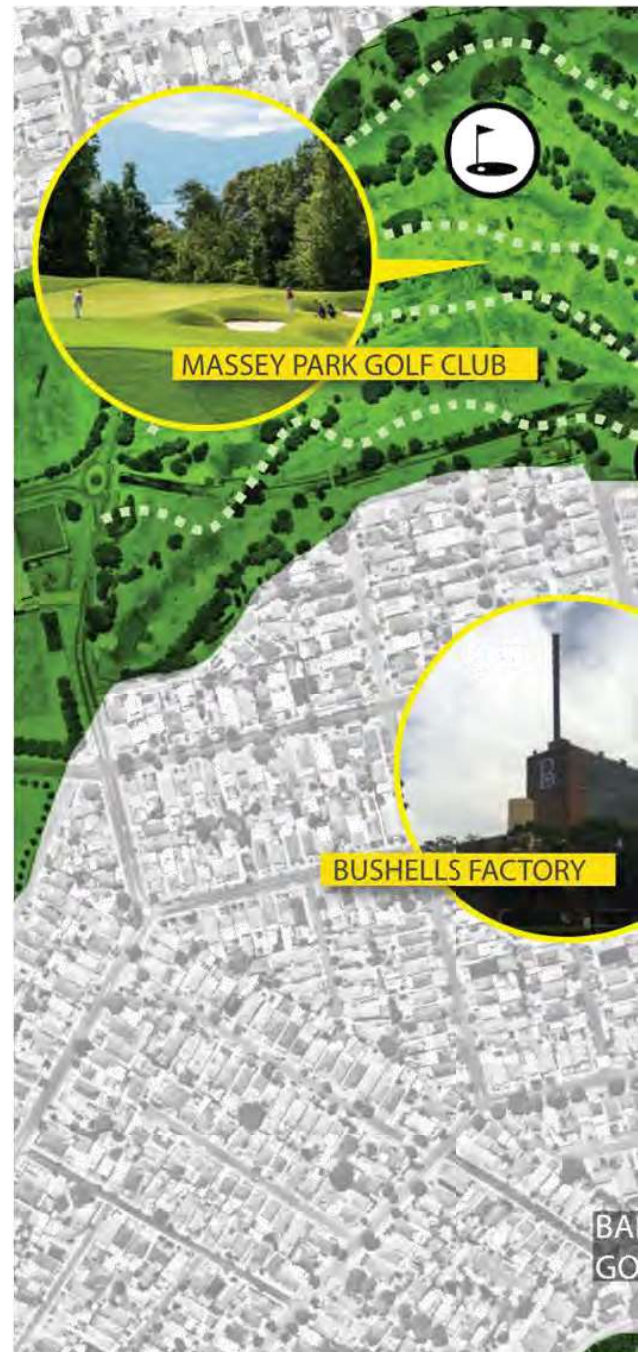
The Bushells Factory site is the missing link in realising a completed community that appropriately transitions into and complements its surrounding context. At the local scale there are many opportunities which exist, allowing the site to be better integrated into the greater network and context of Concord and neighbourhood:

- The existing buildings and the history of the area combined with the immediate waterfront access, proximity to the peninsula, Bayview Park and adjacent Massey Park Golf Course provides an ideal starting point for an exemplary urban regeneration typology and benchmark for the future.
- The site acts as a mediation between open spaces, presenting a great retail opportunity at the ground level particularly with the adaptive reuse of the Factory, thus completing the community as the amenities grow.
- The ability to create a character filled and remarkably unique environment, maintaining the current scale of development which orientates towards the foreshore.
- The opportunity to transition the site into its surrounding context creating a continuous foreshore link and completing the Green Loop.
- Provide a relationship Green Loop in with the foreshore and river interface, increasing overall amenity.

URBAN DESIGN RESPONSE

In order to realise a resilient and completed community which appropriately transitions into its context and provides community facilities and public open spaces accessible to all, a number of urban design responses have been devised from the identified opportunities:

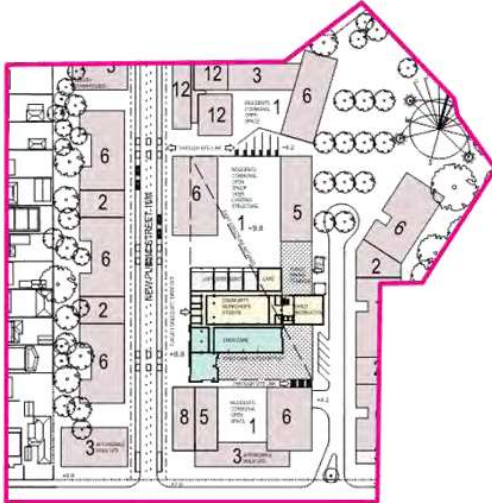
- Complete the existing fragmented foreshore walk through the north eastern boundary of the site, linking Bayview Park and the future ferry stop with the existing foreshore walk adjacent to the Massey Park Golf Club.
- Complete the Green Loop by providing enhanced access to the foreshore for the existing Concord residential area south to the Barnwell Park Golf Club via an activated and green pedestrian plaza/ shared street.
- Utilise and retain the character of the Bushells Factory adapting it for reuse consisting of light industrial, retail, commercial and community spaces.
- A range of publicly accessible destinations and activities on the foreshore (furniture, markets BBQ's & shelter), and on the water (kayaking, water play and terraced steps to water).





DESIGN EVOLUTION

1



September 2017

ORIGINAL CONCEPT

2



February 2018

CONCEPT REFINEMENT

5



Jan 2019

AMENDED CONCEPT

6



Sep 2019

AMENDED CONCEPT

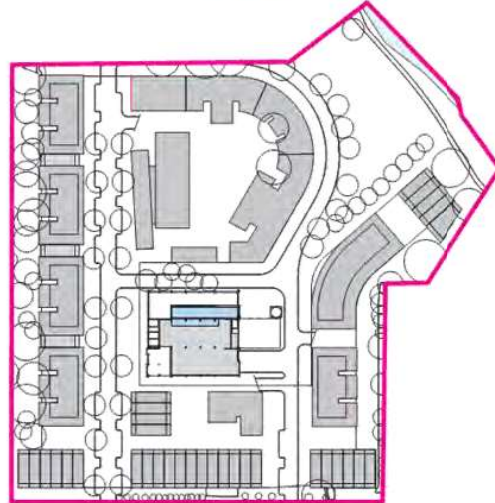
3



February 2018

COUNCIL FEEDBACK & PREFERRED CONCEPT

4



June 2018

AMENDED CONCEPT

7



July 2021

AMENDED CONCEPT

“SUSTAINABLE DEVELOPMENT
IS A DYNAMIC PROCESS WHICH
ENABLES ALL PEOPLE TO
REALISE THEIR POTENTIAL, AND
TO IMPROVE THEIR QUALITY
OF LIFE, IN WAYS WHICH
SIMULTANEOUSLY PROTECT AND
ENHANCE THE EARTH’S LIFE
SUPPORT SYSTEMS”

FORUM FOR THE FUTURE ANNUAL REPORT, 2000

HATCH | RobertsDay

THE AMENDED PROPOSAL

THE VISION

The evolved Bushells vision is to create a fine-grain, river-orientated village bringing broad public benefit to locals including new parklands, community uses, daily needs retail, diversity of housing choice and transport choices where the retention of the existing Roasting Hall as a heritage item creates a unique sense of place and enhances local identity.

The natural surroundings of the expansive Canada Bay and the Parramatta River, attributes difficult for immediate locals to enjoy, are key drivers of the evolved master plan. The proposal offers existing and future residents (along with visitors) incredible amenity and a generous offering of public open space and community facilities, in the context of the iconic Roasting Hall. Furthermore, these surroundings have inspired the open spaces within the master plan, which are generous and simple in their execution, connecting the elements of nature, water and urbanity.

A sense of harmony is maintained through the seamless connection between buildings and public open spaces, via a walkable and accessible network. The street grid not only enhances connectivity and encourages/orientates activity to central public open spaces on the foreshore but instills a sense of urbanity, which in turn enhances livability and encourages social connections.

Bushells Factory vision for social sustainability and resilience permeates the master plan, particularly in the way it supports people to participate in the shared life of community. Amenities and facilities, active programming day and night, and foreshore open spaces for play, contemplation, and social encounters all contribute to a rich and fulfilling lifestyle.

The master plan incorporates qualities of urbanity with the tranquil landscape qualities of the site's setting, by designing the environment as a holistic whole and by enriching the pedestrian experience.





