

Blackwattle Bay State Significant Precinct

Amendment to Area 17 Land Use Mix

Submitted to Department of Planning, Housing and Infrastructure
on behalf of Infrastructure NSW



'Gura Bulga'

Liz Belanjee Cameron

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



'Dagura Buumarri'

Liz Belanjee Cameron

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



'Gadalung Djarri'

Liz Belanjee Cameron

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

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

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

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

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Executive Summary

This report has been prepared by Ethos Urban on behalf of Infrastructure NSW (INSW) to accompany a request to amend the planning controls relating to the government-owned Area 17 of the Blackwattle Bay State Significant Precinct (SSP). Blackwattle Bay is subject to site-specific planning controls within the Sydney Local Environmental Plan 2012 (Sydney LEP) following a detailed SSP Study undertaken in 2021.

Proposed Changes

Clause 6.68(2)(c)(v) of the Sydney LEP requires that development within Area 17 of Blackwattle Bay include a minimum of 43% of gross floor area for non-residential purposes. This State Significant Precinct Amendment (SSP Amendment) seeks to delete this requirement. This change also requires minor changes to the Blackwattle Bay Design Guidelines and Clause 6.67(1) of the Sydney LEP. These changes are administrative, with no implications for environmental planning assessment.

Key Drivers

The Blackwattle Bay Precinct provides a significant opportunity to deliver housing in close proximity to infrastructure, public transport, open spaces and employment. The NSW Government has identified housing supply as a key priority. Area 17 has the potential to deliver additional housing through an amendment to current planning controls, delivering approximately 320 more homes. Importantly, the current timeframe for delivery of new homes on the site anticipates that new homes could be as early as 2027. A steady supply of homes, approximately 200-300 per annum, could be delivered over the subsequent 6-8 years, which is partly within the National Housing Accord period.

Following the COVID-19 pandemic, demand for employment floor space has decreased due to flexible working arrangements. Increasingly, office tenants are looking to locate closer to transport to reduce commute times and attract employees to the office. This has seen a decline in forecast employment demand at fringe locations like Blackwattle Bay.

Environmental Impacts

The proposed amendment will not result in any significant environmental impacts. All future development on the site will be subject to a detailed development application process, which will include assessment of the potential environmental impacts and the planning requirements of the Blackwattle Bay Design Guidelines.

- **Built Form:** No changes are proposed to the approved building envelopes, as the existing envelopes do not specify land use and are capable of accommodating additional residential floorspace, guided by environmental amenity outcomes that will be assessed in future development applications. Given there are no changes proposed to the actual built form of the future development, there are no impacts to the approved master plan or built form.
- **Residential Amenity:** The proposed changes do not impact on the ability of future development to comply with relevant residential amenity controls, or alter the requirement to assess residential amenity as part of future Development Applications. Future development will be capable of meeting the objectives of the Apartment Design Guide.
- **Social Infrastructure:** The proposed amendments will enable additional housing supply, and as a result, there will be increased demands on the surrounding social infrastructure. Analysis confirms that the existing and proposed social infrastructure to support the broader Blackwattle Bay Precinct is sufficient to cater to forecast demand.
- **Traffic and Transport:** The change in land use mix will have minor impacts on traffic and transport movements to and from the site, however, this will not have any significant impact on the operation of local transport networks.

Conclusion

The proposed SSP Amendment is considered to be appropriate for the following reasons:

- The proposal is consistent with State, Regional and District planning strategies for the City of Sydney and Blackwattle Bay.

- The proposal is consistent with the Pyrmont Peninsula Place Strategy and will support the development of residential and non-residential uses.
- The proposal will assist in increasing housing supply in Sydney, contributing to the National Housing Accord targets, and will provide additional housing that is accessible and located close to jobs and infrastructure.
- The proposal will continue to provide non-residential floorspace and support the economy.

1.0 Introduction

1.1 Overview

The Blackwattle Bay Precinct presents a significant opportunity for new housing, employment and waterfront community spaces located less than 1km from the western edge of Central Sydney. The entire Blackwattle Bay precinct spans over 10 hectares and the site represents one of the largest opportunity sites in central Sydney.

In 2022, the significance of the site was endorsed through the preparation of the Blackwattle Bay State Significant Precinct (SSP) Study and the subsequent introduction of site-specific provisions for the Blackwattle Bay Precinct at Part 6 Division 7 of the Sydney Local Environmental Plan 2012 (Sydney LEP).

As part of the SSP Study and subsequent amendments to the Sydney LEP, specific requirements for land use mix between residential and non-residential uses were set out, requiring a minimum amount of non-residential uses in each area of the precinct, informed by the commercial targets set out in relevant strategic planning documents, such as the Pyrmont Peninsula Place Strategy.

However, as a result of the COVID-19 pandemic and its implications on patterns of work, demand for employment floorspace has declined consistently, with a noticeable increase in vacancy rates within existing stock, particularly in fringe and less-established employment precincts¹. Short, medium and longer-term employment growth is well-catered for in existing stock within the current vacancy rates and in future supply within the Sydney CBD, Central Precinct, and a new core of employment uses centred around the future Pyrmont Metro Station. As a result, it is proposed to remove the non-residential floorspace requirement for Area 17 of Blackwattle Bay within the Sydney LEP. This will provide for greater flexibility in the land use mix, allowing for market demand and environmental constraints, such as amenity, noise and air quality to inform the overall land use mix.

In conjunction with these changing employment trends, there is increased pressure on the delivery of new housing in Sydney. Housing affordability and availability is outlined in the Blackwattle Bay Finalisation Report as an important land use consideration for the growth of the Blackwattle Bay Precinct and Sydney more generally. The NSW Government has identified housing supply as a key priority. Enabling increased residential development on the existing Sydney Fish Market site is consistent with this priority as it would facilitate more housing in a location well-connected to public transport.

The planning controls for the Blackwattle Bay Precinct are set out in the Sydney LEP. This State Significant Precinct Amendment request (SSP Amendment) seeks to amend Clauses 6.67 and 6.68 to remove the requirement for any minimum non-residential development in Area 17 (defined at **Section 3.2**). The proposed amendment to the planning control will result in Clause 6.68(2)(c)(v) of the Sydney LEP being deleted, and minor supporting changes to the Blackwattle Bay Design Guidelines references in Clause 6.67(1).

No other planning controls will be impacted by the proposed amendments. Any future development will be subject to detailed Development Application(s) (DA).

1.2 Purpose of this Document

This SSP Amendment request has been prepared to facilitate the proposed change to the land use mix of Area 17, Blackwattle Bay. The amendment is proposed to be undertaken as, by a self-repealing State Environmental Planning Policy (SEPP), in accordance with Section 3.29 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This document outlines the proposed amendment for Area 17 and sets out the strategic and site-specific justification for the SSP Amendment. It provides assesses the proposal against the relevant strategic plans and SEPPs that apply to the site, in addition to carrying out an assessment of the environmental, social and economic benefits and impacts of the proposal.

This SSP Amendment has been prepared in accordance with Part 3, Division 3.3 of the EP&A Act, it is to be supported by an Explanation of Intended Effects (EIE) and has been informed by and other supporting technical information appended with this report (see Table of Contents).

¹ **Appendix A**, *Blackwattle Bay Land Use Assessment*, SGS Economics and Planning, 20 March 2024

1.3 Land to which this SSP Amendment applies

The Blackwattle Bay State Significant Precinct site is located on the western edge of the Pyrmont Peninsula. This SSP Amendment relates only to a limited area of the Blackwattle Bay Precinct, as identified below at **Figure 1**. The site is identified as Area 17 on the Sydney LEP Floor Space Ratio Map.

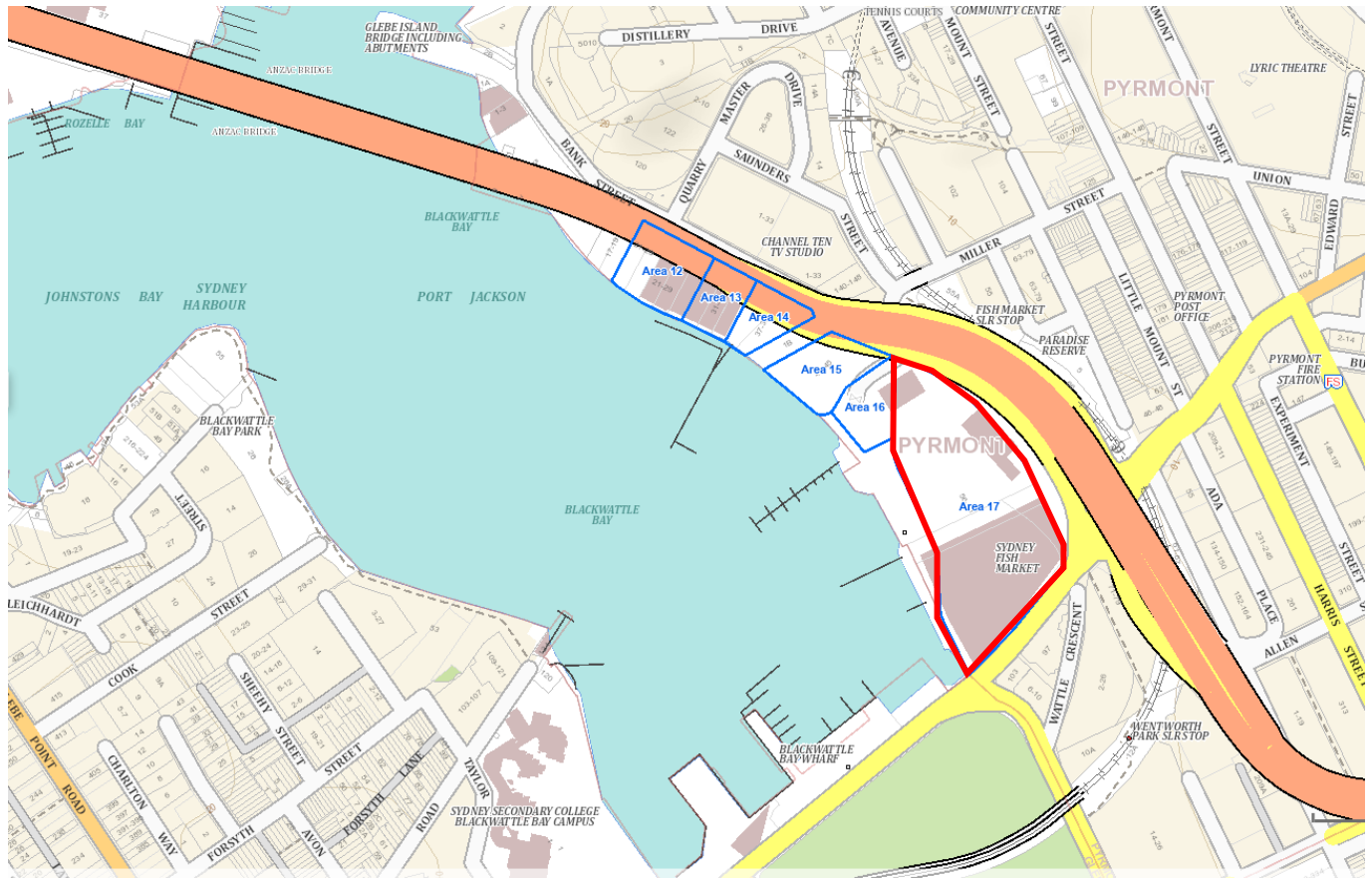


Figure 1 Blackwattle Bay Area Map (Area 17 outlined in red)

Source: Sydney LEP

1.4 Blackwattle Bay State Significant Precinct Process

In April 2016, the then Minister for Planning approved a request by UrbanGrowth NSW to allow consideration of The Bays Precinct as a SSP. Investigations into the rezoning of two areas in the SSP commenced, including Blackwattle Bay (formerly known as The Bays Market District) and Bays West. The Department issued study requirements for the Blackwattle Bay Precinct in 2017, which resulted in the preparation of 41 studies and technical reports.

In 2019, Infrastructure NSW took over functions of UrbanGrowth NSW, including responsibility for the preparation of the SSP study of Blackwattle Bay. INSW submitted the SSP study to the then Department of Planning and Environment in 2021. The study, including proposed planning amendments, master plan and supporting technical studies and reports was publicly exhibited from 2 July to 20 August 2021. In response to submissions received during public exhibition, an amended study was publicly exhibited between 28 July to 26 August 2022. Following this, the Department of Planning undertook assessment that considered advice from the City of Sydney Council, Government Architect NSW and Transport for NSW, as well as other NSW Government agencies.

The Blackwattle Bay SSP Finalisation Report was published in December 2022 and a State Environmental Planning Policy (SEPP) to amend the Sydney LEP was gazetted on 16 December 2022. The Blackwattle Bay controls commenced on 8 September 2023.

The new planning controls enable:

- approximately 97,500m² of new residential gross floor area (GFA) allowing for about 1,200 new apartments (or around 2,400 new residents)
- approximately 100,320m² of new commercial and retail GFA creating about 5,600 jobs
- new buildings ranging between six and eight storeys up to a maximum of 35 storeys (or a maximum height of RL 141 m)
- a 30m wide foreshore promenade providing continuous public access between the Glebe Island Bridge and the new Sydney Fish Market completing one of the final links of the harbour foreshore walk around the Pyrmont Peninsula
- nearly 40,000m² of new parks, foreshore promenade and public space
- contributions towards and provisions for infrastructure, such as community and cultural uses such as libraries, childcare facilities and/or community centres in the area and affordable housing.

2.0 Strategic Justification

2.1 Land Use Mix

The land use mix at Blackwattle Bay has been influenced by the Pyrmont Peninsula Place Strategy (December 2020), which prioritises commercial floorspace for knowledge-based jobs.

The originally exhibited SSP Study included a proposed control to specify the minimum non-residential floorspace for particular sites within the precinct.

The originally exhibited SSP Study proposed a 52.5% residential / 47.5% non-residential land use split, as outlined at **Table 1** and determined the impacts of this land use mix to be acceptable having regard to the relevant environmental planning considerations as outlined in the SSP study requirements.

However, during the exhibition of the original SSP studies, submissions were received that raised concern regarding the quantum of non-residential floorspace, suggesting that there was not enough in the original scheme proposed to support projected employment growth. Specifically, as per the Response to Submissions report prepared by the Department² noted the following issue as being raised:

“There is a need to further demonstrate consistency with directions and Place Priorities in the PPPS [Pyrmont Peninsula Place Strategy] particularly Direction 1 of the PPPS which calls for investment and innovation to boost jobs, creativity, tourism and night life and which seeks delivery of new major floor space capacity within Blackwattle Bay through a range of building typologies including towers.”

In response to this issue being raised, the Department responded by confirming that the land use mix should be aligned with the PPPS and Pyrmont Peninsula Economic Development Strategy (EDS), and as a result, the arrangement and quantum of non-residential uses was amended to ensure alignment with the targets set by the PPPS and EDS.