VISION HIGHLIGHTS AMENDED CONCEPT

**44% of site dedicated
to the public realm**

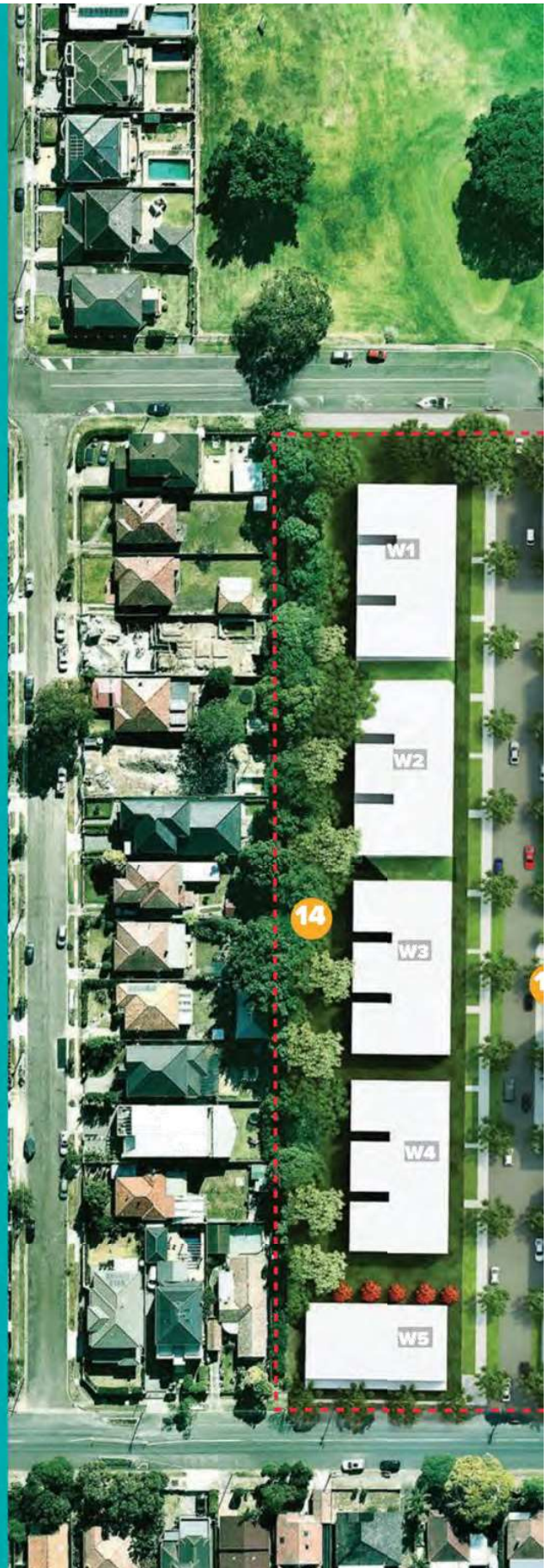
**51% of public realm
is new foreshore
parkland + plaza**

**6,983sqm GFA dedicated
to retail + community
orientated uses**

**3,675sqm GFA of
light industrial/ urban
services within Bushells
Factory Building for
adaptive re-use**

**25% of total site area
covered by tree canopy**

**Heritage listing of
Roasting Hall tower
element**





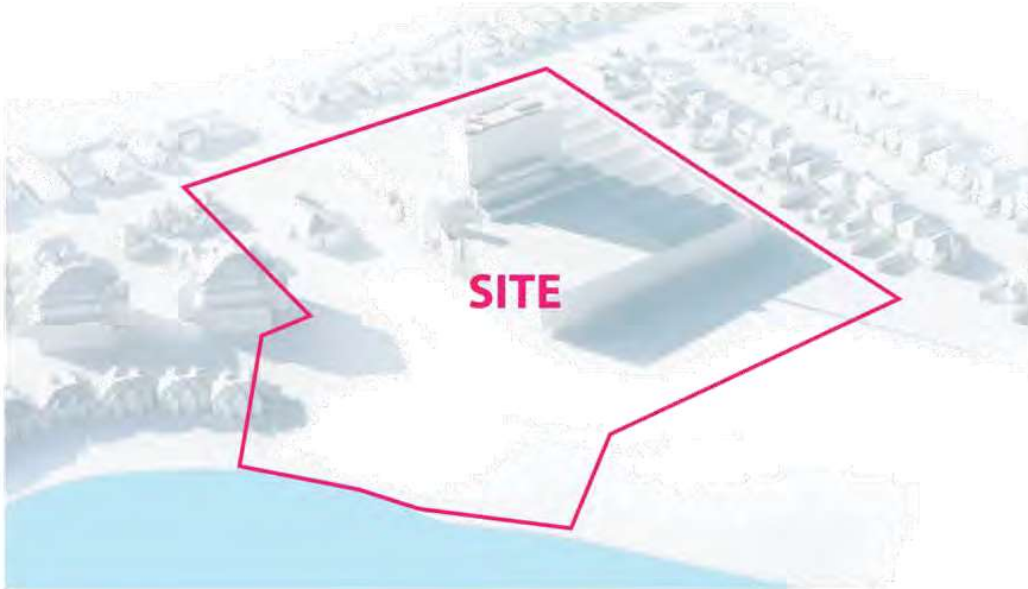
URBAN DESIGN ANALYSIS

The following urban design analysis establishes a robust framework for the Bushells Factory master plan, highlighting the key moves and design techniques incorporated throughout the design and refinement process to provide evidence on the place specific merits of this proposal.



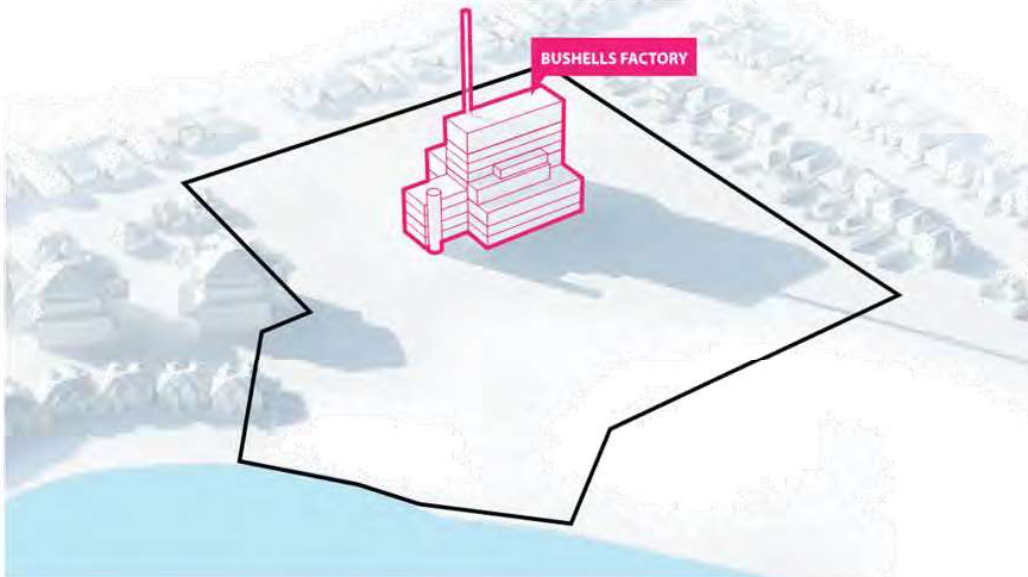
EXISTING SITE

Existing development shows how the site and existing factory presents itself in relationship to surrounding built form and foreshore. In effect, the site is a privatised gated barrier to locals gaining access to and enjoy the River foreshore.



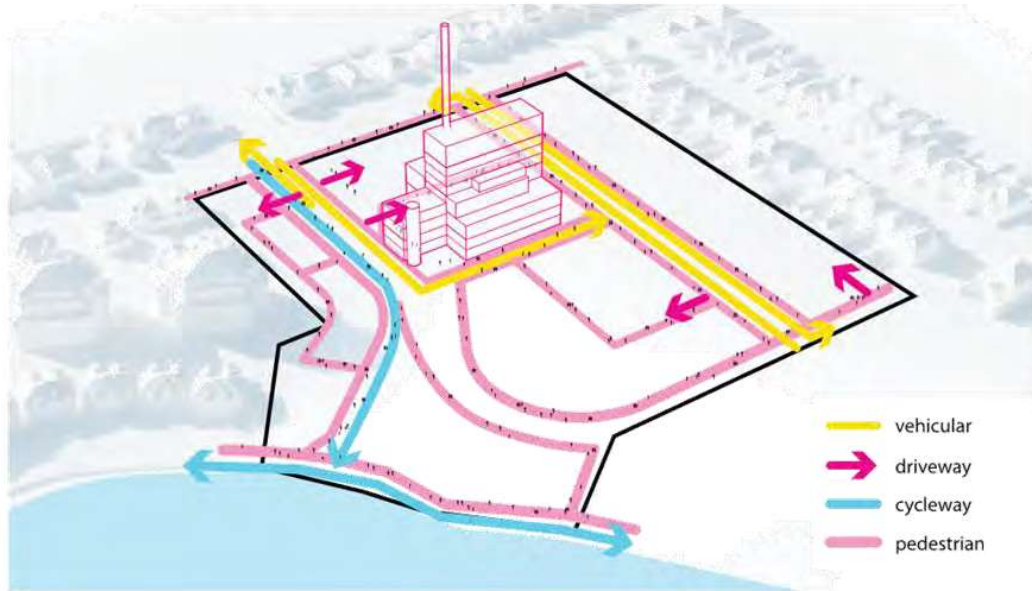
CHARACTER RETENTION

The existing Roasting Hall is 'the' important character building on site and the visual landmark from the River and other vantage points that is to be maintained. The Roasting Hall will be retained with ground floor programmed with a variety of public benefits, including community uses and village retail.



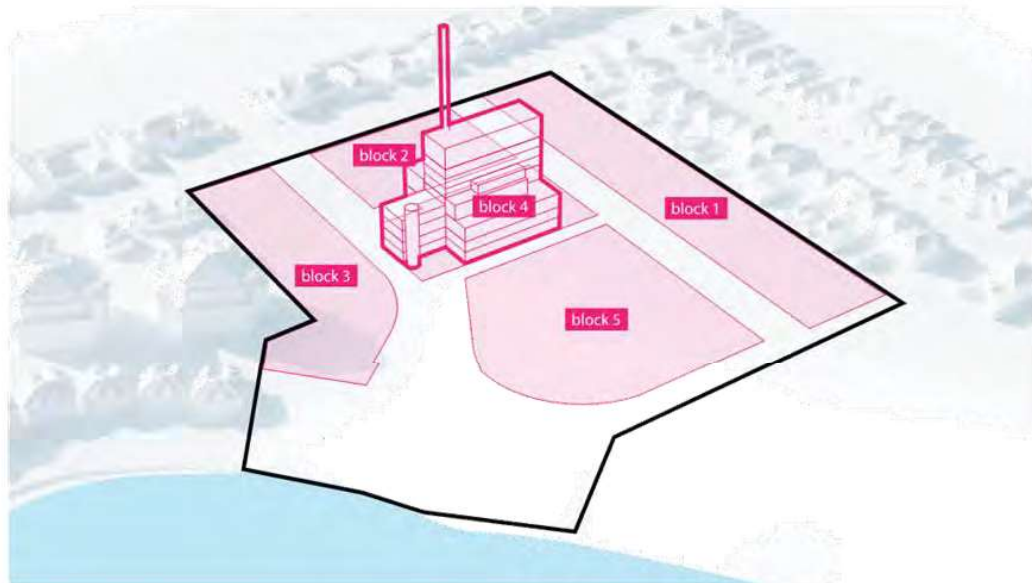
MOVEMENT & ACCESS

An internal hierarchy of movement networks increases the overall permeability & accessibility within the site and to other local networks. Free flowing public movement along the foreshore (east west) and north south avenue completes the Green Loop. Pedestrian networks are the key focus of this proposal.



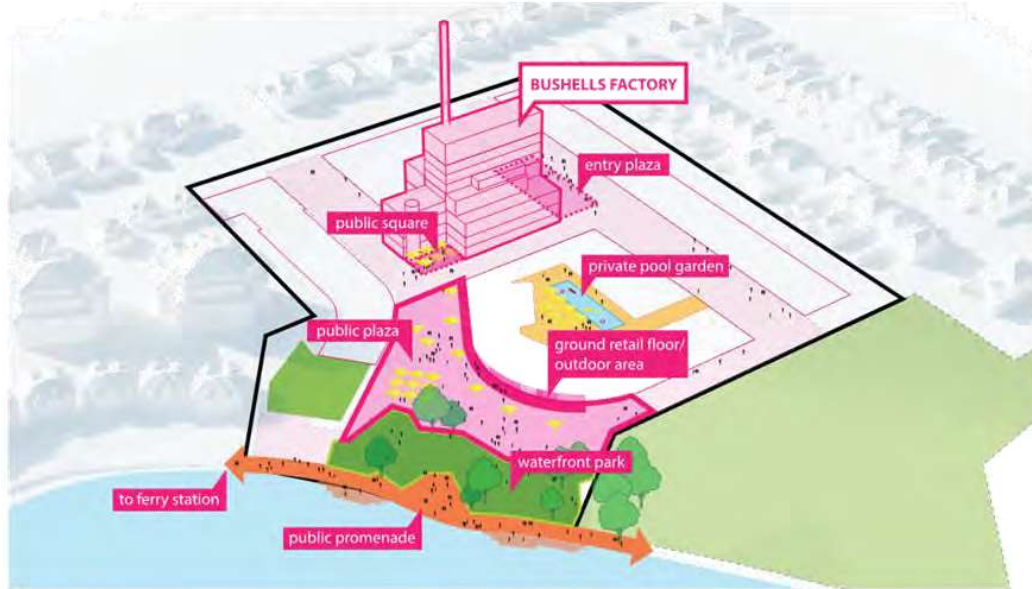
BLOCK STRUCTURE

Refined from the design of the internal movement hierarchy and through site linkages, block structure orientates towards key landmarks and public places allowing for quality built form potential, enhanced permeability and uninterrupted view corridors to key landmarks and spaces.



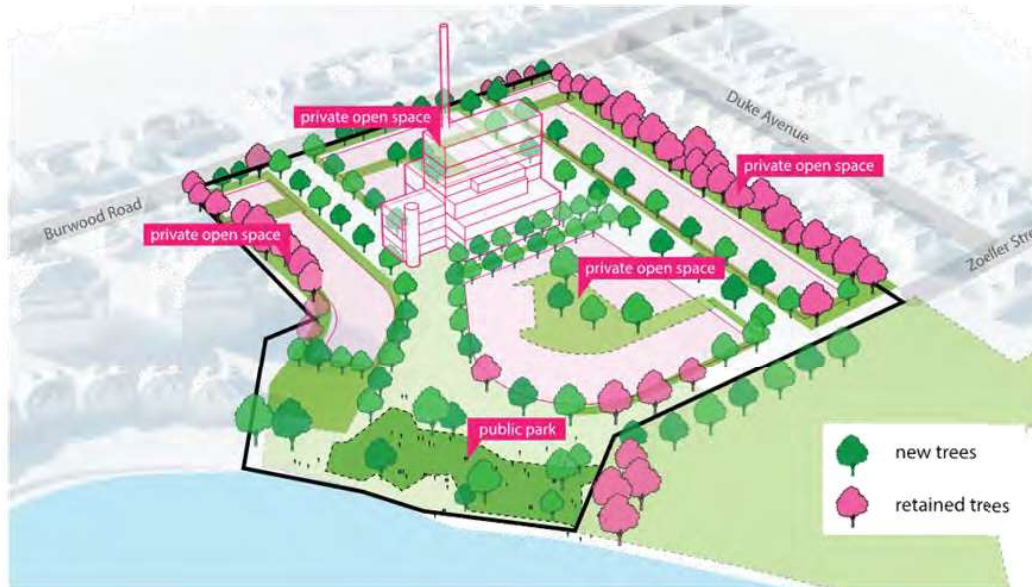
PUBLIC REALM

An abundance of flexible public space is a key public benefit, aiming to create a series of destinations, complementing the existing natural and urban context. Highly activated spaces will create various stages for social and cultural connectedness, wellbeing and community relationships.



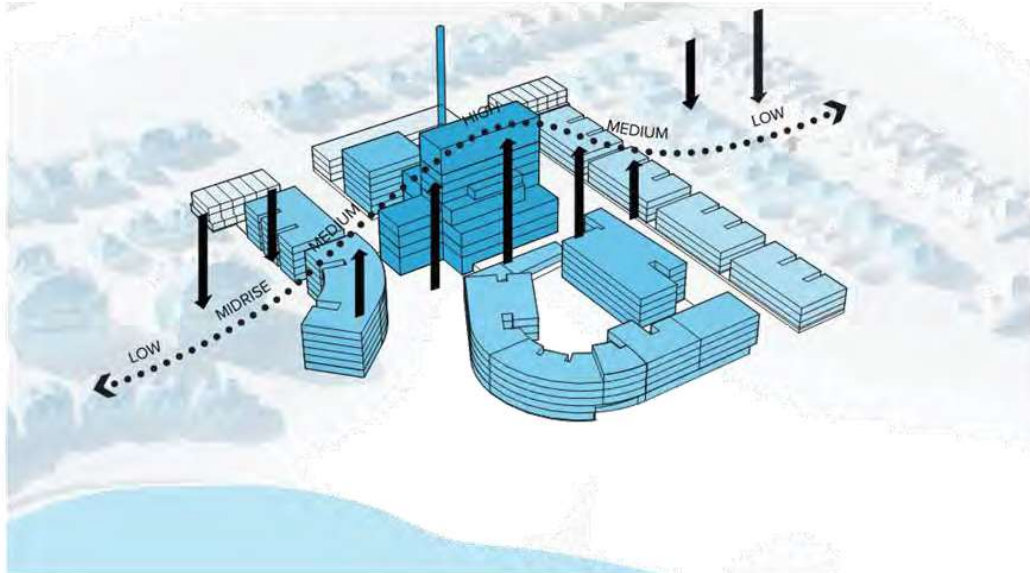
GREENERY & TREE RETENTION

The below diagram highlights the concept of greening the site through public parks, planting new trees along key pedestrian networks as well as retaining significant mature trees which contribute to the overall amenity, local character and identity of the area. A total of 25% tree canopy (minimum) is achieved.