Table 1 outlines the land use breakdown between the exhibited scheme and the finalised scheme which considered a revised mix of commercial and residential purposes at Blackwattle Bay.

Table 1 Land use breakdown between exhibited and RtS schemes

Blackwattle Bay Sub-precinct target (PPPS)		Exhibited Scheme		RtS Scheme	
New residents	New jobs	New residents	New jobs	New residents	New jobs
2,055	5,770	2,854	5,907	2,014	5,645
26%	74%	33%	67%	26%	74%

Source: Blackwattle Bay Precinct Finalisation Report

The original SSP Study was completed in 2021, at a time when there was a demonstrated demand and need to ensure the ongoing growth of non-residential floorspace in Central Sydney and surrounding areas, prior to the impacts of the COVID-19 pandemic being fully understood. This was supported by the Pyrmont Peninsula Place Strategy (Department of Planning, Industry and Environment December 2020), which noted the importance of Pyrmont and Blackwattle Bay in supporting Central Sydney by providing additional non-residential floor space. During the exhibition period for the SSP study, the City of Sydney noted in their submission that a focus on productivity would better align with the priorities of the District Plan and City Plan 2036 and contribute to local and state employment targets. The City of Sydney also supported an amendment that prescribed a minimum non-residential floor space to some sites within the precinct, including Area 17.

At the time, the City of Sydney supported the importance of safeguarding the economic role of key places within the City Fringe including Blackwattle Bay in prioritising business, knowledge intensive, creative and other enterprise activities in mixed use areas from residential demand.

As a result of this feedback, a non-residential minimum for particular sites within Blackwattle Bay was included within the Sydney LEP under Clause 6.68 as outlined below:

² Response to Submissions – Blackwattle Bay State Significant Precinct, Department of Planning, Industry and Environment, July 2022

(c) the percentage of the total gross floor area of the building that will be used for non-residential purposes is at least the following—

- (i) for a building in Area 12—35%,
- (ii) for a building in Area 13—30%,
- (iii) for a building in Area 14—41%,
- (iv) for a building in Area 15 or Area 16—100%,
- (v) for a building in Area 17—43%...

However, the economic landscape of non-residential floorspace and demand has changed significantly since the SSP Study was undertaken due to the impact of the COVID-19 pandemic on flexible work patterns. As outlined in Section 2.2 of the Land Use Assessment provided at **Appendix A**, the increase in part- or full-time work from home has resulted in an altered demand for non-residential floorspace, with the type and location of commercial floorspace changing to smaller, high-quality spaces with higher performance, enhanced experience and greater flexibility³. The assumptions that originally informed the City of Sydney's submissions have therefore changed, and the demand for commercial floorspace on the fringe of Central Sydney has declined, with the demand for office space in the Sydney CBD becoming more tightly focused on the CBD core, where the bulk of the premium assets are⁴.

This has been recognised by the City of Sydney through the finalisation of the Ultimo Pyrmont Planning Framework and subsequent proposed changes to the Sydney LEP. Relevantly, documentation associated with the Planning Proposal following the PPPS provides uplift across the Pyrmont Peninsula that creates the capacity for office and residential uses. This is discussed in further detail below.

The Ultimo Pyrmont Planning Framework

The Ultimo Pyrmont Planning Framework is a planning proposal that was prepared by the City of Sydney on the back of the Department's strategic documentation for the area, being the PPPS. The planning proposal sought to deliver the actions outlined in the PPPS by proposing new controls in the Sydney LEP. This planning proposal was supported by Council to proceed to Gateway on 11 December 2023, and is still in under assessment by the Department.

The planning proposal documentation notes that the Pyrmont Ultimo area is Sydney's fifth largest business district, with around 40,000 workers, forms part of the City's Innovation Corridor and is one of the fastest growing hubs in Greater Sydney. The documentation also notes that the future delivery of the Pyrmont Metro will create significant additional demand for people to live, work, visit and move their businesses to Ultimo and Pyrmont⁵.

In this documentation, Council notes that 'demand for office floor space will be determined by the market⁶. In particular, the Planning Proposal seeks to concentrate employment uses around the new Metro station on the ridgeline to support a critical mass of well-connected businesses, with middle- and outer-ring areas (i.e. Blackwattle Bay) having greater focus on housing. Therefore, there is a recognition from the City of Sydney that the context that originally informed their submission on the changes to Blackwattle Bay has changed, and that the role that the precinct is expected to play has evolved.

2.2 Housing Supply

In addition to the changing economic landscape and demand for commercial floorspace, Sydney is currently experiencing a housing crisis, with a critical shortage of housing supply decreasing affordability and availability. This is especially prevalent for housing that is close to jobs, infrastructure and transport. The City of Sydney's housing target for 2036 is 56,000, which is forecasted to be a mixture of private at market dwellings, affordable and social housing, as well as public housing, informed by the targets set by the Department in the Eastern Harbour City District Plan⁷. There has also been a significant growth in demand for housing in the Greater Sydney residential market post COVID-19. Blackwattle Bay, has a unique opportunity to contribute to growth in housing supply in line with the expected population growth.

³ **Appendix A**, *Blackwattle Bay Land Use Assessment*, SGS Economics and Planning, 20 March 2024

⁴ Ibid

⁵ *Planning Proposal Ultimo Pyrmont*, City of Sydney, December 2023

⁶ *Relevant Information for Council*, City of Sydney, 7 December 2023

⁷ *City Plan 2036 – Local Strategic Planning Statement*, City of Sydney, August 2020

Three reports have been released by the NSW Productivity Commission that highlight the demand for increased housing supply and some of the benefits that result from greater housing density and better located housing.

The first report in the series, titled 'Building more homes where people want to live', released in May 2023 noted that the housing supply in NSW has not kept up with demand, which has resulted in constant pressure on housing prices and the cost of rent⁸. The key findings of the report included the following:

- Apartments are needed in suburbs close to the Sydney CBD associated employment within the CBD.
- Housing is required in areas located close to existing and future infrastructure capacities.
- One of the issues currently experienced with housing supply is the low rate of housing construction which has resulted in an increase in the cost of housing. By increasing construction of new housing, this would ultimately increase housing supply as well as provide jobs and employment during the construction process.

A further report was released by the NSW Productivity Commission in August 2023, titled 'Building more homes where infrastructure costs less', which focuses on the importance of building housing where infrastructure is more affordable⁹. Key takeaways from this report include:

- The infrastructure cost of building new housing near and within Sydney CBD is lowest. The CBD and adjacent suburbs are estimated to be the lowest-cost locations to accommodate growth, at about \$10,000 per dwelling, compared to other regions such as North West, Northern Beaches and Canterbury having a cost of \$65,000 per dwelling.
- Housing within and near the Sydney CBD is the most cost effective as infrastructure related costs associated with traffic and wastewater are low.
- Traffic congestion is reduced by providing housing within close proximity to the CBD, as housing close to jobs and public transport results in reduced congestion, when compared to building outside of the Sydney CBD and adjacent suburbs such as Pyrmont and Blackwattle Bay.

The most recent report by the NSW Productivity Commission released in February 2024, titled 'What we gain by building more homes in the right places' focuses on making housing affordable and accessible in high-amenity locations and the subsequent economic, social and environmental gains¹⁰. The key conclusions from this report include:

- An increase in housing results in lower housing costs, which leaves people with more money to spend on other things, as well as ensuring there are a greater abundance of houses available for more income groups.
- There are significant positives in high density, highly convenient locations, including greater access to amenities and open space, a reduced dependency on cars, greater equality and inclusion, less exposure to natural disasters and extreme heat, and reduced greenhouse gas emissions and lower land use overall.
- Any additional density needs to be considered in light of other potential compromises and costs, ensuring that the open space provision meets the needs of the changing population, and ensure heritage continues to be protected.

On the 7th of December 2023, the Minister for Planning announced to measures to increase housing supply by rebalancing housing growth and ensuring houses are located close to transport, jobs and existing infrastructure¹¹. This was supported by the announcement of the Transport Orientated Development (TOD) Program¹².

The recently announced TOD program seeks to locate more homes close to transport. Enabling increased residential development on the existing Sydney Fish Market site is consistent with this objective. The TOD program is designed to rezone land within 1,200 metres of Metro and rail stations, providing an additional 47,800 new homes within the next 15 years. The TOD program includes the Bays West Metro station as one of the priority locations for rezoning. A portion of the Blackwattle Bay Precinct falls within a 1,200 metre radius of Bays West Metro station; however, the boundary for that specific rezoning opportunity is currently undefined. Regardless, development within the Blackwattle Bay Precinct is well-positioned to provide homes close to transport (Pyrmont Station, the light rail and possible ferry wharf) and will complement the aims of the TOD program.

⁸ *Building more homes where people want to live*, NSW Productivity Commission, May 2023

⁹ *Building more homes where infrastructure costs less*, NSW Productivity Commission, August 2023

¹⁰ *What we gain by building more homes in the right places*, NSW Productivity Commission, February 2024

¹¹ *A Shared Responsibility: The plan to begin addressing the housing crisis in NSW*, The Premier and Minister for Planning and Public Spaces, 7 December 2023

¹² *Transport Oriented Development Program*, Department of Planning, Housing and Infrastructure, December 2023

On the 18th of January 2024, the Minister for Planning announced the importance of tackling the housing crisis and to ensure that houses are located close to jobs, transport and services to support the goal of 377,000 new houses over the next 5 years¹³.

As discussed further at **Section 5.1**, the strategic location of Blackwattle Bay supports increased housing supply, by providing housing that is close to jobs, services and amenities.

2.2.1 Recent Planning Changes for Housing

In addition to the recent media and policy position from the NSW Government, a number of major changes to planning legislation has been enacted or proposed to enable the delivery of housing. This includes changes to:

- *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), including the introduction of Chapter 5 in 2024 (the 'TOD SEPP').
- *State Environmental Planning (Low and Mid-Rise Housing)* (draft, expected to be released in 2024).

The changes made or proposed to each of these environmental planning instruments seeks to enable the effective and efficient delivery of housing in response to the increasing housing crisis. Each of these legislative changes are described in further detail below.

Housing SEPP

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) provides guidelines for various forms of housing, including affordable housing (including in-fill affordable housing and boarding houses) and diverse housing (group homes, co-living housing, build-to-rent housing, housing for seniors and people with a disability). Specific changes have been made to the Housing SEPP to provide incentives for greater uplift for residential development within close proximity to centres and public transport hubs.

It is noted, however, that clause 1.9 Sydney LEP expressly excludes the application of the following controls of the Housing SEPP from applying to Ultimo-Pyrmont, which includes Blackwattle Bay:

- In-fill affordable housing.
- Boarding houses
- Boarding houses – relevant authorities
- Residential flat buildings—social housing providers, public authorities and joint ventures
- Built to rent.

Transport Oriented Development SEPP

In early December 2023, the Department announced the TOD Program which is aimed at accelerating rezonings and housing delivery around existing transport hubs. The TOD Program is split into two parts. The first part identifies eight precincts where sites within 1,200 metres of public transport will be subject to a State-led master planning and rezoning process, which is set to be completed by November 2024. The focus of the program is the provision of housing, including affordable housing. As outlined above, the Bays precinct has been selected as one of the precincts which will be subject to a rezoning process as part of phase one of the TOD Program, and a small portion of the Blackwattle Bay precinct is located within 1,200 metres of the Bays area. Detailed mapping is yet to be released to confirm whether Blackwattle Bay will be included in this process.

The TOD SEPP proposes to introduce a new SSD assessment pathway for residential development within close proximity to transport hubs, as well as requirements for affordable housing and good design.

Part two of the TOD program has introduced new legislation (TOD SEPP) that provides blanket controls and extended permissibility within certain residential zones to enable the delivery of additional housing around 31 identified train stations across the Greater Sydney. There are no train stations in close proximity to Blackwattle Bay, excluding the future Pyrmont metro station, and the TOD SEPP will not affect Blackwattle Bay at this point in time.

Low and Mid-Rise Housing

In mid-December 2023, the Government exhibited the Explanation of Intended Effects for forthcoming legislative changes which will create additional low and mid-rise housing across NSW. The reforms will allow for greater quantities of housing to be permitted within 800m of proposed station and town centres.

¹³ *Biggest planning reforms in a generation to deliver a pipeline of housing supply*, Minister for Planning and Public Spaces, 18 January 2024

Furthermore, the reforms will allow dual occupancy dwellings in all R2 Low Density Residential zones across the State. The reforms are expected to take effect in 2024.

This suite of policy changes, including the Housing SEPP, the TOD program and the low and mid-rise housing reforms are early in their application, with some still being drafted. Further, it is not anticipated that there will be any direct impact of this legislation on the Blackwattle Bay precinct. However, this policy position demonstrates that increasing housing supply is a priority of the NSW Government, and there are a broad range of changes occurring across the state in order to address this in the short and medium term.

3.0 The Precinct

3.1 Site Location and Context

Blackwattle Bay is located on the western edge of the Pyrmont Peninsula within the City of Sydney. The site is located approximately 1.2km west of the Sydney CBD and is bounded by Bridge Road to the south, Bank Street to the east and the waters of Blackwattle Bay. The entire precinct is approximately 10.4 hectares (ha) of land including the new Sydney Fish Market which is under construction and approximately 10.6ha of water.

The existing land use zones for the entire Blackwattle Bay are illustrated at **Figure 2**.



Figure 2 Aerial image of Blackwattle Bay

Source: NSW Legislation

3.2 Site Description

This SSP Amendment relates only to a limited area of the Blackwattle Bay Precinct, as identified below at **Figure 2** above and **Figure 3**. The site is identified as Area 17 on the Sydney LEP Floor Space Ratio Map. The site contains the existing Sydney Fish Market and is owned by Infrastructure NSW. The site accommodates the main market building, an at grade car park, exterior public seating area, annex buildings surrounding the car park and several small wharf structures which extend into Blackwattle Bay.

Under the approved Blackwattle Bay SSP Study, a mix of uses is anticipated to be located within Area 17, including residential, workplace and retail uses. Area 17 within the broader precinct plan is shown in **Figure 4**.