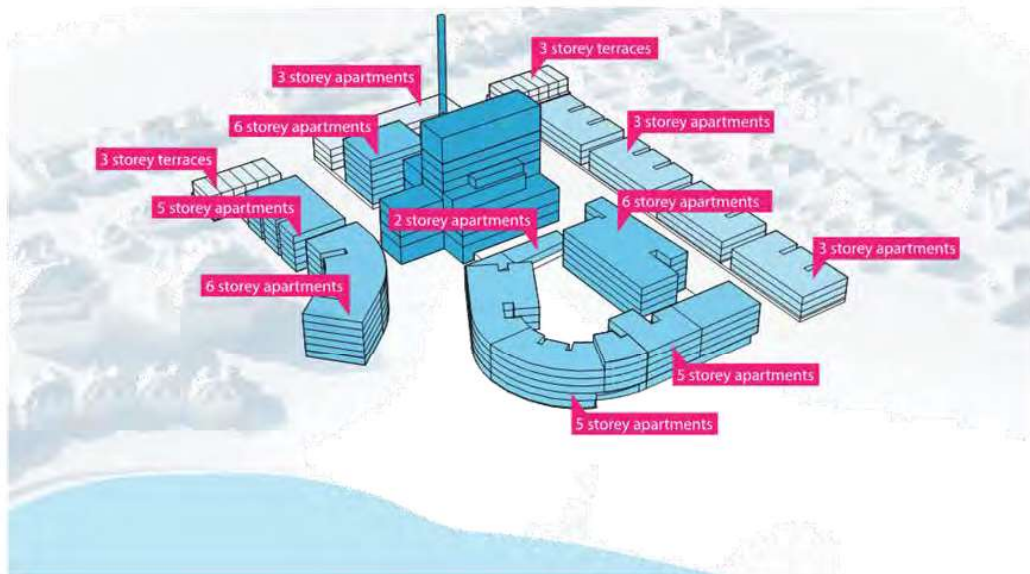
HEIGHT TRANSITION

A key consideration of the proposal is to transition height to the surrounding context, maintaining privacy and amenity for neighbours. The below diagram highlights this transition, focusing lower building heights to the site periphery, ensuring the interface with surrounding context is appropriate.



BUILT FORM AND MASSING

In response to the Panel's advice, building form has been appropriately scaled based on function, orientation of views to amenity and public spaces as well as height transition. The centre of the site features the largest allocation of height, stepping down to the perimeter of the site to approximately 3-6 storeys.





LOCAL CHARACTER & DENSITY

LOCAL PRECEDENTS

The amended concept has carefully considered an appropriate density that respects local character and can be benchmarked against successful precedents in the area, such as Breakfast Point.

With a neighbourhood land area of approximately 52ha, Breakfast Point includes a diversity of housing types including detached houses, terraces and apartments up to 10 storeys.

Despite significant differences in building types and heights across the Breakfast Point neighbourhood, the buildings positively contribute to attractive, human-scaled streetscapes.

The resulting neighbourhood density of Breakfast Point is approximately 49 dwellings per hectare.

When the proposal is considered within its neighbourhood context across a comparable land area (i.e. 52ha), a similar pattern emerges with a diversity of housing types and heights.

However, the resulting neighbourhood density is significantly lower and is approximately 23 dwellings per hectare.

The key reason for this is except for Pelican Waters that is built, the opportunity to diversify housing choice with new apartments in the neighbourhood is largely limited to the Bushells site.

The opportunity to create a vibrant village by the river is unique and is reflected in the amended concept.

With a total of approximately 384 dwellings, the site density itself of approximately 100 dwellings per hectare is consistent with the District Plan's Planning Priority that the highest density should be located within 200m of quality open space.

Further, the site density is comparable to other precedents such as Newmarket Green in Randwick. It has a site density of 127 dwellings per hectare (700 dwellings over 5.5ha). Similar attributes of Newmarket Green to our proposal include heritage buildings, retained trees, comparable heights, new public realm, low rise suburban housing adjoining the site and proximity to major public transport stops.

Based on this analysis and understanding the relationship between neighbourhood and site density, the amended concept is an appropriate response.

NEWMARKET GREEN RANDWICK



a

Breakfast Point Broader Area



Source: Profile.id

Land Area
52ha

Dwelling Density
49dw/ha

b

Bushells Factory Broader Area



Source: Sixmap

Land Area
52ha

Dwelling Density
23dw/ha

SUSTAINABLE DESIGN CONCEPT

The amended proposal will enhance the local character and identity of Concord bringing broad public benefits. Many of those public benefits achieved, contribute to the overall sustainable aspiration and contribution to sustainable design outcomes for Bushells Factory. The sustainable design concept diagram, seen adjacent, highlights the key features of the proposals sustainable design outcomes



STREET TREES

Street trees increases tree canopy cover, reducing heat island effect, improves streetscapes and has social benefits.



LIGHT INDUSTRIAL USES

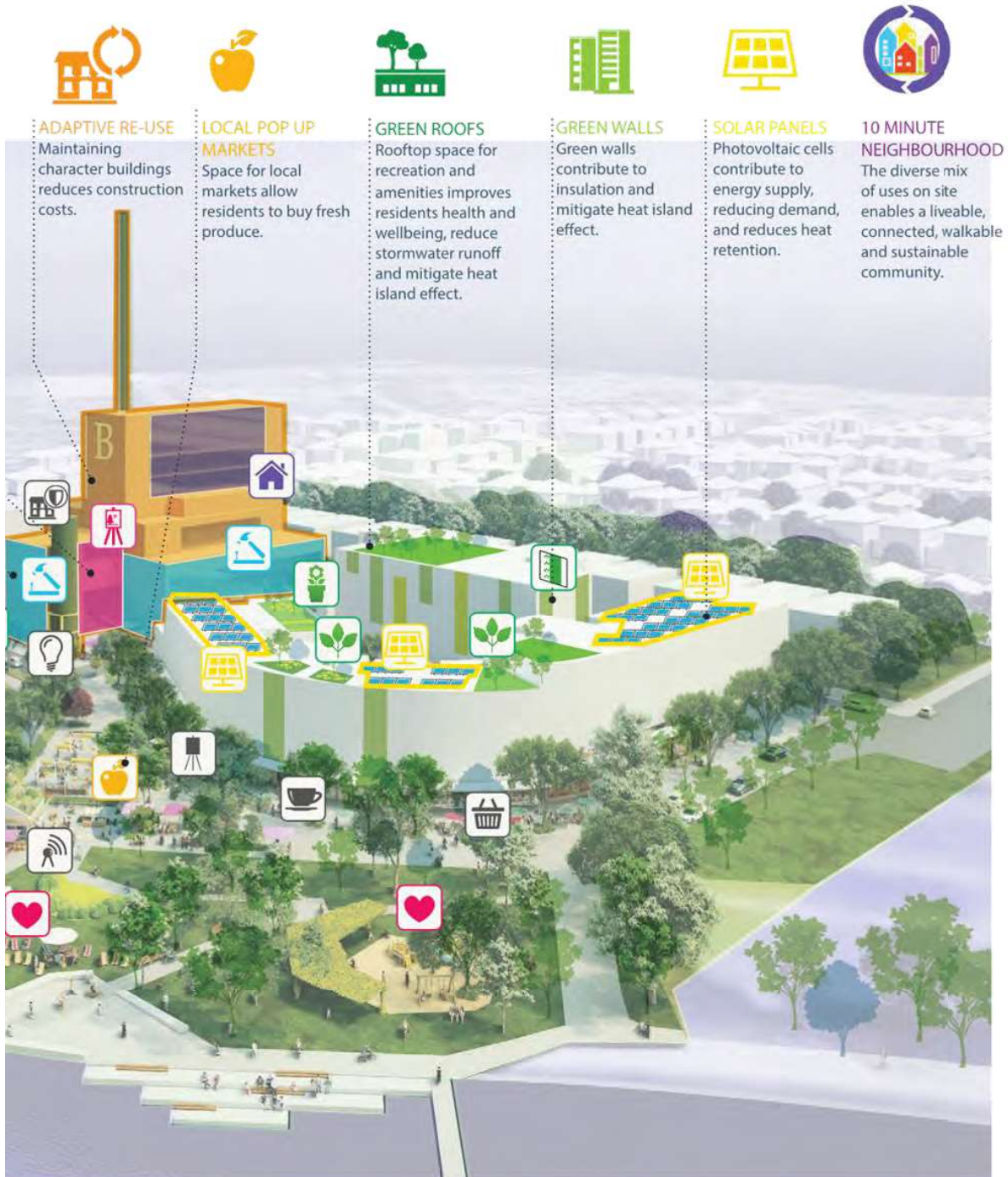
Food and Beverage Production, Furniture/Woodwork, Leatherwork, Textiles



CREATIVE HUB

Artists, Music recording, Gallery, Theatre props.





VISUAL ANALYSIS

A preliminary visual analysis has been undertaken to understand the amended proposal's relationship to the surrounding context. Specifically, the analysis has been carried out in order to understand the proposed building envelope and its relationship to public open spaces, transition to existing residential built form and preservation of key view corridors to landmarks.

VIEW 1: Bushells Factory transition to Pinnacle Waters & key view corridors



VIEW 2: Aerial view from Parramatta River towards the proposal with clear building transitions



VIEW 3: Public Life and activation along the pedestrian promenade



VIEW 4: Activated Foreshore Park and Playground, catering for all ages



VISUAL ANALYSIS

VIEW 5: Public Life, social and community gathering space in the foreshore park



VIEW 6: Terraced boardwalk to the River



VIEW 7: View from Harmony Point looking south to Bushells Factory with clear building transitions



VIEW 8: Typical view from corner of Burwood Rd & Duke St showing appropriate transition of built form



VISUAL COMPARISON

Complementing the Visual Analysis, a Visual Comparison has been undertaken comparing the Council Panel Advice against Bushells 2.0 and 3.0. The analysis clearly illustrates the perceived built form between the Council Panel and amended proposal is largely identical. Further, the analysis clearly illustrates any new built form maintains the visual significance of the Roasting Hall element.

LOCAL VIEW



VIEW 01 - INTERSECTION DUKE AVE WITH BURWOOD RD

BUSHHELLS 3.0 PROPOSAL



POST GATEWAY PROPOSAL



VISUAL COMPARISON

VIEW 02 - INTERSECTION BURWOOD RD WITH MARCEAU DR

PROPOSED 3.0



POST GATEWAY PROPOSAL



VIEW 03 - FROM EAST BURWOOD RD

PROPOSED 3.0



POST GATEWAY PROPOSAL



VISUAL COMPARISON

VIEW 04 - FROM THE EAST WATERFRONT FOOTPATH

PROPOSED 3.0



POST GATEWAY PROPOSAL



VIEW 05 - INTERSECTION DUKE AVE WITH ZOELLER ST

PROPOSED 3.0



POST GATEWAY PROPOSAL



VISUAL COMPARISON

LOCAL VIEW



VIEW 06 - FROM EAST BURWOOD RD

PROPOSED 3.0



POST GATEWAY PROPOSAL



VISUAL COMPARISON

VIEW 07 - FROM BOTTOM MARCEAU DR

PROPOSED 3.0



POST GATEWAY PROPOSAL



VIEW 08 - INTERSECTION BURWOOD RD WITH TRIPOD ST

PROPOSED 3.0



POST GATEWAY PROPOSAL



VISUAL COMPARISON

VIEW 09 - INTERSECTION ZOELLER ST WITH TRIPOD ST

PROPOSED 3.0



POST GATEWAY PROPOSAL



VIEW 10 - FROM SALTWATER CREEK

PROPOSED 3.0



POST GATEWAY PROPOSAL



VISUAL COMPARISON

VIEW 11 - FROM HARMONY POINT PENINSULA

PROPOSED 3.0

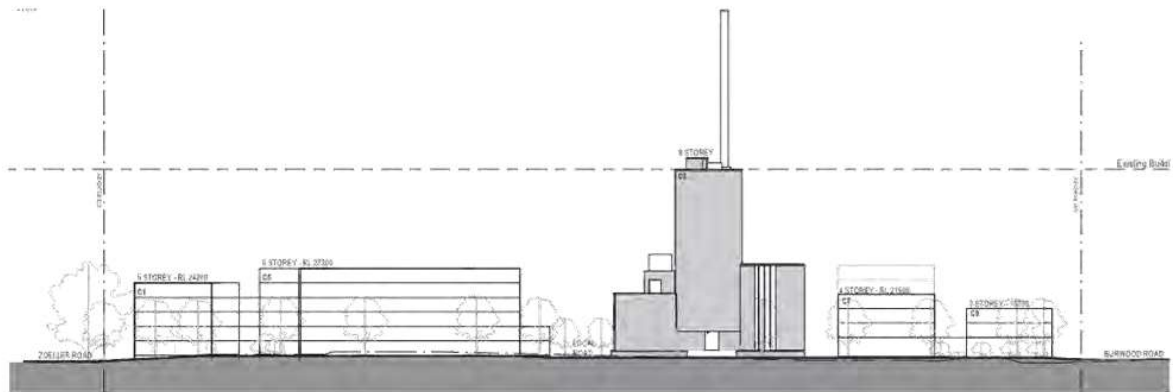


POST GATEWAY PROPOSAL



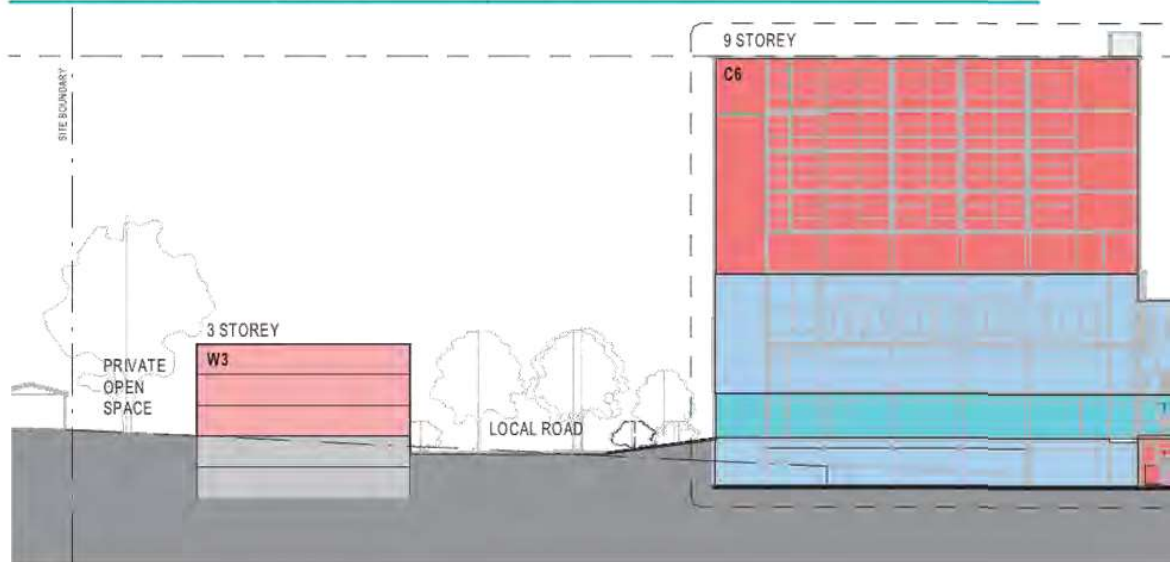
SECTION ANALYSIS

SECTION A - A: Looking east towards Bushells Factory highlighting the transition to Burwood Road