 Area 17 Boundary

Figure 3 Aerial Image of the site

Source: Nearmap, Ethos Urban

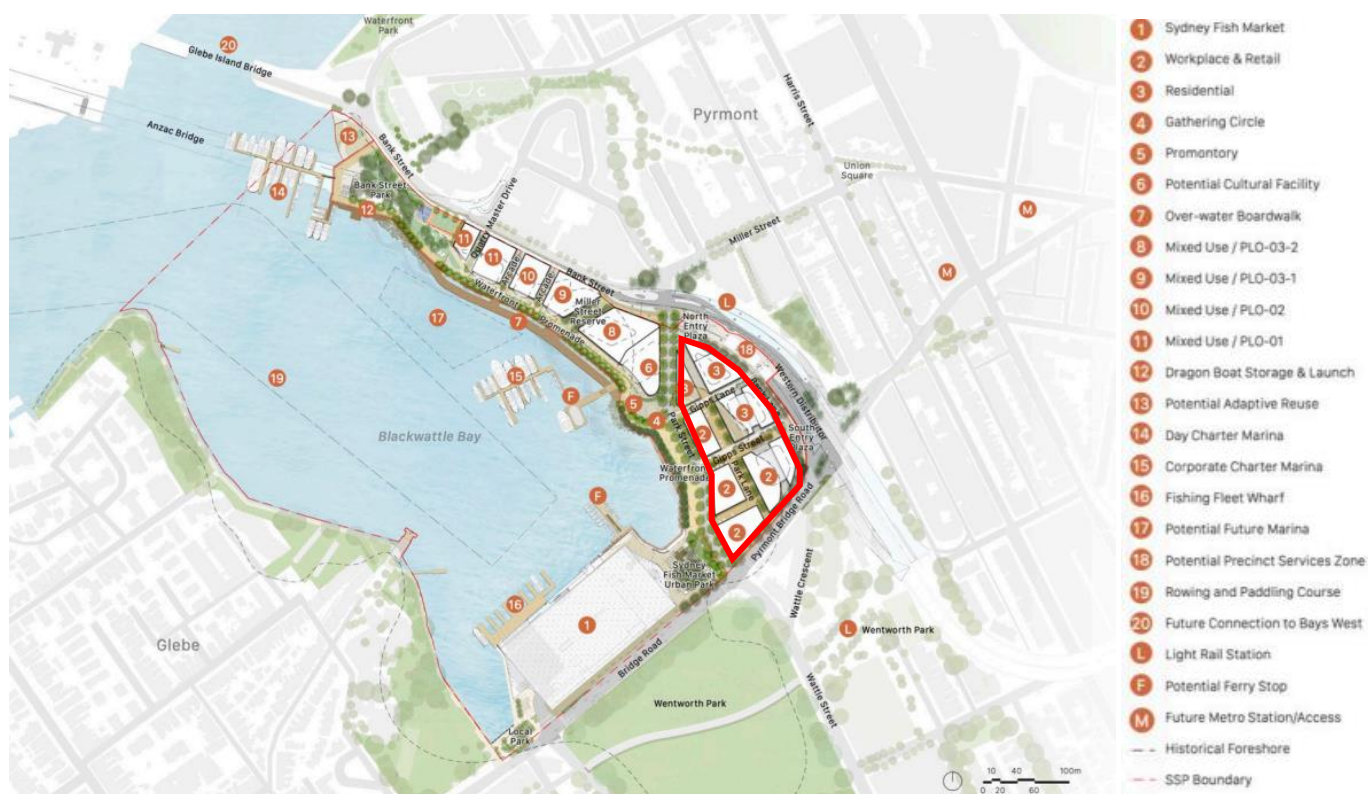


Figure 4 Illustrative Precinct Plan from approved Blackwattle Bay SSP Study, with Area 17 outlined in red

Source: Blackwattle Bay Design Guidelines

3.2.1 Bank Street Park

In December 2023, INSW submitted an SSDA for the new Bank Street Park at Blackwattle Bay. This is the first DA for the redevelopment of the precinct. This SSDA seeks approval for the staged construction of a new waterfront public park known as Bank Street Park. The DA proposes the following uses:

- Site preparation works.
- Demolition of three existing buildings at 1-3 Bank Street.
- New community building (community space, café, marina office), adapted amenities building, boat launching ramp, boat storage building.
- Recreational facilities including multipurpose court, and playground.
- Public domain works including a split level promenade
- Harbour works including overwater boardwalk, new timber launching ramp for dragon boats, new kayak/passive craft pontoon and alterations to the existing seawall.
- Works to Bank Street road reserve, including separated cycleway.

A significant amount of new open space is proposed under this SSDA, which represents the delivery of the first phase of open space at Blackwattle Bay. This includes a multisport court and a large playground with a variety of zones, including an exploration and free play zone, balancing and climbing equipment, sensory / interactive zone with water play, rain wheels and talking tubes, and a dynamic zone with swings and see saws. This SSDA will deliver a significant portion of the required open space at Blackwattle Bay.

3.3 Existing Planning Controls

Table 2 outlines the existing controls in the Sydney LEP.

Table 2 Existing Controls of the Blackwattle Bay Precinct (Division 7, Sydney LEP)

Control	Precinct Wide	Area 17
Clause 2.1 Zoning	The Blackwattle Bay precinct is zoned a mixture of MU1 Mixed Use and RE1 Public Recreation. Area 17 is zoned MU1 Mixed Use, within which nearly all land uses are permitted with development consent ¹⁴ .	Area 17 is zoned entirely MU1 Mixed Use.
Clause 4.3 Height of buildings	The height of buildings varies across the Blackwattle Bay Precinct, ranging from 37.5m AHD up to 141m AHD.	For Area 17, the maximum building height is set to RL 37.5m AHD in the western portion, with taller building heights provided in the eastern portion, varying between RL 106 and 141m AHD. The maximum height of buildings of Area 17 are shown in Figure 5 , with Area 17 outlined in red. The Blackwattle Bay Design Guidelines provide further detailed guidance regarding building envelopes and heights.
Clause 6.18 Overshadowing of certain public places	This clause requires the protection of solar access to the following open spaces surrounding Blackwattle Bay: <ul style="list-style-type: none">• Wentworth Park all year round between 10am and 2pm.• Glebe Foreshore Parks on 21 June between 9am-3pm.• Sydney Fish Market Urban Park on 21 June between midday-2pm.• Bank Street Park all year round between 10am-2pm.	
Clause 6.21D	Across the Blackwattle Bay precinct, any development that has a height of more than 25 metres or has a cost of more than \$100 million is required to undertake a competitive design process prior to approval of a development application.	
Clause 6.68(2)(a) Design Guidelines	Development must be consistent with the Blackwattle Bay Design Guidelines, which include more detailed provisions in respect of built form, public domain and detailed design.	

¹⁴ The only land uses prohibited within the MU1 Mixed Use Zone under the Sydney LEP are extractive industries; heavy industrial storage establishments; heavy industries; and pond-based aquaculture. In addition, Clause 6.71 of the Sydney LEP prohibits general industries within the Blackwattle Bay Precinct.

Control	Precinct Wide	Area 17
Clause 4.4 Floor Space Ratio	Part of the precinct is subject to maximum FSR controls, whilst Area 16 and Area 17 have maximum GFA controls. The private land holdings to the north-east have a maximum FSR of 2.5:1.	N/A
Clause 6.68(2)(b) – Gross Floor Area		Development within Area 17 must not exceed the prescribed maximum GFA of 129,291m ² .
Clause 6.68(2)(c) Land Use Mix	<p>The percentage of the total gross floor area of the building that is to be used for non-residential purposes is at least the following—</p> <ul style="list-style-type: none"> • for a building in Area 12—35%, • for a building in Area 13—30%, • for a building in Area 14—41%, • for a building in Area 15 or Area 16—100%, • for a building in Area 17—43%, and 	Within Area 17, the proportion of the total GFA of a building that is used for non-residential purposes must be at least 43%.
Clause 6.68(2)(d) Sustainability	Buildings must be capable of achieving a Green Star building rating with a “credit achievement” in Credit 22: Energy Use, or equivalent standard.	
Clause 6.68(2)(e) Public utility infrastructure	Public utility infrastructure essential for the development is to be available, or adequate arrangements have been made to make the infrastructure available when it is required.	
Clause 6.68(2)(f) Car parking	Car parking for business premises and office premises must not exceed 1 per 1,100m ² of GFA.	
Clause 6.70 Affordable housing	The consent authority may require an affordable housing levy contribution equivalent to 7.5% of the total floor area of the building, by way of either the dedication of completed dwellings or a monetary contribution paid to the City of Sydney Council.	
Clause 7.5 Car Parking - Residential flat buildings, dual occupancies and multi dwelling housing	<p>All residential apartment development in Blackwattle Bay is subject to the following carparking rates:</p> <ul style="list-style-type: none"> • for each studio dwelling—0.1 spaces, and • for each 1 bedroom dwelling—0.3 spaces, and • for each 2 bedroom dwelling—0.7 spaces, and • for each 3 or more bedroom dwelling—1 space 	

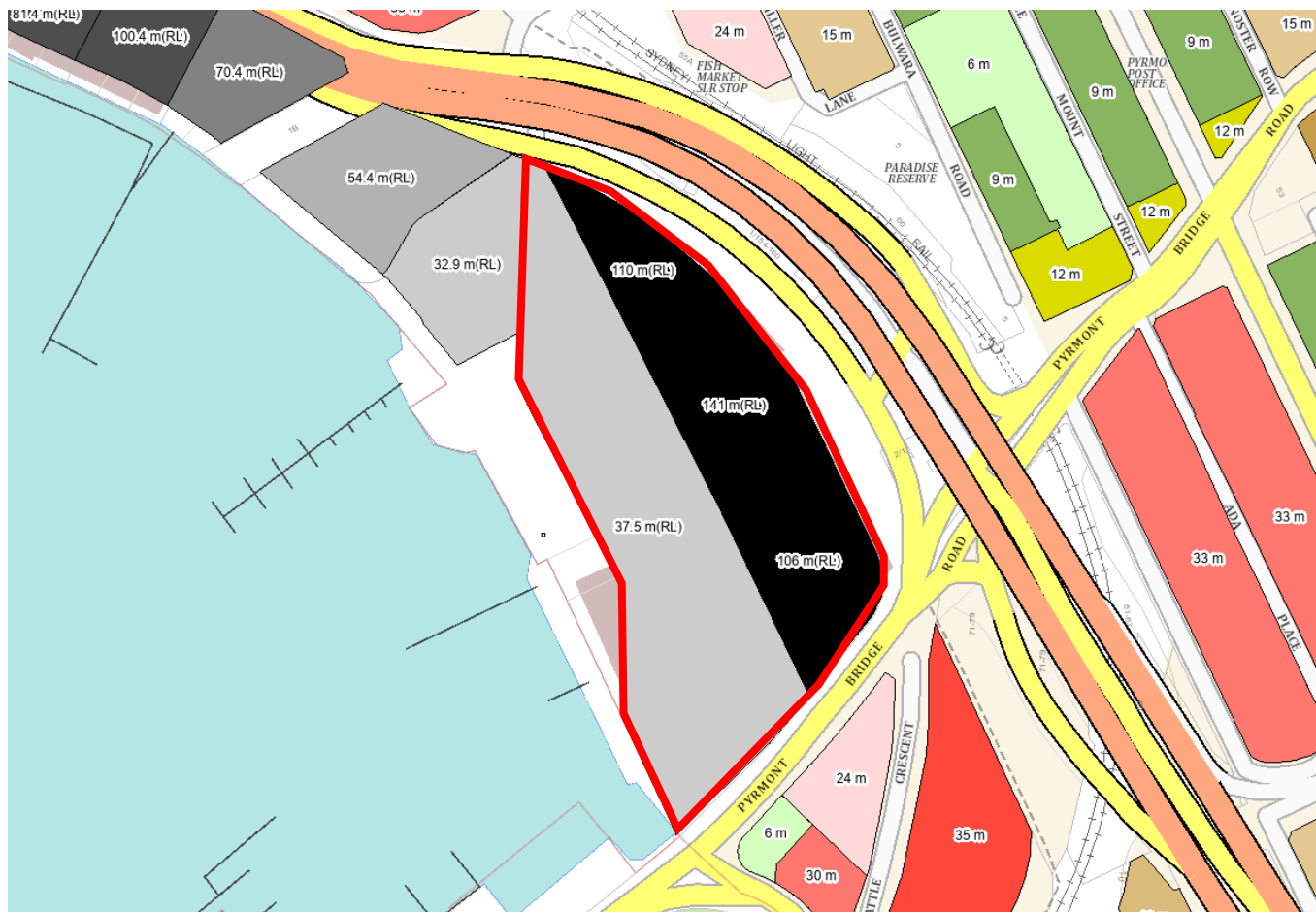


Figure 5 Maximum height of buildings in Area 17 (outlined in red)

Source: Sydney LEP.

4.0 Proposed Amendments

This section of the report describes the proposed amendment to the Sydney LEP.

4.1 Overview of proposed amendment

Sydney LEP 2012

Cl. 6.68

The intended outcome of the proposed changes to the Blackwattle SSP are to enable flexibility to provide additional housing supply on the site. No change is proposed to the approved built form.

Clause 6.68(2)(c)(v) of the Sydney LEP requires that a building in Area 17 in the Blackwattle Bay Precinct must provide at least 43% non-residential floorspace.

It is proposed to remove the minimum requirement for non-residential floorspace. The land use mix would then be determined at the detailed DA stage, and would take into account factors such as the ability to achieve residential amenity, comply with noise and air quality standards, as well as in response to demand for residential and non-residential floorspace

Cl. 6.67

Cl 6.67 currently includes a reference to the date of publication of the Blackwattle Bay Design Guidelines. Minor amendments to the Blackwattle Bay Design Guidelines outlined below means that this clause should be updated to reflect that the Design Guidelines may be updated from time to time.

It is noted that the land use zoning at the site is not proposed to change and it will remain as MU1 Mixed Use where buildings are proposed and RE1 Public Recreation for public outdoor open spaces under the Sydney Local Environmental Plan 2012.

Blackwattle Bay Design Guidelines

To accompany the proposed changes to the Sydney LEP, minor changes are proposed to the Blackwattle Bay Design Guidelines (Design Guidelines), as outlined at **Appendix G**

4.2 Proposed Provision Amendments

It is proposed that clauses 6.67(1) and 6.68(2) of the Sydney LEP are amended as follows. Words proposed to be added are shown in ***bold italics***, whilst wording proposed to be removed is shown in ~~***bold strikethrough***~~.

6.67 Preliminary

(1) *In this Division—*

Blackwattle Bay Design Guidelines means the Blackwattle Bay Design Guidelines, published by the Department ~~in October 2023~~ and available on the NSW planning portal.

6.68 Erection of buildings

(2) *Development consent must not be granted to development on the land unless the consent authority is satisfied—*

...

(b) *the development will not result in the total gross floor area exceeding—*

(i) *for all buildings on land in Area 16—7,132m², and*

(ii) *for all buildings on land in Area 17—129,291m², and*

(c) *the percentage of the total gross floor area of the building that will be used for non-residential purposes is at least the following—*

(i) *for a building in Area 12—35%,*

- (ii) for a building in Area 13—30%,
- (iii) for a building in Area 14—41%,
- (iv) for a building in Area 15 or Area 16—100%,
- (v) ~~for a building in Area 17—43%, and (Repealed).~~

....

5.0 Planning and Environmental Assessment

The following sections set out an assessment of the planning and environmental impacts of the proposed amendment.