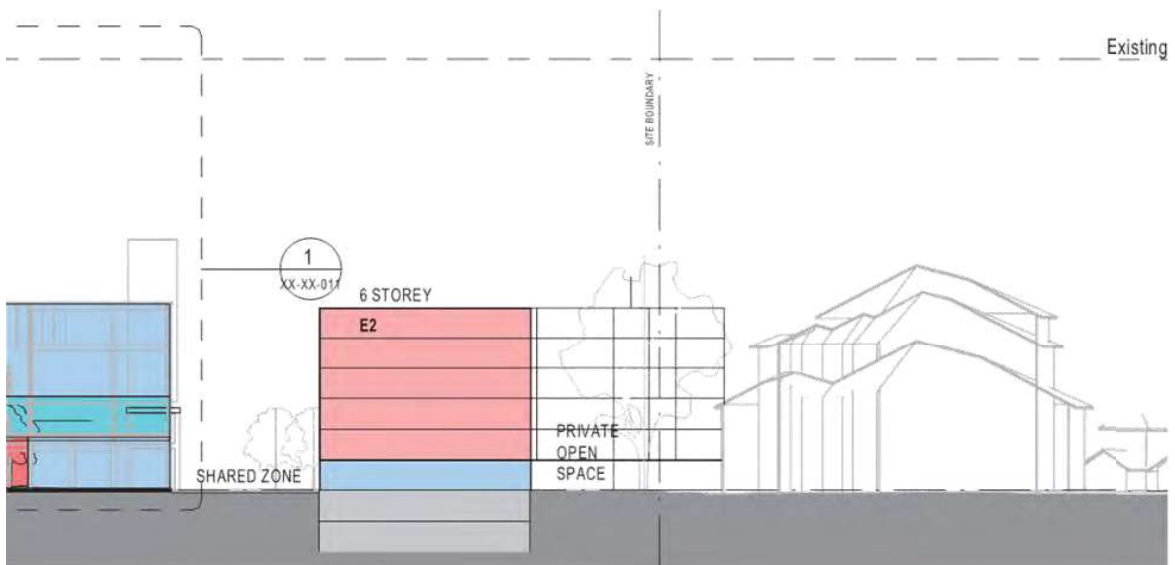
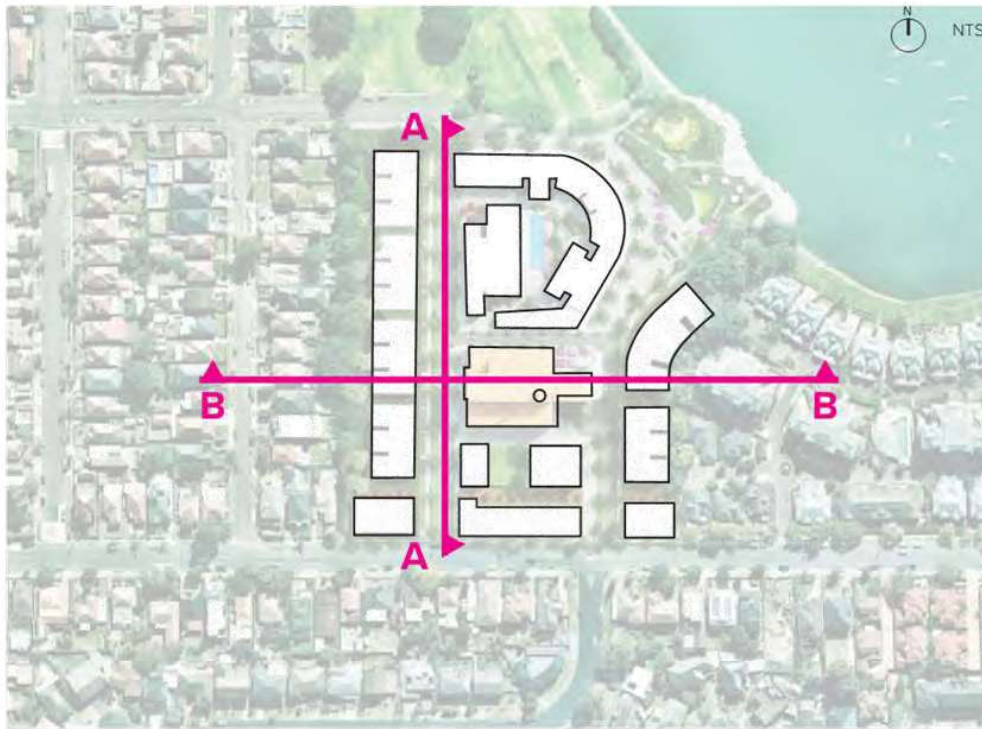
NTS

SECTION B - B: Looking north through Bushells Factory site highlighting the transition to Duke Street (west) and existing development at Pelican Heights (east)



NTS

LOCATION PLAN



CONCLUSION

BUSHELLS 3.0 is the amended urban design concept in response to Canada Bay Council's Local Planning Panel (the Panel) advice. Due to the application of Council advice, the proposal progressed to Gateway, where key considerations were addressed. This report incorporates and supports all changes highlighted in the Gateway determination report.

The amended concept maintains at its heart the public benefit of creating a large foreshore park and public plaza making Concord a better place for people. This public benefit aligns with the NSW Premier Priority of Greener Public Spaces with the goal of increasing the proportion of homes in urban areas within 10 minutes' walk green, open space and public space by 10 percent by 2023.

The amended concept responds positively to the Panel's advice with key refinements being:-

- Reduction of the proposed scale and density with lowering of building heights;
- Improved traffic and transport strategy responding to new transport influences;
- Improved heritage response by lowering building heights around the retained Roasting Hall element to maintain important foreshore views;
- Retention of an important tree and provision of an appropriate landscape framework ensuring 25% total tree canopy;
- Amendment of a site specific DCP, including block-by-block FSR.
- Since gateway determination, there has been a new proposed allowed use; urban services. This provides additional employment opportunities on site, while establishing a 10-minute neighbourhood which is connected, walkable and sustainable.

These refinements have resulted in a significant decrease to the proposed yield, whilst actually increasing public benefit with the foreshore park increasing in size.

As such, it is recommended the Planning Proposal be favourably considered post Gateway Determination process that has been undertaken.





ARCHITECTURE
URBAN DESIGN
INTERIORS
GRAPHICS



WJK/WJK

25 May 2022

CITY OF CANADA BAY COUNCIL
1a Marlborough Street
DRUMMOYNE NSW 2047

Attn: Paul Dewar – Manager, Strategic Planning

Dear Sir

RE: 160 Burwood Road – Bushells Factory Redevelopment (14050)
[Draft DCP Building Envelope Review]

Pursuant to Clause 50 (1A) of the Environmental Planning and Assessment Regulation 2000, I hereby declare that I am a qualified designer, which means a person registered as an architect in accordance with the Architects Act 2003 as defined by Clause 3 of the Environmental Planning and Assessment Regulation 2000.

I directed the design of the mixed use apartment development stated above and I confirm that the design and building envelopes proposed in the Draft DCP can achieve the design quality principles set out in Schedule 1 Design quality principles of the State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development.

Specific assessment was undertaken for ADG 2F Building Separation, ADG 3F Visual Privacy, ADG 4A Solar and daylight Access, ADG 4B Natural ventilation, ADG 4J Noise and Pollution, and ADG Planting on Structures.

ADG 3D Communal and public open space

The proposal is able to achieve design criteria of 3D being the required minimum area equal to 25% of the site area and solar access for communal open space as defined in 3D-1 (2) of the ADG. This can be achieved through a combination of rooftop communal open space and ground level open space areas.

Yours faithfully
ALLEN JACK + COTTIER

Jim Koopman
Studio Director
Architect 6069

**DIRECTORS & NOMINATED
ARCHITECTS (NSW)**

Michael Heenan 5264
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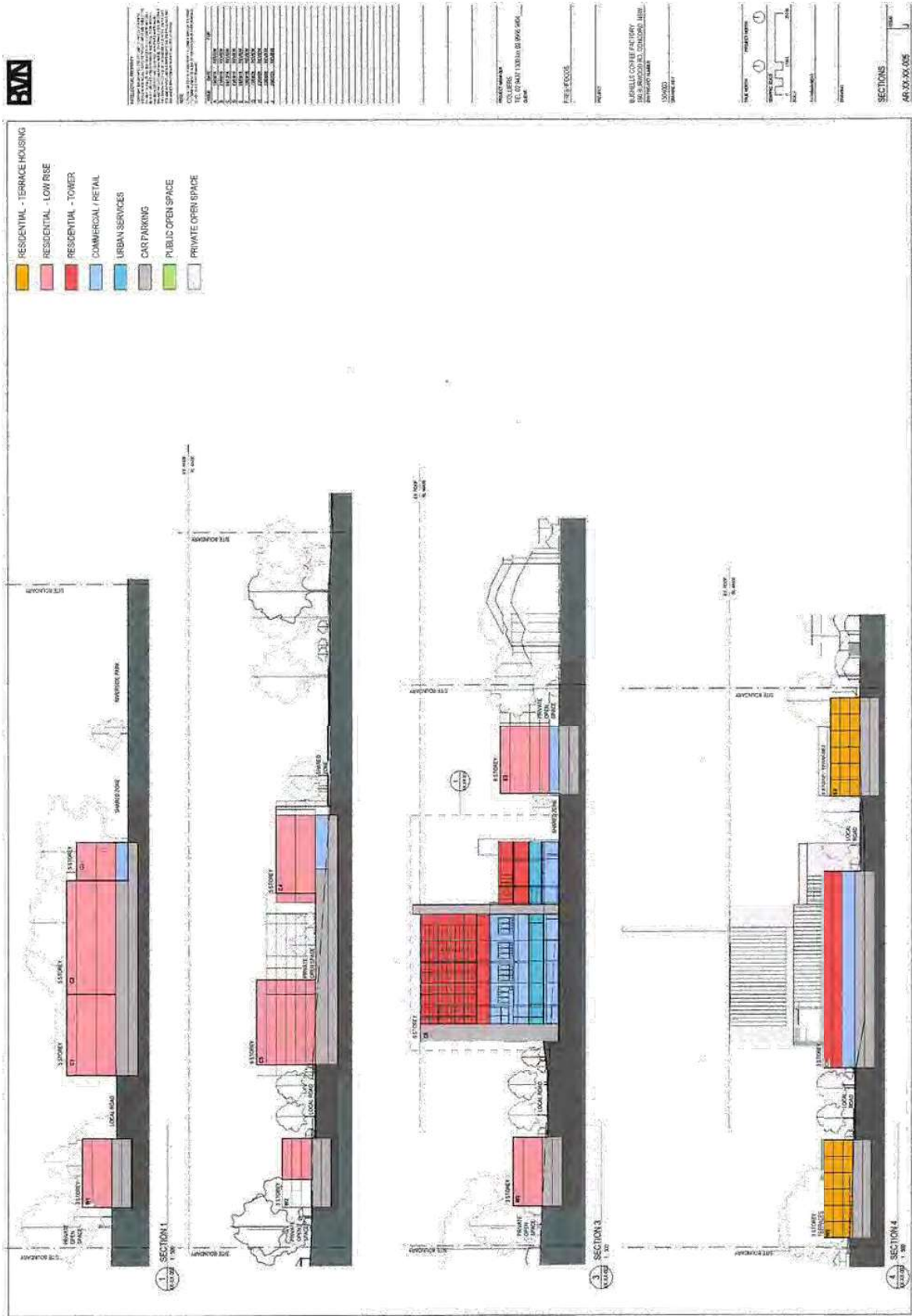
www.architectsajc.com

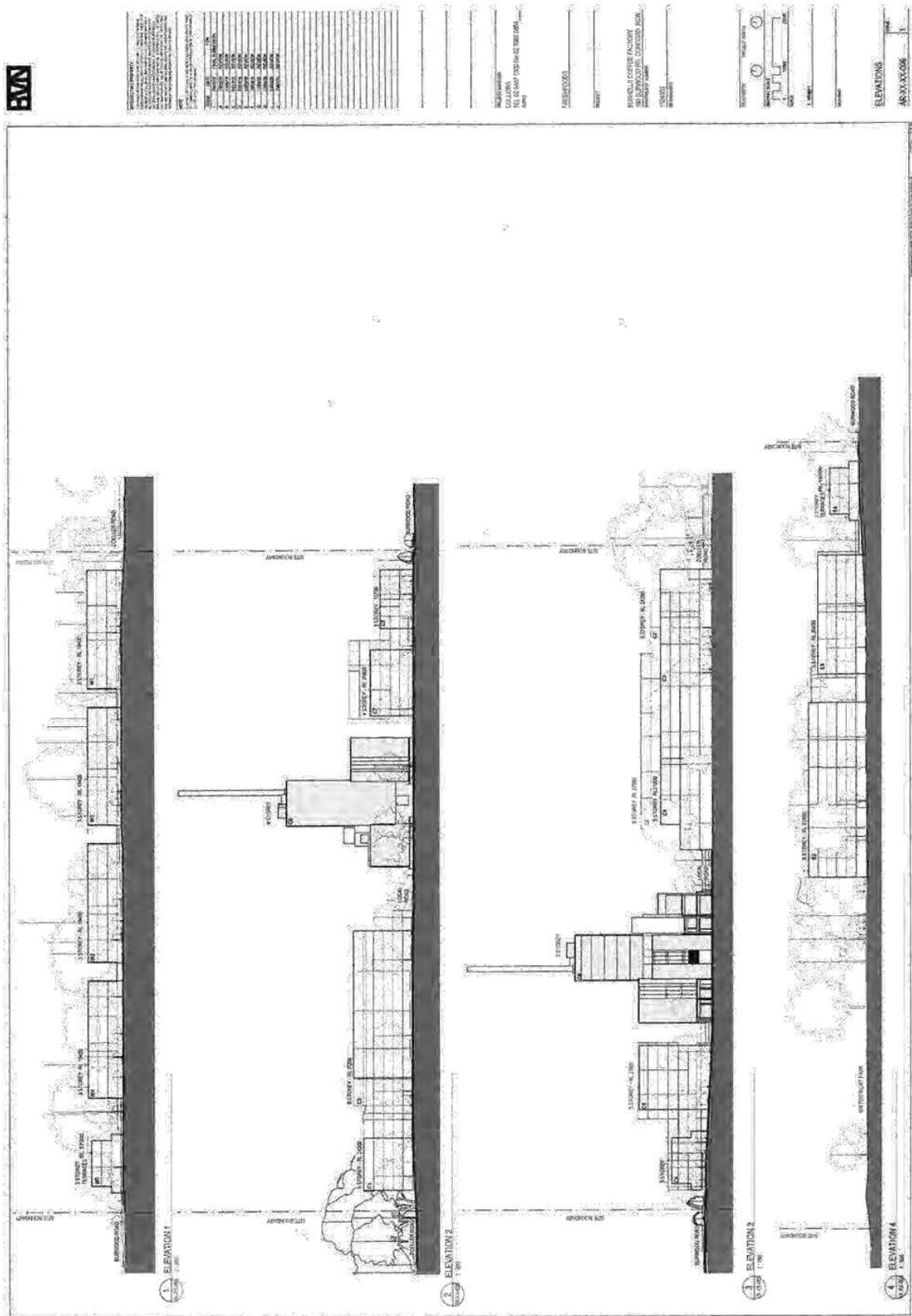
ALLEN JACK + COTTIER
Architects Pty Ltd
ABN 53 003 782 250