Indicative Land Use Mix

For the purpose of this assessment, it has been assumed that the land use mix within Area 17 would be 70% residential and 30% non-residential, compared to 57% and 43% respectively under the current controls. The assumed land use mix takes into account the range of other planning, development and design factors that will continue to require that non-residential uses be provided in future development. Non-residential uses such as retail, food and beverage, cultural and entertainment uses are required at ground level by the Blackwattle Bay Design Guidelines. In addition, non-residential uses will be required in some areas of the building (e.g. immediate interface to the Western Distributor) due to the provisions of the Blackwattle Bay Design Guidelines, Chapter 4 of State Environmental Planning Policy (Housing) 2021 and the Apartment Design Guide, where sufficient amenity cannot be achieved to allow residential development, such as noise air quality and solar access. It is expected that there will also continue to be a level of commercial floorspace provided to meet market demand.

Dwelling, Population and Employment Forecasts

Based on the indicative 70/30 land use split, there would be an increase in dwellings and residential population and a potential reduction in jobs within the Blackwattle Bay Precinct as outlined in **Table 3**

Table 3 Projected population for Blackwattle Bay Precinct

	Current planning controls	Proposed amendments to planning controls	Change (+/-)
Dwellings (2036)	1,203	1,523	+320
Residential population (2036)	2,014	2,796	+782
Ongoing jobs (2036)	5,645	4,273	-1,372

Source: Profile ID

The population changes outlined in the table above are based on the indicative mix of 70% residential and 30% non-residential. This is based on detailed modelling undertaken by ProfileID (**Appendix B**), which reviews the existing demographics in the precinct and surrounding area, the existing jobs and housing opportunities, and a comparison of what could be achieved post development.

The estimated number of dwellings is calculated based on 70% of the maximum permissible gross floor area that could be achieved in Area 17 . This is the same methodology that was applied in the Blackwattle Bay State Significant Precinct study.

The land use mix will be detailed in future detailed proposals for development. Future development applications for the site will be subject to rigorous environmental assessment by accordance with the requirements of the EP&A Act, and key planning policies including the Sydney LEP and Blackwattle Bay Design Guidelines (as amended) and other applicable planning policies such as *State Environmental Planning Policy (Housing) 2021* and the Apartment Design Guide.

Further, it is noted that any development with an estimated development cost of over \$10 million in Blackwattle Bay will be State Significant Development.

5.1 Strategic Planning

Table 4 assesses the proposed amendments against the relevant strategic plans and policies, as well as those documents that outline the need for greater housing opportunities.

Table 4 Summary of Strategic Context

Strategic Plan	Strategic Context/Assessment
National Housing Accord (2022)	In October 2022, the Federal Government announced the National Housing Accord, which committed to delivering over one million houses in well-located areas in 5 years starting from the year 2024. The NSW Government has signed onto this Accord and is delivering on its

Strategic Plan	Strategic Context/Assessment
	<p>directions through the implementation of a range of new housing planning policy to expedite the planning and delivery of housing across the state.</p> <p>The proposed SSP Amendment will support the Federal Government's goal to deliver housing in well-located areas. The site is located in a location that allows individuals to be close to jobs, services and transport. Housing at Blackwattle Bay could begin to be delivered within the next 3 years, enabling homes to be delivered within the Housing Accord period.</p>
NSW Housing Targets 2024	<p>In May 2024, the NSW Government released 5-year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and 1 target for regional NSW. These targets replace outdated targets previously set by the Greater Sydney Commission and have been published ahead of the commencement of the National Housing Accord period and reflect NSW's commitment to deliver 377,000 new homes across the state by 2029 – as part of the 1.2 million target from the Federal Government across the Country.</p> <p>As part of these housing targets, the Sydney LGA is identified to deliver 18,900 of these new homes, or approximately 5%. The proposed SSP Amendment will support the delivery of additional housing in the Sydney LGA, in a well-located area that allows individuals to be close to jobs, services and transport.</p>
Greater Sydney Region Plan – A Metropolis of Three Cities (2018)	<p>The Greater Sydney Region Plan – A Metropolis of Three Cities (Region Plan) prepared by the then Greater Sydney Commission (GSC) and adopted in March 2018 is the overarching strategic plan guiding growth in the Greater Sydney Region. It sets out a 40-year vision where most residents live within 30-minutes of their jobs, education and health facilities, services and open space.</p> <p>The proposed SSP Amendment is consistent with the Region Plan's vision to improve Greater Sydney's liveability, productivity, and sustainability. Specifically, the proposal is aligned with the key priorities outlined in the Region Plan by:</p> <ul style="list-style-type: none"> • Increasing housing supply by providing new dwellings and housing that support the needs of the local community. • Providing well located housing that is closely aligned with available infrastructure to support the colocation of employment and housing on the site. • Ensuring that the site delivers housing that is well-connected and has access to surrounding suburbs and the Sydney CBD via the Light Rail network. • Continues to provide jobs and employment throughout the construction stage as well as post construction. <p>It is noted that consistency with the Region Plan is largely unchanged from the assessment undertaken as part of the original SSP study.</p> <p>A City Supported by Infrastructure and a City for People</p> <p>The proposed amendment will ensure that both the commercial and residential premises benefit from existing and planned public transport infrastructure, particularly Metro West, the Fish Market and Wentworth Park Light Rail stations located within close proximity to the site.</p> <p>Housing the City</p> <p>The proposed amendment will enable more housing to be provided within the Precinct to address the housing shortage that is currently prevalent in Sydney and NSW. The proposed SSP Amendment has the ability to provide increased housing in a strategic location with access to existing infrastructure.</p> <p>A Well-Connected City</p> <p>The proposed amendment will continue enable a mix of residential and commercial premises are located within close proximity to Light Rail and Bus networks that connects the site to the Sydney CBD, as well as the future Metro West. The site is located within the Sydney Harbour City with immediate access to employment, as well as access to surrounding strategic centres within 30 minutes by public transport. The proposed SSP Amendment will support the well-connected city by ensuring residents can easily access employment and services.</p>

Strategic Plan	Strategic Context/Assessment
	<p>Jobs and Skills for the City</p> <p>The proposal will continue to enable floorspace for employment uses, with the forecasted employment populations in Blackwattle Bay expected to reach 4,273 by 2036 (refer to Demographics Profile provided at Appendix B).</p> <p>A City in its Landscape</p> <p>The site will have access to public open spaces within the Precinct that encourage activity and easy access to open space for a healthy lifestyle. The site will continue to have access to a generous landscaped area within the Blackwattle Bay Precinct that encourages a high amenity and liveable development outcome.</p>
<p>Eastern City District Plan (2018)</p>	<p>The site is located within the Eastern City District area and is identified in the Harbour CBD. The vision for the Eastern City District is for a more innovative and globally competitive district, to improve lifestyle and environmental assets.</p> <p>This SSP Amendment supports the following priorities of the Eastern City District Plan:</p> <ul style="list-style-type: none"> • Housing is required in places that meet the demand for different housing types, tenure, price point and good locations. The site is located in a prime location that will be able to offer a variety of dwelling types and sizes. • Housing supply will be located and coordinated with local infrastructure to create liveable and walkable neighbourhoods. This will include the site's connections to local public transport systems as well as the location allowing for walkability to the Sydney Central Business District and surrounding jobs and services that may be required. The site is located within 200m of the Wentworth Park Light Rail Station and within 100m to the Fish Market Light Rail Station which connects the site from Dulwich Hill to Central. Additionally, the site is located approximately 350m from the Pyrmont Metro Station which is currently under construction. • One of the current State-led initiatives for housing supply in the Eastern District is The Bays Precinct Transformation Plan which includes Blackwattle Bay. Area 17 is a key site to support a strong Sydney CBD where housing is located close to jobs and transport.
<p>Housing 2041 – NSW Housing Strategy (2021)</p>	<p>The Housing 2041 – NSW Housing Strategy provides a 20-year vision for housing in NSW that outlines the government's goals to deliver better housing outcomes by 2041. The NSW housing system pillars include supply, diversity, affordability and resilience to support economic and social wellbeing and health.</p> <p>The proposed SSP Amendment supports the Housing 2041 – NSW Housing Strategy in enabling supply of new housing that will respond to employment and population dynamics to support the growth of demand for housing close to jobs.</p> <ul style="list-style-type: none"> • Supply: The proposed SSP Amendment will allow for the delivery of additional housing to support the shortage of housing across Sydney. • Diversity: A range of housing types can be provided to appeal to a broad residential market and ensure that all types of households have a place in the development. • Affordability: Development on the site is subject to an affordable housing contribution of 7.5% of total floorspace under the Sydney LEP. This is further discussed at Section 5.3. • Resilience: Ecologically sustainable principles can be embedded into the building design and operation and the associated infrastructure.
<p>Pyrmont Peninsula Place Strategy (2020)</p> <p>Prepared by the Department of Planning, Housing and Infrastructure</p>	<p>The proposed amendment remains consistent with the Pyrmont Peninsula Place Strategy. This is discussed in further detail at Section 5.1.1.</p>
<p>City Plan 2036: Local Strategic Planning Statement (2020)</p> <p>Prepared by the City of Sydney</p>	<p>The City of Sydney Local Strategic Plan (LSPS), City Plan 2036, sets out the land use planning context and 20 year vision for a green, global and connected city. This is discussed in further detail at Section 5.1.3.</p>

Strategic Plan	Strategic Context/Assessment
<p>Sustainable Sydney 2030 Community Strategic Plan (2013)</p> <p>Prepared by the City of Sydney</p>	<p>The Sustainable Sydney 2030 Community Strategic Plan (Sustainable Sydney 2030) sets out the importance for a green, global and connected city that has been guided by community consultation.</p> <p>The importance of having a connected city is outlined in Sustainable Sydney 2030 with the availability of housing that is connected to facilities, employment and transport.</p> <p>Specifically, Objectives 8.1 and 8.2 of Sustainable Sydney 2030 acknowledge that housing supply is not keeping up with the demand of housing in the City of Sydney and that the type and size of dwellings is not meeting the demands. Development at Blackwattle Bay will assist in addressing the supply of housing in the City of Sydney.</p>
<p>Housing for All: City of Sydney Local Housing Strategy (2020)</p> <p>Prepared by the City of Sydney</p>	<p>The Housing for All Strategy was guided by the release of the Region Plan and the Eastern City District Plan. The Housing for All Strategy details how the City will meet the housing demands and objectives for future housing delivery and development until 2036.</p> <p>Across the City of Sydney, 56,000 more dwellings are to be built by 2036 with 80% of households to be living in high density apartments. This is supported by the study measuring over 10 million square metres of floor space currently available under the City of Sydney's planning controls which could deliver 50,000 private dwellings. Whilst the Housing for All Strategy was released prior to the finalisation of the Blackwattle Bay SSP Study, the proposed amendments will enable additional residential development in line with the intent of this strategy.</p>

5.1.1 Pyrmont Peninsula Place Strategy

The Pyrmont Peninsula Place Strategy (PPPS) is a plan prepared by the then Department of Planning, Industry and Environment to attract global investment in innovation and creative industries to embrace the opportunities for jobs and housing for the future in the Pyrmont Peninsula. The PPPS was finalised ahead of the Blackwattle Bay SSP and has informed a number of the targets and aims within the Blackwattle Bay Precinct including sustainability targets, facilitating jobs and a mixed-use precinct, providing housing and affordable housing contributions, and providing a variety of greener public spaces, amongst others.

The proposed amendments envisioned in this SSP Amendment will not preclude the delivery of jobs for the future in a variety of industries ranging from advertising, media, technology, professional and knowledge services and creative and cultural industries, as envisioned in the PPPS. However, the changes will also enable the delivery of housing for individuals, enabling people to live closer to where they work. This supports the vision of the PPPS, which envisions that the Pyrmont Peninsula is to provide a diversity of housing that is close to jobs and public transport. Specifically, the future redevelopment of Blackwattle Bay will support Direction 1 of the PPPS "Jobs and industries of the future", Direction 7 "Making it easier to move around" and Direction 9 "Great homes that can suit the needs of more people".

Direction 1 'Jobs and industries of the future' is important to understand the direction in which the site has a role to play in delivering commercial and business precincts and delivering jobs. The site has an instrumental role in creating investment in job-creating industries and for the future of employment in Sydney. Commercial and business premises will be delivered to ensure that the buildings offer both residential and non-residential uses. This is consistent with the Place Strategy Response to Direction 1 which ensures the delivery of new major floor space capacity on larger sites at Blackwattle Bay and for a range of building typologies to be delivered. Direction 1 and a discussion of jobs and investment in employment opportunities is further discussed below with reference to the Economic Development Strategy.

Direction 9 'Great homes that can suit the needs of more people' acknowledges the importance of delivering a variety of housing within the Pyrmont Peninsula and that Blackwattle Bay has the opportunity to support housing growth and supply of new housing. Delivering a greater supply of housing in areas of demand, like Area 17, can ensure that individuals, families and other household types and sizes can access employment and transportation.

The PPPS identifies Blackwattle Bay sub-precinct to be a place of transformation and renewal with a projection of 2,055 more people and 5,770 more jobs, the proposed SSP Amendment will support the growth for both residential and commercial demand. The Place Strategy also considers the potential for access to the Pyrmont Metro Station.

The provision of greater flexibility in the land use mix in Area 17 will contribute to the provision of additional housing in Blackwattle Bay consistent with the PPPS, addressing the opportunity for new housing to deliver a variety of housing types that are accessible for different sizes and types of households. The delivery of employment will not be compromised and will still be delivered at the site.

The PPPS Structure Plan outlines the methods to deliver housing and employment opportunities to ensure that sites are connected, have an integrated movement network and have access to residential and non-residential uses. Moreover, Blackwattle Bay and Area 17 has an role to ensure that residential development is planned to not compromise employment spaces and will continue to be supported by local infrastructure and public transport.

The Pyrmont Peninsula Economic Development Strategy (Pyrmont EDS) was prepared in July 2020 as a key supporting document to the PPPS to inform and scope the economic land and development of the Pyrmont Peninsula and identify the opportunities for economic activation. The EDS identified a desire to support appropriate and sustainable developments that increase the supply of commercial floorspace to accommodate projected employment in the area, including at Blackwattle Bay. Written in the early phases of the Covid-19 pandemic, the EDS concluded that *“there is no reason to suspect a fundamental shift in aggregate demand for commercial floorspace in Pyrmont over the medium to long term”*. A longer-term view of the impacts of Covid-19 on business and ways of working has demonstrated that remote work is expected to have a significant long-term impact on overall office attendance and floorspace demands, rather than a reversion to pre-Covid business-as-usual. As outlined in the EDS, ensuring that the supply of commercial floorspace is delivered in a sustainable manner is critical to ensuring development viability. Removing the minimum non-residential floorspace requirement for Area 17 is aligned with this objective by ensuring that commercial floorspace is provided in an economically sustainable manner.

Overall, the SSP Amendment will continue to support the directions of the PPPS as further developed in the Blackwattle Bay Sub-Precinct Master Plan. This is achieved as the Master Plan complements the vision, directions, structure plan and place priorities as defined in the PPPS which will assist in accommodating growth and change in the precinct overtime. This is evident in Direction 3 of the PPPS which seeks to achieve a centre for residents, workers and visitors which will allow the Blackwattle Bay Precinct to continue to provide employment and support the 5,770 jobs identified in the PPPS. By creating a lively and dynamic centre, it will provide employment for local businesses while providing services, retail and business to the residents of the Blackwattle Precinct.

An assessment against each of the 10 directions of the PPPS, as well as the Blackwattle Bay Sub-Precinct priorities are outlined in **Table 5**.

Table 5 *Assessment against the relevant controls of the PPPS*

Objective/Direction	Assessment
PPPS Directions	
Direction 1: Jobs and industries of the future	<p>This SSP Amendment will continue to provide investment and innovation into the jobs, creativity, tourism and night life of the Pyrmont Peninsula. The proposed SSP Amendment will support the targeted creativity and technology sectors by continuing to provide non-residential floorspace for jobs and employment in Area 17. Although the proposed SSP Amendment seeks to remove the minimum on non-residential floorspace control, the requirement for active uses at street level in the legislated Design Guidelines and likely requirement for non-residential uses in areas that cannot achieve adequate residential amenity will ensure that floorspace for employment uses is provided. The demographic forecast prepared by Profile.ID (Appendix B) demonstrates that approximately 4,273 ongoing jobs could be accommodated in Blackwattle Bay.</p> <p>Direction 1 identifies that Blackwattle Bay has the capacity to delivery new floor space for jobs, and the proposed SSP Amendment will continue to provide floor space for jobs while reflecting the changes in market conditions and seeking to better address the housing crisis in Sydney by facilitating additional housing close to jobs.</p>
Direction 2: Development that complements or enhances that area	<p>This SSP Amendment will not impact on the capacity of development to complement and enhance the area. Future development on the site will be subject to detailed design and assessment to ensure that new development enhances the qualities of the Pyrmont Peninsula. The SSP Amendment does not propose any changes to the building envelope, and the built form assessment matters between the Original SSP and this SSP Amendment</p>

Objective/Direction	Assessment
	remain the same in relation to building heights, wind effects, human scale, public views to and from the water, and sunlight to public open spaces as identified in Direction 2 of the PPPS.
Direction 3: Centres for residents, workers and visitors	This SSP Amendment will continue to provide a new, lively and attractive centre at Blackwattle Bay that facilitates urban renewal to deliver new public spaces, shops and services. The proposed SSP Amendment will continue to facilitate the delivery of new public spaces, local shops, services and amenity. An analysis of social infrastructure demand and provision is provided at Section 5.6 , which finds that there will be negligible changes in demand arising from this SSP Amendment.
Direction 4: A unified planning framework	This SSP Amendment seeks to amend the land use mix by removing the non-residential cap for Area 17 under the Sydney LEP, which together with the Blackwattle Bay Design Guidelines operates as a unified planning framework for the precinct. Apart from the land use mix changes and minor procedural updates to the Design Guidelines, the basis of the planning framework remain unchanged as a result of the SSP Amendment. Furthermore, the original assessment undertaken for the original SSP Study continues to provide a sound basis for the broader planning framework across the precinct, as discussed throughout Section 5.0 and at Appendix F .
Direction 5: A tapestry of greener public spaces and experiences	This SSP Amendment will continue to facilitate the provision of greener public spaces and experiences through the delivery of better spaces, streets and parks with access to the foreshore. As there are no proposed changes to the provision and delivery of public spaces or the building envelopes, there is no change from the original SSP Study in relation to Direction 5. This is discussed at Section 5.6 .
Direction 6: Creativity, culture and heritage	This SSP Amendment will result in no change from the original SSP Study in relation to celebrating Pyrmont Peninsula's culture, heritage and connections to Country. During the future detailed design of the development, further Aboriginal cultural assessment will be undertaken including Designing with Country and Connecting with Country.
Direction 7: Making it easier to move around.	This SSP Amendment will result in no change to the building envelopes and proposed open spaces which will therefore not impact the proposed transport links within the site. An assessment against the impacts of traffic and transport as a result of this SSP Amendment is assessed at Section 5.7 . The traffic assessment finds that there is minimal impact in relation to parking and there is a negligible additional traffic impact as a result of private vehicle movements from the proposed SSP Amendments.
Direction 8: Building now for a sustainable future	This SSP Amendment will result in no change to the adaptivity, sustainability and resilience of the built environment. The future detailed design will ensure that the buildings are designed to high environmental and sustainability targets which shows no change in the processes of the Original SSP Study.
Direction 9: Great homes that can suit the needs of more people	This SSP Amendment will facilitate an increase of high-quality residential floor space to deliver more homes to meet the needs of the community. This includes the provision of affordable housing contributions (being 7.5% of total floor space) as required under the Sydney LEP. This is further discussed at Section 5.4 . An assessment against residential amenity is provided at Appendix F .
Direction 10: A collaborative voice	This SSP Amendment will not impact the delivery of a cohesive, agreed approach to bring the best outcomes for Pyrmont Peninsula. There is no proposed changes or impacts related to achieving a collaborative voice.
Blackwattle Bay Sub-Precinct Objectives	
Redevelop Blackwattle Bay into a new urban quarter focused on knowledge-based jobs and supplemented with cultural and entertainment, visitor and	The proposed changes to the land use mix as per this SSP amendment will not inhibit the delivery of this objective. The removal of the minimum commercial floor space requirement will continue to allow for commercial floorspace, depending on the demand, and balance this with the provision of

Objective/Direction	Assessment
tourism, retail and residential uses, connected to public transport, including the Pyrmont Metro station and anchored by the new Sydney Fish Market.	<p>a suitable amount of residential floorspace to meet the increased demand for housing across Sydney.</p> <p>The sub-precinct masterplan estimates that Blackwattle Bay will accommodate up to 5,770 more jobs across the precinct. It is noted that the sub-precinct masterplan accounts for not only Area 17, but the remainder of the SSP precinct, including the private land holdings, as well as a portion of land across the Western Distributor to the north-east of Blackwattle Bay (which is not included in the Blackwattle Bay SSP boundary).</p> <p>The Profile ID demographic forecasting provided at Appendix B identifies that the Blackwattle Bay SSP precinct is expected to accommodate up to 4,273 jobs, or approximately 75% of the total number of new jobs identified in the sub-precinct plan of the PPPS. Therefore, it is considered that the overall, larger precinct identified in the sub-precinct plan will be able to deliver the remaining 1,500 jobs that are to be provided.</p> <p>Cultural and entertainment, visitor and tourism uses connected to public transport will continue to be delivered.</p>
Prioritise commercial floor space for knowledge-based jobs to support the Innovation Corridor	The removal of the minimum non-residential floorspace control will not prevent the delivery of commercial floor space for knowledge-based jobs. Through the requirement for active ground floor uses and likely allocation of non-residential floorspace in response to amenity considerations, a mix of commercial floor space is expected to be delivered. As demonstrated in the Land Use Assessment prepared by SGS Economics and Planning, knowledge-based jobs preference quality floor space over quantity and the amendment to the controls will continue to enable commercial floorspace to be provided.
Investigate the establishment of new entertainment, events and cultural space in the redevelopment of Blackwattle Bay to support a vibrant 24-hour entertainment and cultural precinct.	The proposed changes to the minimum non-residential floorspace control will not have any impact on the delivery of entertainment, events or cultural spaces across the precinct.
Address potential impacts of 24-hour economy activities on amenity including noise, safety, traffic and transport, amongst others	The proposed changes to the minimum non-residential floorspace control will not have any impact on the management of noise, safety, traffic and transport across the precinct in relation to the 24-hour economy.
Providing residential development, including affordable housing without compromising commercial development and the attractiveness of Blackwattle Bay for a range of cultural, entertainment, arts and leisure activities supporting a diverse and vibrant 24- hour economy	The removal of the non-residential floorspace minimum will not impact the provision of commercial and residential development across the precinct, rather it will enable flexibility for land uses to be provided as appropriate.
Establish controls to ensure development protects sunlight to existing and future open space including the harbour foreshore area consistent with the amenity constrained height strategy to be refined in subsequent sub-precinct master planning.	The changes proposed in this SSP Amendment are not seeking to amend these building envelopes, and therefore there will be no impact to solar access.
Reprioritise street and traffic flows to promote pedestrian, cycling and public transport and provide improved active transport connections from Blackwattle Bay to other parts of the Peninsula.	The proposed changes to land use mix will not impact the public domain arrangement that will be delivered on the site. Reprioritising the street and traffic flows will continue to be provided across the precinct through the detailed DA stage.
Investigate a multi-utility hub for sustainable precinct-scale solutions such	The proposed changes to land use mix will not impact the opportunity for a multi-utility hub in the precinct.

Objective/Direction	Assessment
as integrated parking, electric vehicle charging, battery storage, recycled water and organic waste systems, or bike facilities.	
Create a continuous harbourside foreshore promenade connecting to Darling Harbour, Barangaroo and Walsh Bay arts and cultural precinct in the east and the new Sydney Fish Market and Glebe to the west, and beyond.	The proposed changes to land use mix in Area 17 will not impact the proposed/existing harbourside foreshore promenade.
Investigate a new ferry wharf in Blackwattle Bay.	The proposed changes to land use mix in Area 17 will not impact the opportunity for a new ferry wharf.
Formalise public boating facilities, including launch points and storage for kayaks, canoes and dragon boats to enhance public access and use of the water for recreational activities.	The proposed changes to land use mix in Area 17 will not impact the ability to provide formal public boating facilities at Blackwattle Bay.
Facilitate an active transport loop around the Peninsula	The proposed changes to land use mix in Area 17 will not impact the provision of an active transport loop around the Peninsula.
Create a new district park near Bank Street of approximately 1 hectare.	The proposed changes to land use mix in Area 17 will not impact the provision of the new Bank Street Park.
Showcase the area's Aboriginal and working harbour heritage in new public domain and upgrades.	The proposed changes to land use mix in Area 17 will not impact the consideration of Aboriginal and contemporary heritage of the precinct. This will be considered in greater detail during any future detailed DAs on the site.
Use Greener Places to guide the design of activated, safe and inclusive public areas.	The proposed changes to land use mix in Area 17 will not impact the consideration of the Greener Places guide during the future detailed DAs on the site.
Encourage green building facades and rooftop gardens in new development.	The proposed changes to land use mix in Area 17 will not impact the exploration of green building facades and rooftop gardens in the future development. This will be explored further during any future detailed DAs on the site.
Provide publicly-accessible, privately-owned space, such as multi-purpose courts on rooftops or in podiums, or viewing platforms that showcase Sydney Harbour.	The proposed changes to land use mix in Area 17 will not impact the exploration of publicly accessible spaces in buildings in the future development. This will be explored further during any future detailed DAs on the site.
Contribute towards the provision of new community and cultural facilities, including community and library floor space, communal rooms, work-based childcare services, production space for creative arts and medical services.	The proposed changes to land use mix in Area 17 will not impact the provision of new community and cultural facilities in the future development, as required. See Section 5.6 for further discussion on social infrastructure availability.
Formalise the public boating facilities at Bank Street.	The proposed changes to land use mix in Area 17 will not impact the ability to provide formal public boating facilities at Blackwattle Bay.
Investigate the feasibility of a harbour pool at Blackwattle Bay subject to water quality and working harbour considerations (eg. A temporary pool during summer) or a pool on the waters edge.	The proposed changes to land use mix in Area 17 will not impact the exploration of a potential harbour pool at Blackwattle Bay.

In addition to the PPPS directions and sub-precinct plan objectives, the PPPS includes an urban design focused sub-precinct masterplan for the Blackwattle Bay precinct. An assessment against the objectives of this urban design masterplan is provided in **Table 7**. It is noted that in general, the urban design masterplan for Blackwattle Bay relates to the public domain and accessibility into the precinct, which will not be impacted by the proposed changes in this SSP amendment.

Table 6 *Assessment against the Blackwattle Bay PPPS Sub-Precinct Masterplan – Urban Design*

Objective	Assessment
Open space that connects	
Locate future key open spaces to reconcile multiple key routes and connect between destinations.	The proposed changes to land use mix will not have any impact on the location of key open spaces across the precinct, which are identified to be delivered as per the Sydney LEP and the Design Guidelines.
Orientate central public open space between Miller Street and Sydney Fish Markets to maximise solar access throughout the day.	The proposed changes to land use mix will not have any impact on the location of key open spaces across the precinct, which are captured across the Sydney LEP and the Design Guidelines. Further, there are no changes to the overall envelopes approved, therefore there will be no impact to solar access to public open space.
Link transport interchange to harbour foreshore walk, potential future ferry stop and pedestrian link to Elizabeth Healey Reserve.	The proposed changes to land use mix will not have any impact on transport or pedestrian access across the precinct. Further, no changes to the approved envelopes are proposed, meaning the existing linkages will continue to be delivered as approved.
Increase connections and permeability across sites and blocked roads.	The proposed changes to land use mix will not have any impact on transport or pedestrian access across the precinct. Further, no changes to the approved envelopes are proposed, meaning the existing linkages will continue to be delivered as approved.
Regional parks and gathering spaces connected by continuous foreshore walk.	The proposed changes to land use mix will not have any impact on the location of key open spaces across the precinct, which are identified to be delivered as per the Sydney LEP and the Design Guidelines.
Reinforce Sydney's peninsula street character of streets extending to the water's edge.	The proposed changes to land use mix will not have any impact on the street character or alignment across the precinct. Further, no changes to the approved envelopes are proposed, meaning the existing linkages will continue to be delivered as approved.
Integrated into broader movement network	
Provide high amenity and pedestrian connections to the new metro station along Miller Street and Pyrmont Bridge Road.	The proposed changes to land use mix will not have any impact on transport or pedestrian access across the precinct. Further, no changes to the approved envelopes are proposed, meaning the existing linkages will continue to be delivered as approved.
Provide through site links that connect the foreshore walk with the pedestrian movement network.	The proposed changes to land use mix will not have any impact on pedestrian linkages or through site links. The approved envelopes are not being amended as part of this SSP Amendment, so therefore the approved built form and public domain will remain.
Integration of key routes with interchanges to maximise access to and from public transport and walking and cycling facilities.	The proposed changes to land use mix will not have any impact on transport or pedestrian access across the precinct. Further, no changes to the approved envelopes are proposed, meaning the existing public domain form and access will continue to be delivered as approved.
Activated and connected harbour foreshore walk	
Deliver a continuous connected foreshore that expands to facilitate gathering and recreation on the water's edge linking open space, local communities and regional destinations.	The proposed changes to land use mix will not have any impact on the approved foreshore design and delivery.
Extend street corridors to the water's edge, enhancing a uniquely harbour city	The proposed changes to land use mix will not have any impact on the approved foreshore and public domain design, including street layout.