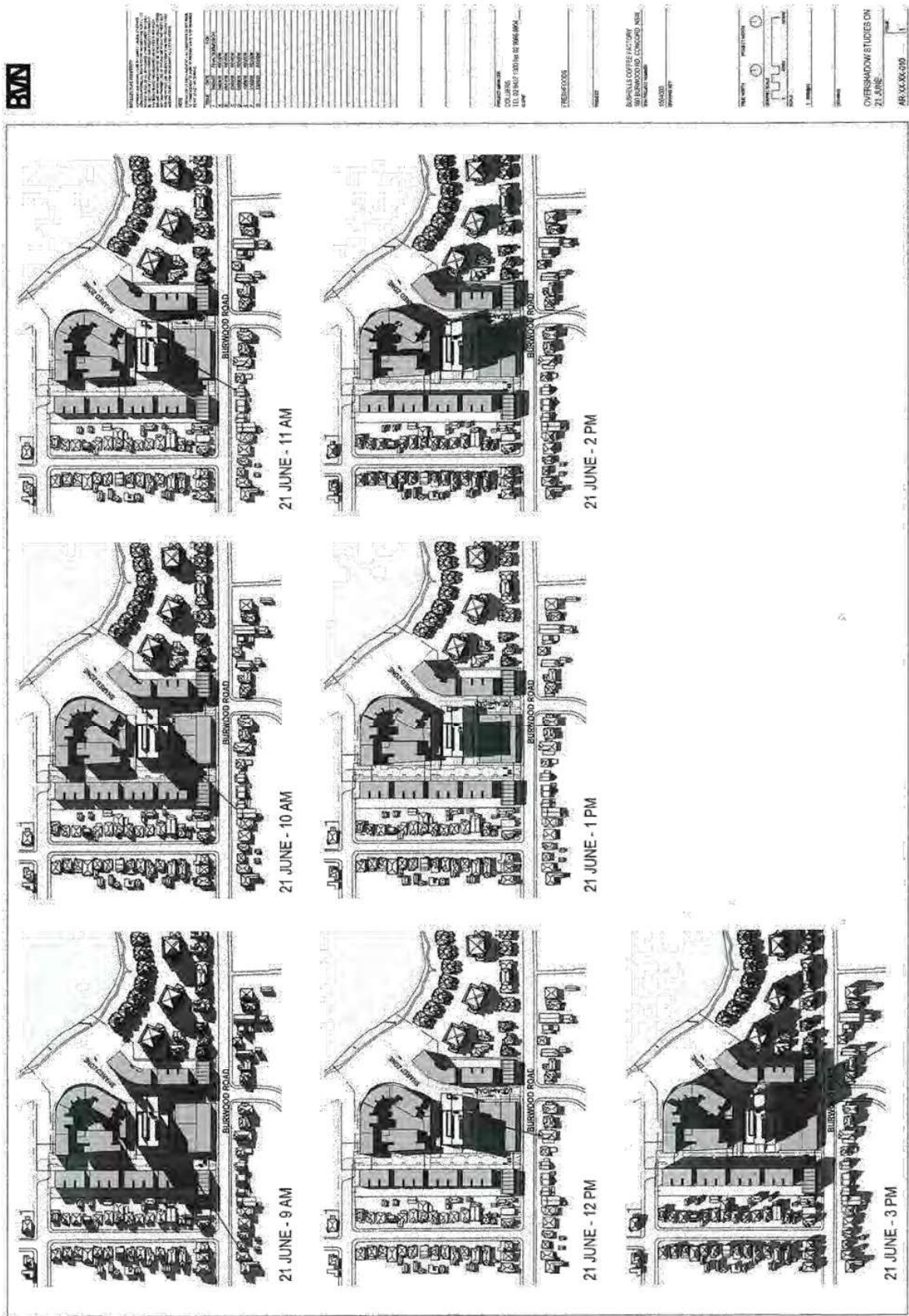
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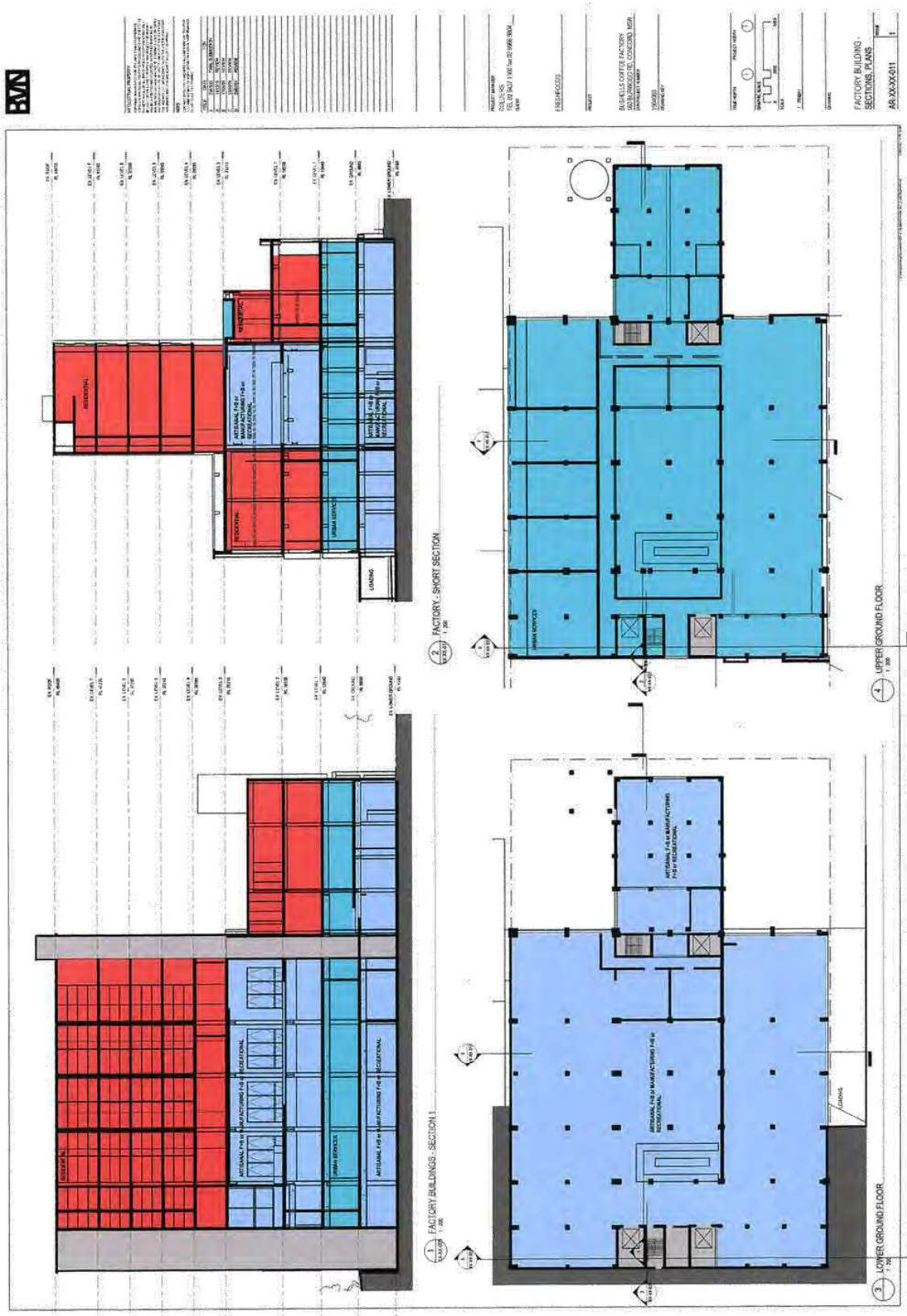
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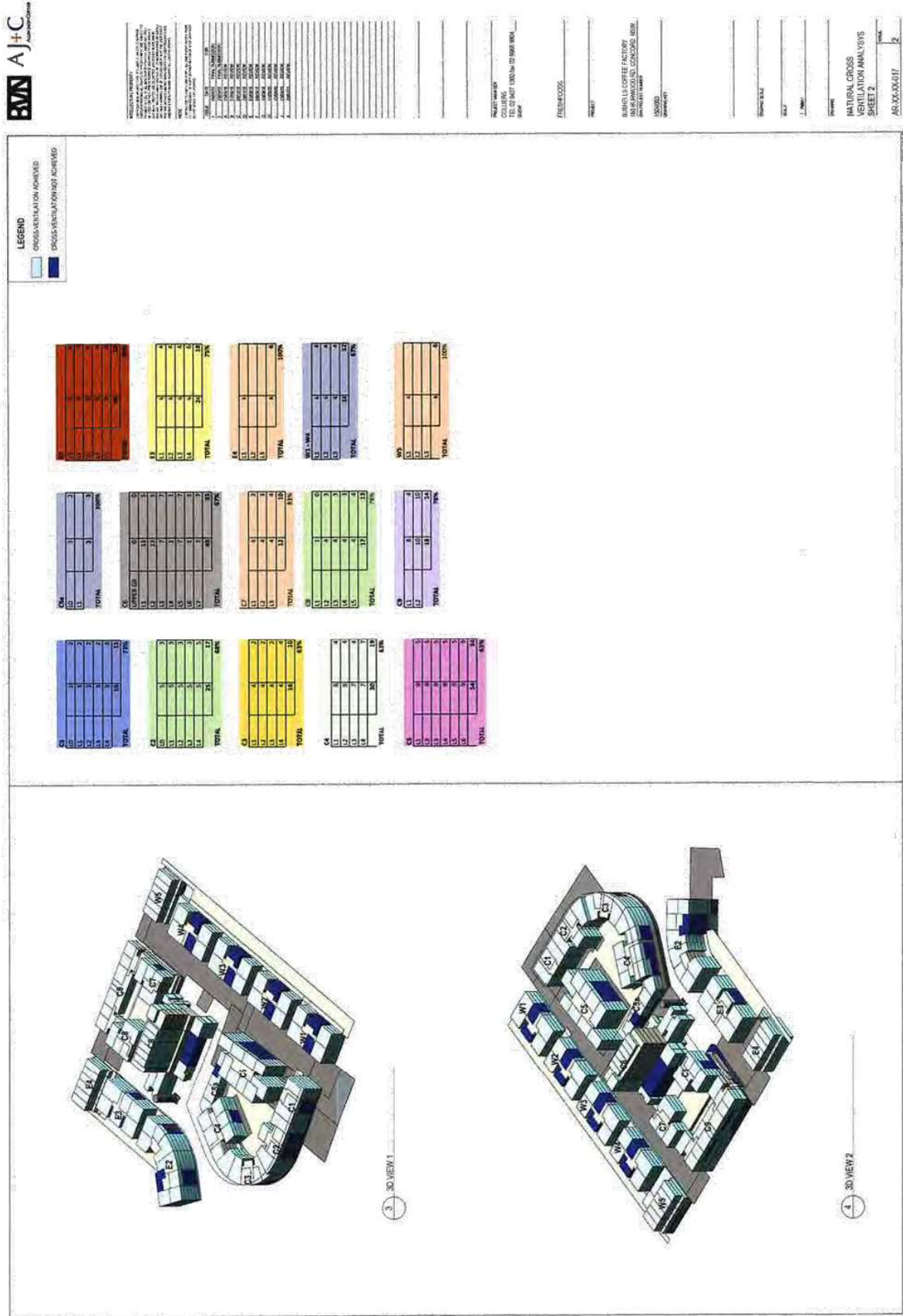


BVN





PROPOSAL SUMMARY:
 SUNLIGHT HOURS ANALYSIS FOR THE PROPOSED DEVELOPMENT OF THE UPPER LEVELS OF THE BELL'S COFFEE FACTORY, 100-102 (7/26), 103-105 (7/26), 106-108 (7/26), 109-111 (7/26), 112-114 (7/26), 115-117 (7/26), 118-120 (7/26), 121-123 (7/26), 124-126 (7/26), 127-129 (7/26), 130-132 (7/26), 133-135 (7/26), 136-138 (7/26), 139-141 (7/26), 142-144 (7/26), 145-147 (7/26), 148-150 (7/26), 151-153 (7/26), 154-156 (7/26), 157-159 (7/26), 160-162 (7/26), 163-165 (7/26), 166-168 (7/26), 169-171 (7/26), 172-174 (7/26), 175-177 (7/26), 178-180 (7/26), 181-183 (7/26), 184-186 (7/26), 187-189 (7/26), 190-192 (7/26), 193-195 (7/26), 196-198 (7/26), 199-201 (7/26), 202-204 (7/26), 205-207 (7/26), 208-210 (7/26), 211-213 (7/26), 214-216 (7/26), 217-219 (7/26), 220-222 (7/26), 223-225 (7/26), 226-228 (7/26), 229-231 (7/26), 232-234 (7/26), 235-237 (7/26), 238-240 (7/26), 241-243 (7/26), 244-246 (7/26), 247-249 (7/26), 250-252 (7/26), 253-255 (7/26), 256-258 (7/26), 259-261 (7/26), 262-264 (7/26), 265-267 (7/26), 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