Objective	Assessment
experience of streets terminating at the harbour.	
Bank Street	
Creating a new district park near Bank Street of approximately 1 hectare in size identified as Bank Street Open Space in the Blackwattle Bay State Significant Precinct Study, July 2021 (INSW).	The proposed changes to land use mix in Area 17 will not have any impact on the delivery of Bank Street Park.
Enhancing Miller Street Intersection as a key moment linking the walking and cycling loop, Bays West, Sydney CBD, Fish Markets and Light Rail through high quality pedestrian focused public realm.	The proposed changes to land use mix in Area 17 will not have any impact on the Miller Street intersection.
Enhancing Bank Street as a pleasant walkable street that supports the local business and media cluster linking the employment zones of Blackwattle Bay to Bays West including the extension of the walking and cycling loop between Jones Street and Bowman Street.	The proposed changes to land use mix in Area 17 will not have any impact on Bank Street, nor the delivery of any upgrades to Bank Street.
Investigating opportunities for a Glebe Island Bridge Crossing.	The proposed changes to land use mix in Area 17 will not have any impact on the opportunity for a Glebe Island Bridge Crossing.
Formalising the public boating facilities at Bank Street through a consolidated approach to built form and harbour planning	The proposed changes to land use mix in Area 17 will not have any impact on the delivery of public boating facilities at Bank Street.
Providing a new through site link between Carmichael Park and the waterfront along the Quarry Master Drive alignment.	The proposed changes to land use mix in Area 17 will not have any impact on the delivery of a through site link between Carmichael Park and Quarry Master Drive.
Providing convenient and pleasant links from key intersections, views and public spaces to the water through renewal zones and redevelopment sites.	The proposed changes to land use mix in Area 17 will not have any impact on the delivery of public domain links across the precinct. No changes are proposed to the approved building envelopes, meaning the existing public domain alignment across Area 17 will remain as approved.

5.1.2 Ultimo Pyrmont Planning Proposal

The Ultimo Pyrmont Planning Proposal (Ultimo-Pyrmont PP) was prepared in December 2023 and undertaken by the City of Sydney to respond to the PPPS. The Ultimo-Pyrmont PP was prepared to provide the planning controls to deliver the floor space capacity for 8,500 new residents and up to 23,000 new jobs within Ultimo and Pyrmont. The Ultimo-Pyrmont PP will be able to provide capacity for 8,500 new residents and up to 27,000 new jobs across Ultimo and Pyrmont, which exceeds the targets set out in the PPPS.

The Ultimo-Pyrmont PP proposes a revised approach from the PPS in terms of the distribution of land uses within the precinct, with a key move being to focus non-residential development around the new Pyrmont Metro Station which has the greatest public transport accessibility. As part of this revised approach, the Ultimo-Pyrmont PP proposes to facilitate a more flexible approach to providing more residential focused mixed-use in more peripheral locations further out from the Metro Station, including in the immediate vicinity of Area 17.

Despite Area 17 within Blackwattle Bay not being identified as a site affected by the Ultimo-Pyrmont PP, it is still important in acknowledging the site's strategic context and surrounding context.

5.1.3 City of Sydney Local Strategic Plan

The City of Sydney Local Strategic Plan (LSPS), City Plan 2036, sets out the land use planning context and 20 year vision for a green, global and connected city. The LSPS is designed and made by the City of Sydney and the Central Sydney Planning Strategy is an adjacent City of Sydney strategy. The floorspace capacity and potential is determined by the City of Sydney's current planning controls, the Central Sydney Planning Strategy and through NSW Government owned sites. The LSPS outlines that the capacity within the City of Sydney is a total of 50,000 private dwellings, 6,000 non-private dwellings and 158,000 jobs.

Area 17 has the opportunity to deliver and supply private dwellings which include market housing, affordable rental housing and social housing. Under the current planning documents and strategic context, there is sufficient housing development opportunity available for a variety of private dwellings to be delivered and developed as part of the Blackwattle Bay Precinct. The LSPS outlines that Planning Proposals have the ability to provide additional development capacity through rezoning of sites and this has already been carried out at the site for Area 17 to be zoned MU1.

The objectives of the LSPS will be implemented on the site through the delivery of well-designed and well-located non-residential floor space that is complimented by the delivery of residential floor space.

The LSPS identifies actions for the City of Sydney to work with the NSW Government on State Significant Precincts such as The Bays Precinct (inclusive of Blackwattle Bay) to ensure delivery of appropriate commercial and residential spaces. The LSPS further identifies the Bays Precinct as a location available to provide housing and increase the supply of residential floor area in the City of Sydney.

The SSP Amendment is consistent with the objectives of the LSPS and will facilitate the creation of a high-quality urban renewal precinct that increases the supply of housing and employment floorspace within the City of Sydney.

5.2 Statutory Planning

5.2.1 Sydney Local Environmental Plan 2012

The Sydney LEP is the principal local environmental plan, establishing permissibility and development parameters for the site.

The SSP process facilitated the rezoning of the land and the implementation of a new site-specific planning framework within the Sydney LEP.

The current zone and land use mix permitted on the site, as seen in **Figure 6** is MU1 Mixed Use under the Sydney LEP. The objectives of the MU1 zone is to encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities with commercial premises. Additionally, the MU1 zone is to ensure that land uses support the viability of nearby centres and this can be achieved through the integration of residential premises and non-residential uses that are accessible to transport and active transport achieved through shop top housing as permissible with consent.

Part 6, Division 7 of the Sydney LEP also sets out more detailed planning provisions for the precinct, including Area 17:

- Maximum building heights
- Maximum floorspace allowances
- Sustainability measures
- Foreshore promenade design
- Affordable housing requirements

The Sydney LEP also requires give effect to the Blackwattle Bay Design Guidelines (October 2023) which include further detailed design and planning provisions to guide future development. Further details of the planning framework are set out below.

The provisions of the Sydney LEP, including Part 6 Division 7, are addressed in **Table 7**.

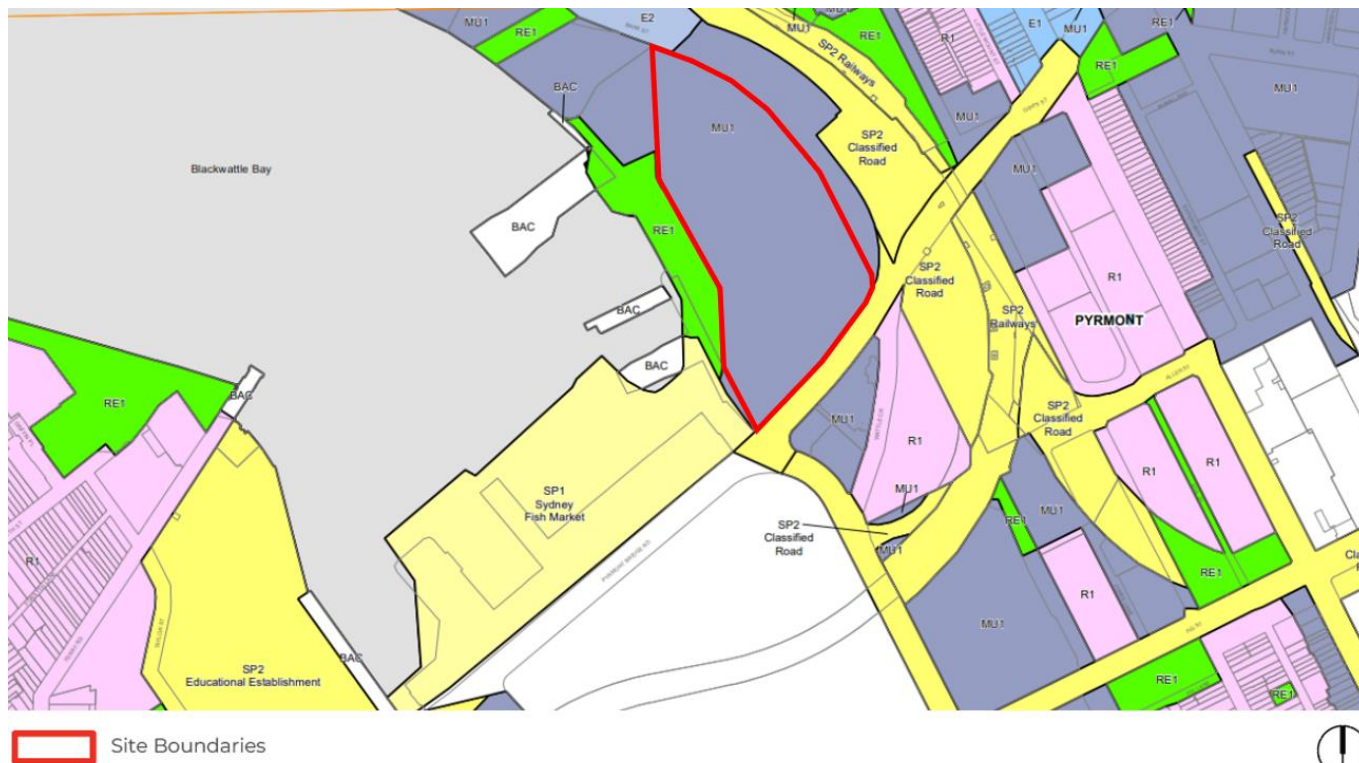


Figure 6 Land Zoning of the site

Source: NSW Legislation, Ethos Urban

Table 7 Assessment against the Sydney LEP

Control	Assessment
General Controls	
2.2 Zoning of land to which this plan applies	The site is zoned MU1 Mixed Use. The proposed SSP Amendment will not impact the zoning of the site and continues to encourage the diversity of commercial and residential mixed use at the site. The site will continue to integrate business, office and residential uses on land that is accessible to locations such as the Sydney CBD where individuals can maximise public and active transport methods.
4.3 Height of buildings	The proposed SSP Amendment will not result in any changes to the maximum height of buildings as outlined within the Sydney LEP.
4.4 Floor space ratio	The site is not subject to a floor space ratio under the Sydney LEP.
5.10 Heritage	The site is not an identified heritage item nor is it located within a conservation area. However, the site is within close proximity to both heritage items and conservation areas. The proposed amendment will have no impact on the surrounding heritage items and conservation areas.
6.21C Design Excellence	<p>Future development applications will be required exhibit design excellence, which will ensure that residential development is appropriately located and designed.</p> <p>Nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in greater detail in any future DA.</p>
6.21D Competitive Design Process	The future development at the site, regardless of mix of commercial and residential may be subject to a Competitive Design Process should it be over 25m, have a capital investment value of more than \$100,000,000, development under clause 7.20 or development where the applicant has chosen to do a Design Competition. Importantly, no height or floorspace bonus is available as outlined in Clause 6.67(2).

Control	Assessment
	Nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in detail in any future DA.
7.14 Acid Sulfate Soils	<p>The site is identified as Class 2 on the Acid Sulfate Soil Map.</p> <p>This clause does not currently impact the site as this SSP Amendment does not propose any physical works. Additionally, there are no further impacts to the acid sulfate soils than previously approved in the Blackwattle Bay Precinct.</p> <p>Nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in greater detail in any future DA.</p>
Part 6 Division 7 Blackwattle Bay Precinct	
6.68 Erection of buildings	Nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in greater detail in any future DA.
6.69 Foreshore promenade	This clause does not apply to Area 17. Nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in greater detail in any future DA.
6.70 Affordable housing	<p>The clause applies to the site for the development of any new building with a GFA of more than 200m². The consent authority may impose a condition requiring an affordable housing levy contribution equivalent to 7.5% of the total floor area of the building. This condition may be a contribution of the delivery of affordable housing or a monetary contribution paid to Council.</p> <p>No change to the delivery of an affordable housing levy contribution is proposed and nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in greater detail in any future DA.</p>
6.71 General industries prohibited	The proposed amendment does not relate to general industries land uses. Nothing in this SSP Amendment will preclude the application of this provision within a future DA(s). This will be required to be addressed in greater detail in any future DA.

5.2.2 State Environmental Planning Policies

The proposed amendments are consistent with and will not contradict or hinder application of the following applicable SEPPs as set out in **Table 8**.

Table 8 *Relevant State Environmental Planning Policies*

Relevant State Environmental Planning Policy	Assessment/Comment
<i>State Environmental Planning Policy (Housing) 2021</i>	<p>The proposed amendments will have no major impacts on the ability for the future developments to meet the requirements of Chapter 2 and Chapter 4 of the <i>State Environmental Planning Policy (Housing) 2021</i> to ensure design guides and the provision of affordable housing (which is also required under the Sydney LEP affordable housing provision under Clause 6.70).</p> <p>Residential amenity has been considered, as per Section 5.5 of this report, and will be investigated in further detail as part of any future DAs that include residential development.</p> <p>The proposed planning amendments will enable the delivery of additional homes with access to a range of community facilities, public open space and transport options including the planned Pyrmont metro station, which aligns with the Housing SEPPs objective of promoting the planning and delivery of well located homes.</p>
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	Development with a capital investment value (CIV) of \$10 million or more would continue to be State significant development.
<i>State Environmental Planning Policy (Eastern Harbour City) 2021</i>	This SEPP was considered as part of the original SSP Study. No amendments proposed will impact the existing controls in the Eastern Harbour City SEPP, including those that relate to State Significant Precincts.

5.3 Consistency with Blackwattle Bay Design Guidelines

The Blackwattle Bay Design Guidelines, supplement the site-specific provisions of the Sydney LEP by providing more detailed provisions to guide development in Blackwattle Bay.

The proposed amendments to the site-specific provisions as outlined in **Section 3.2.1** generally have minimal impact on the application of the elements of the Design Guidelines. Given the proposal only seeks to remove the non-residential requirement for Area 17, the specific controls relating to urban design assessment remain. Minor amendments are proposed to the Design Guidelines where they note specific land use mixes, to align it with the proposed changes to the Sydney LEP. This is discussed further at **Appendix C**.

The proposed amendment does not impact any of the following requirements of the Design Guidelines, as outlined in **Table 9**.

Table 9 *Assessment against key elements of the Design Guidelines*

Design Guideline Element	Assessment
Desired future character	The removal of a minimum non-residential floorspace requirement will not greatly impact the desired future character of the area, which envisions that the precinct will deliver a mix of community facilities, parks, and open spaces, as well as retail, commercial and residential uses. It is acknowledged that the removal of the minimum non-residential GFA standard reduces the certainty that the precinct will provide a larger proportion of commercial space, however the precinct will remain a mixed use, activated precinct, as required by other controls within the Design Guidelines. The proposed amendments therefore do not preclude the provision of this desired future character. Further, no impact is expected to the principles that inform this desired future character, the staging informing the sequence of delivery or connecting with Country.
Public space	The proposed amendments to the minimum non-residential floorspace requirement will not result in any impact to the provision of public space, nor the quantum of public space available in the surrounding area for future residents and visitors to the precinct. This is discussed further at Section 5.6 .

Design Guideline Element	Assessment
Environmental management and sustainability	The proposed amendments only relate to the removal of the minimum non-residential floor space requirements for Area 17. This amendment does not impact the environmental management and sustainability outcomes of future buildings, given it only relates to land use mix. Further, all future development applications for any construction in Area 17 will be required to consider the environmental impacts of the development, including sustainability, urban ecology, waste management, heat, water and flooding management and contamination. The proposed amendments do not preclude this assessment being undertaken as part of a future development application.
Transport, movement and parking	No change is proposed to the transport, movement and parking outcomes. It is noted that all future development applications will be required to consider the traffic and transport implications of any development proposed.
Building layout, form and design	Section 7 of the Design Guidelines provides controls relating to design excellence and built form and layout, including specific setbacks, envelopes and detailed design controls that will inform the built form outcome of any future development on the site. Given the proposed amendments only relate to removal of the minimum non-residential floor space provision, no changes are proposed to the building layout, forms or design excellence processes. Further, no changes are proposed to the envelopes that are illustrated in the Design Guidelines, as the existing envelopes do not nominate land use mix and remain suitable to accommodate any type of development mix, guided by environmental amenity outcomes that will be investigated in future detailed design applications.
Amenity	Detailed residential amenity studies were undertaken as part of the SSP Study that informed the Design Guidelines. These specifically relate to residential amenity, air quality, noise, wind and light spill. The amenity studies demonstrated that a suitable level of residential amenity can be achieved. Any future applications in Area 17 will still be required to demonstrate that a suitable level of residential amenity is achieved. Further assessment of residential amenity is provided in Section 5.5 .
Heritage and culture	The Design Guidelines include specific objectives and controls relating to Aboriginal cultural heritage, heritage impact and historic archaeology and maritime archaeology, as well as controls relating to public art and other cultural outcomes in the precinct. The proposed amendments relate to land use mix only, and therefore, will not have any impact on the delivery of heritage and cultural outcomes outlined in the Design Guidelines. These will continue to be considered and assessed during any future development applications for any future works.

Land Use in the Design Guidelines

Section 6 of the Design Guidelines outlines a range of objectives and controls relating to land use mix at Blackwattle Bay, and the components that are needed to achieve a positive and vibrant mix of uses in the precinct.

Appendix C provides an assessment against all objectives and provisions relating to land use as a result of the proposed amendment. Only minor amendments are required to the Design Guidelines. This is discussed further at **Appendix C**.

5.4 Land Use and Mix

The proposed amendments seek to facilitate a more flexible approach to the final land use mix within Area 17 of the Blackwattle Bay Precinct, removing a mandated provision for non-residential uses. Despite this, it is anticipated that a significant component of non-residential floor space will continue to be provided within this site, with an assumed indicative land use mix of 70% residential and 30% non-residential. This is based on a combination of factors, including latent market demand for non-residential floorspace within the precinct as well as other planning controls which are expected to prevent the development of residential dwellings within portions of the site for reasons including street-level activation and residential amenity considerations.

This change in approach continues to support the strategic planning objectives, particularly as articulated in the Pyrmont Peninsula Place Strategy, to facilitate the development of a vibrant precinct that includes a mixture of jobs and homes. This approach also aligns with more recent policy development by the City of Sydney in the Ultimo-Pyrmont Planning Proposal which seeks to focus non-residential development around the new Pyrmont Metro Station which has the greatest public transport accessibility, whilst facilitating a more flexible approach to

providing more residential focused mixed-use in more peripheral locations, including in the immediate vicinity of Area 17.

SGS Economics have prepared a Land Use Assessment (**Appendix A**) that considers the relevant trends in office and residential markets which will impact on the delivery of each land use at Blackwattle Bay. This analysis identifies the significant shift in working patterns catalysed by the COVID-19 pandemic, with increased work-from-home and increased activity-based working resulting a substantial overall decrease in floorspace demand. This has led to a significant increase in office vacancies that has continued since the end of the pandemic and is expected to continue in future working arrangements.

With increased vacancy rates and a desire to facilitate office attendance, employers are increasingly seeking out higher-grade office stock in well-located positions, particularly in areas with very good servicing from frequent and high-capacity public transport. At the same time, new and planned office development within the Sydney CBD, including the Central Precinct which effectively extends the CBD towards the south, are creating significant competition in the short and medium term for office tenants. Whilst Blackwattle Bay as a location for office space provides clear benefits, it continues to be a fringe location compared with existing and emerging CBD-location office stock, as well as existing and planned office stock within closer proximity to the Pymont Metro Station.

SGS Economics' assessment also identified trends in housing demand and supply, that have seen demand for housing continue to increase and housing affordability continue to decline, both within the City of Sydney and more broadly. As outlined by the NSW Productivity Commission's report *'Building more homes were people want to live'*, increasing the supply of housing in well-located areas is critical in addressing these affordability challenges. An increase in housing supply directly supports the strategic objectives of the NSW Government as part of its commitment under the National Housing Accord and does not compromise the ability of the site to deliver employment in line with local and state strategy.

SGS Economics notes that the trends in commercial and residential markets suggests that there is a need for greater flexibility in the land use mix at Blackwattle Bay in order to allow for adaptation in response to housing and commercial floorspace trends as they appear. Allowing a more flexible approach, rather than a mandated quantum of non-residential floorspace, will ensure that the development of the precinct is not unnecessarily delayed where lower market demand for commercial floorspace acts as a feasibility barrier to the overall development.

Removing the minimum non-residential floorspace requirement will therefore allow for appropriate flexibility in the supply of new commercial floorspace as well as supporting the delivery of additional diverse, well-located housing supply, catering to the significant projected population growth identified for the City of Sydney LGA in a location which has significant amenity.

Removal of Non-Residential Cap

Whilst the current Sydney LEP prescribes non-residential floorspace minimums, this amendment seeks to remove this requirement entirely in relation to Area 17 within the Blackwattle Bay Precinct.

This approach is consistent with the Minister's Local Planning Direction 1.4 that discourages unnecessarily restrictive site-specific planning controls. The objective of this SSP Amendment is to provide flexibility in detailed design and delivery to provide additional homes, and the implementation of a further site-specific provision within the LEP would be contrary to this objective. Imposition of a further restriction would create an unnecessary restriction to the achievement of the intended objective, where other planning provisions such as the Blackwattle Bay Design Guidelines and the Housing SEPP continue to ensure that appropriate planning outcomes are achieved.

Finally, the removal of the non-residential floor space minimum allows other factors to inform the final mix that will be achieved on the site. This includes environmental and amenity constraints, such as solar access, noise and ventilation in proximity to the Western Distributor, as well as the need to provide an active ground plane, as per the Design Guidelines (see **Figure 7** below, which outlines where active frontages are to be located in Area 17). The Blackwattle Bay Precinct is constrained in nature, and removing the cap entirely will allow for the future mix to be informed by best practice residential design and appropriate location and demand for non-residential uses, rather than responding to a minimum floor space requirement.

Importantly, future development of new buildings within Area 17, including the detailed building designs and land use mix, will be the subject of assessment by the NSW Department of Planning, Housing and Infrastructure as part of future State Significant Development Application(s) pursuant to State Environmental Planning Policy

(Planning Systems) 2021. This will ensure that specific development proposals are subject to rigorous planning assessment, including having regard to any impacts of the final land use mix proposed within Area 17.

As outlined in **Section 5.0**, an indicative mix of 70% residential and 30% non-residential floor space has been assumed for the purposes of undertaking this strategic assessment, which takes into account the range of other planning, development and design factors that will continue to require that non-residential uses be provided in future development. Future development assessment of specific proposals will validate that the planning outcomes and environmental impacts of development are acceptable.

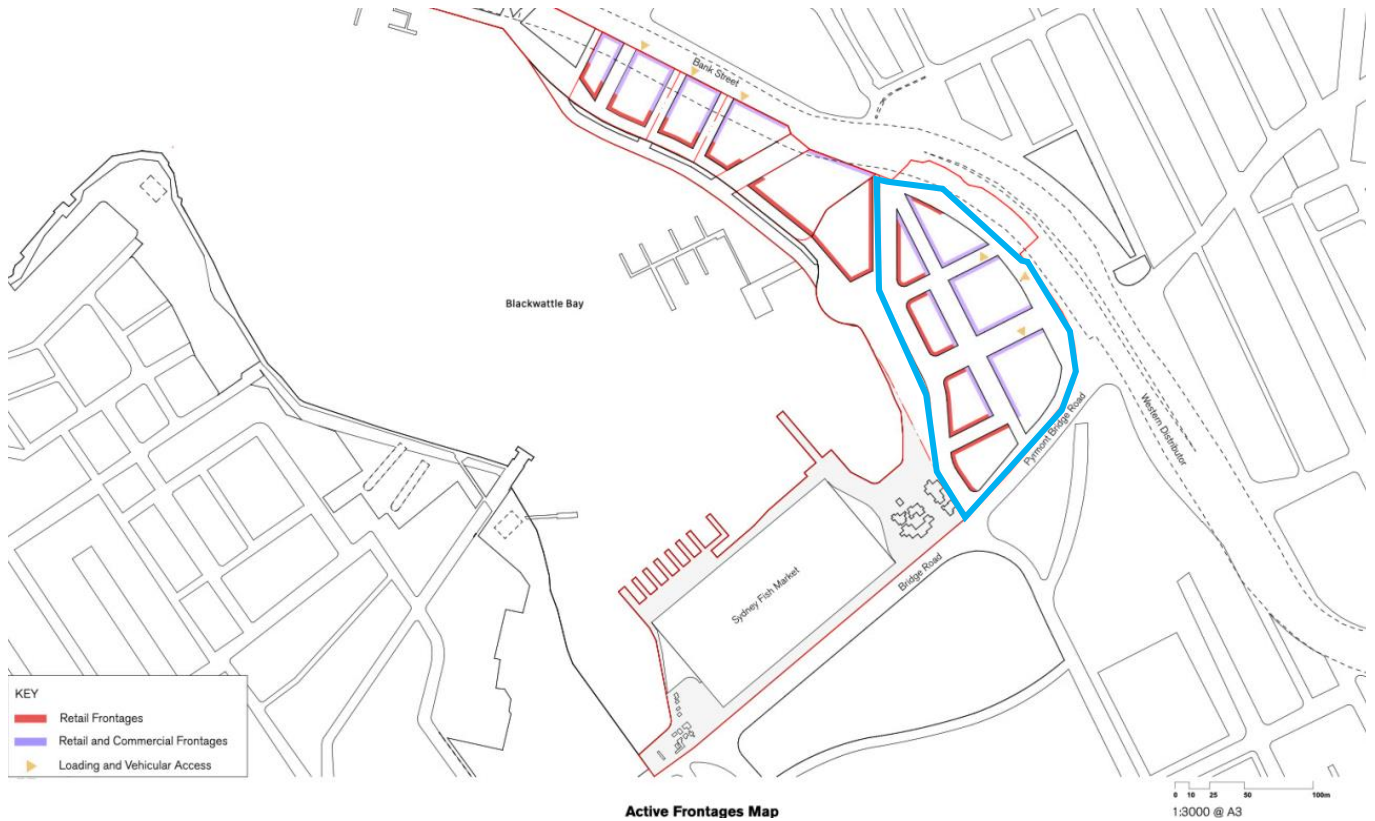


Figure 7 Active frontages (Area 17 outlined in blue)

Source: Blackwattle Bay Design Guidelines

This SSP Amendment relates only to Area 17, which alongside Area 16 is the land within the Blackwattle Bay Precinct for which Infrastructure NSW is responsible for development. As part of these responsibilities, Infrastructure NSW is responsible for ensuring the viable early activation of the precinct through new development and for delivery of the NSW Government's wider objectives for increasing the supply of well-located homes with good amenity. Noting the market conditions for non-residential space outlined in this report, and the urgent need for the delivery of additional homes, it is important that planning controls do not unnecessarily delay the development of this key site within the Blackwattle Bay Precinct.

5.5 Residential Amenity

As part of the original SSP Study, assessment of residential amenity was undertaken, including how the building envelopes outlined in the Design Guidelines perform in relation to residential amenity considerations outlined in the Apartment Design Guide (ADG). A complete comparison between the ADG assessment included in the original SSP rezoning study and the changes as a result of the proposed amendments is included at **Appendix F**.

5.5.1 Assessment Requirements

As per Chapter 4 of the Housing SEPP, all residential flat buildings and shop top housing development must include an assessment against the Apartment Design Guide. The ADG has controls relating to:

- Character and context
- Building envelopes and heights
- Floor space ratio
- Building depth, separation and setbacks

- Interface with the public domain
- Open space and landscaping
- Visual privacy
- Vehicular and pedestrian access
- Amenity, including solar access, natural ventilation, acoustic privacy and noise.
- Configuration
- Performance

However, given the completion of the Blackwattle Bay SSP Study and the subsequent Design Guidelines that include building envelopes, massing and siting of development, there is no need for the majority of the ADG controls to be revisited as a result of the proposed amendments. The following controls are therefore relevant to this environmental assessment:

- Solar and daylight access
- Natural ventilation
- Acoustic privacy
- Air quality and pollution

The residential amenity assessment undertaken as part of the original SSP Study provided an assessment of key residential amenity objectives that inform the location of buildings on the site but did not undertake a detailed compliance assessment of individual buildings or specific areas within the precinct as identified within the LEP. This was further informed by the fact that the indicative buildings investigated in the SSP Study process were indicative only and a complete reference scheme study was not completed.

This level of detailed assessment was deferred to the detailed design and DA phase, noting that the majority of future DAs will be State Significant (as per Schedule 2(2) of the *State Environmental Planning Policy (Planning Systems) 2021*) and assessment will be undertaken by DPHI. As noted by the Department, “*the proposal involves establishing broad building envelopes at the rezoning stage and compliance with the ADG will be further considered in the building design and assessment process to follow*”¹⁵. This approach is considered to be equally applicable to the proposed amendment.

5.5.2 Assessment Undertaken as part of the SSP Study

As noted in **Section 2.1**, the original SSP Study undertaken in June 2021 considered a higher proportion of residential floorspace (approximately 52.5%, with 47.5% non-residential) than what was subsequently approved through the rezoning. The Urban Design Statement Volumes I and II that were prepared to accompany the SSP Study in June 2021 addressed residential amenity, particular solar amenity, with the assessment predominantly referring to the need to address the ADG at the detailed design phase.

The prior assessments did not identify any unique constraints on Area 17 that would preclude consistency with the Apartment Design Guide at the detailed design phase, and rather these assessments demonstrate that Area 17 has a higher capability, particularly against solar access. It is noted that the indicative layout tested at the SSP Study phase is not approved, and the existing planning framework does not specify the detailed distribution of land uses and continues to require assessment against and consistency with the ADG.

Following the submission and exhibition of the original SSP studies, including the Urban Design Statements discussed above, a Response to Submissions (RTS) package was submitted, which sought to reduce the overall amount of residential that was capable of being accommodated and increase the quantum of non-residential uses.

As part of this RTS process, an attachment providing information in relation to residential amenity was provided¹⁶. This document largely repeated and adapted the previous assessments carried out in the June 2021 Urban Design Statement. This document does not quantify overall or sub-precinct alignment with residential amenity, but rather carries out an overall analysis and makes reference to the capacity of buildings to achieve the objectives at the detailed design phase.

¹⁵ *Blackwattle Bay Finalisation Report*, Department of Planning, Industry and Environment, December 2022

¹⁶ *Attachment 3 – Urban Design Statement Addendum*, FJMT, June 2022

5.5.3 Assessment of Proposed Amendment

An assessment against the relevant objectives of the ADG are provided in the following sections. Additionally, a complete summary of the requirements of the ADG, how the SSP originally assessed it and any impact on the validity of this assessment as a result of the changes proposed in this report is provided at **Appendix F**.

Solar Access

As noted in **Section 5.6.2** above, previous assessments were undertaken during the SSP Study that assessed a higher proportion of residential floorspace and the high-level implications for residential amenity.

In relation to solar access, the Urban Design Statement Volumes I and II that accompanied the original SSP Study in June 2021 addresses residential solar amenity for a higher proportion of residential uses on Area 17¹⁷. It includes heat map analysis of building envelopes but does not quantify residential solar access overall or on a building-by-building basis, instead referring to the detailed guidelines of the Apartment Design Guide that relate to solar access (a minimum of 70% apartments receiving 2 hours of solar access to private open space and living rooms in midwinter) and noting the requirement to achieve alignment at the detailed design phase. The analysis concludes that whilst alignment may be difficult on some areas of Area 17, overall compliance should be achievable. Furthermore, the ADG recognises that in certain instances the design criteria can be supplemented, providing design guidance: where significant views are oriented away from the desired aspect for direct sunlight – south-western and southern views to Blackwattle Bay, the new Sydney Fish Market, and Wentworth Park.

Figure 8 includes extracts of envelope-scale testing for solar access, which demonstrates that all buildings in the indicative layout achieve high levels of solar access to the northern and eastern façades at podium and tower levels, whilst the western and southern facades are more limited due to the specific orientation of buildings. The analysis does not identify any unique challenges for Area 17 which would be altered by the current proposal.

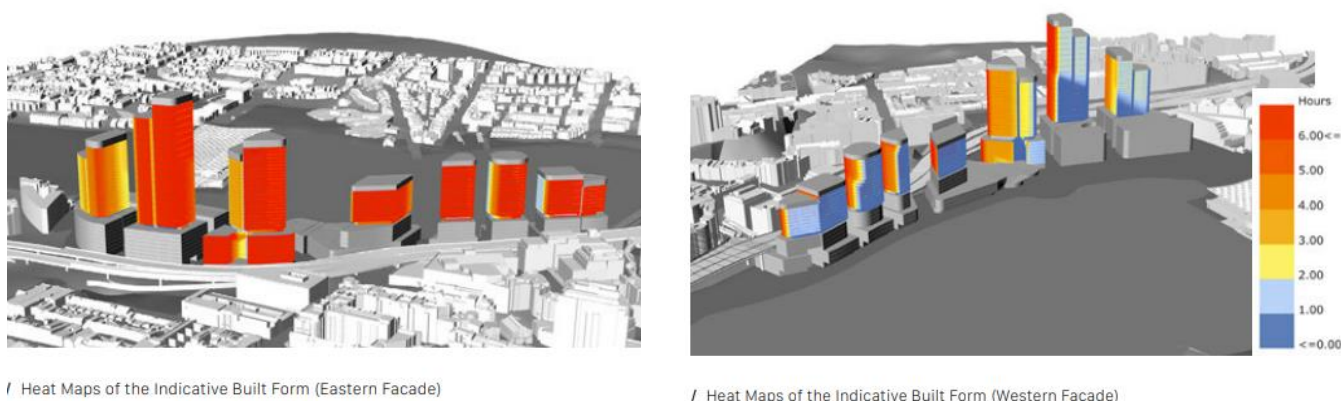


Figure 8 Excerpt from FJMT Urban Design Statement dated 03/06/2021

Source: FJMT

Natural Ventilation

The Urban Design Statement also included an assessment of natural ventilation. The ADG recommends cross ventilation be achieved to 60% of apartments in the first 9 storeys of a residential or mixed-use building. From the 10th storey and above, apartments are considered to be cross ventilated if balconies are not fully enclosed. The indicative floorplates tested where apartments were provided below level 9 demonstrated the ability to achieve the natural ventilation targets set out in the ADG. Given natural ventilation often relates to the arrangement of floorplates, it is anticipated that this can be addressed in the detailed design phase.

An assessment of indicative floorplates was also undertaken at the time, which identifies opportunities for solar access and views and does not raise any areas of concern in respect of capability to comply. This assessment demonstrates that future buildings are capable of achieving good levels of residential amenity, subject to detailed design and assessment against ADG.

¹⁷ Urban Design Statement Volume 2, page 108, Department of Planning, Industry and Environment, June 2021

Acoustic Privacy

Vehicular traffic along the Western Distributor is a key noise source constraint to be considered in the renewal of Blackwattle Bay. The original SSP Study anticipated that this issue would be mitigated through the positioning of sensitive uses and setbacks and separations of built form.

Testing of indicative layouts undertaken as part of the SSP Study indicates that apartments can be configured to position balconies and primary openings to living spaces perpendicular to the Western Distributor, mitigating the concerns relating to acoustic privacy and noise impacts, whilst satisfying the solar amenity guidelines of the ADG.

Further assessment and testing will be undertaken as part of any future residential DAs to ensure that the noise impacts of the Western Distributor are appropriately mitigated. This will include an assessment against the relevant controls contained within the *State Environmental Planning Policy (Transport and Infrastructure) 2021* relating to development near busy road corridors.

Air Quality

The principles developed to mitigate the impacts of noise on sensitive uses also assist in relation to the zone of poor air quality around the Western Distributor during periods of heavy traffic flow. This will particularly impact residential on the lower levels, where natural ventilation is required to be demonstrated for the purposes of the ADG.

As outlined in the original assessment, it is anticipated that through detailed design detailed design, the lowest residential floors will require specific solutions to provide alternative fresh air paths with possible mechanical assistance to ensure that residents have the option to open windows and doors for natural ventilation or close windows and doors but maintain access to fresh air. These detailed solutions will be designed to suit the detailed layouts of the future buildings and cannot be resolved at this point in time.

Therefore, the proposal to remove the reference non-residential minimum in Area 17 will not have any significant impact on the controls relating to residential amenity in the Sydney LEP or Design Guidelines, nor will it preclude any future developments from achieving the residential amenity requirements. It is anticipated that the removal of the non-residential floorspace minimum will allow for the future detailed development to identify the right balance between residential and non-residential development based on design, accessibility to solar and other residential amenity components, as well as market demands for non-residential uses.

5.6 Social Infrastructure Assessment

As part of the SSP Study undertaken for the precinct, an assessment of the social infrastructure needed to support the precinct was undertaken, including a consideration of the amount of existing and planned infrastructure in the surrounding area, such as transport, recreational space, community facilities and education and childcare infrastructure.

A revised Social Infrastructure Assessment has been undertaken by WSP, as provided at **Appendix D**. This Assessment assesses the revised demand for social infrastructure as a result of the proposed amendments to the Sydney LEP.

Based on the indicative land use mix identified in **Section 5.4**, the Social Infrastructure Addendum at **Appendix D** assesses the impact of the proposed amendment on social infrastructure needs. This is summarised in **Table 10**.

Table 10 Social infrastructure provision

Type	Demand based on approved planning controls	Demand based on proposed amended planning controls	Difference in demand	Proposed provision
Community centre	246 m ²	250 m ²	+4 m ²	450m ²
Library	161 m ²	166 m ²	+5 m ²	Not provided on site, and was not required to be provided as part of the rezoning.

Type	Demand based on approved planning controls	Demand based on proposed amended planning controls	Difference in demand	Proposed provision
				The City of Sydney has previously indicated that it does not support provision of a public library in the Blackwattle Bay Precinct
Early education and care	134 places	115 places	-19 places	Child care centres will be enabled through future detailed development.
Education	Insufficient demand based on age group population projections	Insufficient demand based on age group population projections	None	Previous consultation with the Department of Education conducted by INSW identified that the development will not trigger demands for new schools.
Health	3.0 General Practitioners Insufficient demand for a Community Health Centre	3.5 General Practitioners Insufficient demand for a Community Health Centre	0.5 General Practitioners	GP practices will be enabled through the detailed design development of the precinct. Previous consultation with Health conducted by INSW confirmed that the development will not trigger demands for a new community health centre
Arts and creative spaces	Insufficient local demand based on project precinct population	Insufficient local demand based on project precinct population	None	1,200 sqm (In accordance with the Blackwattle Bay Design Guidelines and Voluntary Planning Agreement currently being negotiated with DPHI)
Public open space	15% of the site of 1.56 hectares	15% of site area or 1.56 hectares	None	Approximately 33% of site or 3.4 hectares
Sports fields	0.5 sports fields	0.5 sports fields	None	Demand for sports fields created by the development of Blackwattle Bay is insufficient to support the provision of a sports field on site. The Social Infrastructure Assessment conducted as part of the Pyrmont Peninsula Place Strategy recommended the enhancement of sports fields at nearby Wentworth Park and investigation of synthetic fields to increase capacity.
Outdoor sports courts	1.3 outdoor sports courts	1.4 outdoor courts (NSW standard) 0.8 outdoor courts (City of Sydney Standard)	0.1 outdoor courts	One multipurpose court to be provided at Bank Street Park
Play space	1.4 play spaces	1.4 play spaces	None	Multipurpose playground area provided at Bank Street Park – includes dry, wet and youth play areas
Outdoor fitness	Insufficient local demand in Blackwattle Bay Precinct	Insufficient local demand in Blackwattle Bay Precinct	None	One outdoor fitness area to be provided at Bank Street Park

Source: WSP

The updated Social Infrastructure Assessment finds that :

- The proposed community centre space provision exceeds the required standard of 250 square metres of gross floor area.
- The proposed cultural and creative space exceeds the applicable standard
- The provision of public open space exceeds the applicable standard for 15% of land for public open space in urban renewal areas
- The provision of a single outdoor multipurpose court is between two relevant standards: the standard provision of 0.8 courts recommended by the Parks and Leisure 2020 Community Infrastructure Guidelines and 1.4 courts recommended by the City of Sydney 2016 Open Space and Recreation Strategy This is discussed further at **Section 5.6.1** below.
- The provision of a single play space at Bank Street is below the standard required of 1.4 play spaces, based on the Pyrmont Place Strategy, however the Bank Street space includes three forms of play to support a diversity of experiences: dry, wet and youth space. This is discussed further at **Section 5.6.2** below.
- The provision of an outdoor fitness area exceeds the required standard.

Therefore, it is considered that the social infrastructure needs of the future population of Blackwattle Bay can be met, regardless of the proposed amendments.

5.6.1 Outdoor Multipurpose Courts

As outlined above, the proposed provision of one outdoor multipurpose court is between the two standards that are applicable, which requires between 0.8 and 1.4 courts, based on the forecasted population. It is also noted that as a result of the proposed amendments, the net increase in demand for a multipurpose court of this nature is only 0.1, meaning that the amendments have no significant increase in comparison to what has already been considered appropriate.

Despite this partial variation with the applicable standards, the provision proposed is acceptable. The draft Voluntary Planning Agreement for the site commits to the provision of an outdoor multipurpose court at Bank Street Park (refer to **Section 3.2.1**, which can only accommodate a single outdoor court due its size and urban location. This court is provided alongside a range of other social and green infrastructure types including a new cycleway, space for community use, nature-based inclusive play space and fitness equipment.

Further, there is a range of other outdoor spaces in close proximity to Blackwattle Bay precinct, including the Glebe foreshore, Wentworth Park, Jubilee Park and Tumbalong Park. The closest public basketball court is Alex's Basketball Court, located adjacent to the Broadway Shopping Centre. which is approximately 1km from Area 17. Therefore, it is considered that the provision of one multisport court, in conjunction with the various other types of open space in the surrounding area, is sufficient in servicing the future population of Blackwattle Bay.

5.6.2 Play Space

As noted, the indicative population generates demand for 1.4 playspaces. One play space is proposed to be provided at Bank Street Park, which incorporates three different types of play equipment. On this basis, the assessment finds that one play space is considered sufficient due to its size and diversity of experiences that it provides, including a mixture of play types and spaces for different user groups, such as younger and older children. As outlined in **Section 3.2.1**, a playground is proposed to be provided in the new Bank Street Park.

Further, it is noted that there is a play equipment set located in Wentworth Park, approximately 500 metres to the south of the site, as well as play equipment in Jubilee Park, approximately two kilometres from the site via the Glebe foreshore. At Tumbalong Park, approximately one kilometre from the site, another expansive play space is located, which provides a mixture of dry and wet play. Therefore, there is a significant diversity of play equipment available in close proximity to the site, which is capable of supplementing the new play space that is proposed to be provided in Bank Street Park.

5.7 Traffic and Transport Assessment

An addendum to the previously prepared Traffic Study has been prepared by AECOM to review the impact of the proposed amendment on traffic and transport requirements (refer to **Appendix E**). Through stakeholder engagement with Transport for NSW and (then) Department of Planning and Environment, it was discussed and agreed that AECOM would focus its reporting on the AM peak period. This is because a sharper peak is experienced in travel demand in the morning than the afternoon, where the peak is more dispersed. It also satisfied the requirement to consider the impact on education trips to nearby schools, which does not occur in

the afternoon peak (where workplace and education peaks do not coincide). This is due to the AM peak being a sharper peak and there is a greater experience in travel demand in the morning. This is further including the impact on education trips to nearby schools, which AECOM determined does not occur in the afternoon peak.

The assessment finds that the proposed amendments to the land use mix will generate less inbound traffic trips generated as compared to the previously approved controls, with 38 fewer inbound car trips and 8 more outbound car trips estimated during the 8:00am-9:00am peak, or a 14% decrease. For outbound approaches, the assessment indicates an overall 2% increase in outbound traffic during the AM peak, or an increase of 8 additional vehicles over the 60-minute peak, as seen at **Table 11**.

The assessment finds that the overall AM peak traffic impacts are considered to have negligible additional traffic impacts on the road network in comparison to the previous Traffic Study. This can be achieved through development and no transport interventions or development with transport interventions with the transport interventions having a better outcome than no transport interventions.

Table 11 *Change in private vehicle movements in AM Peak (with transport interventions)*

Inbound Trips		Difference (+/-)	Outbound Trips		Difference (+/-)
As Approved	Proposed		As Approved	Proposed	
266	228	-38	356	364	+8

Source: AECOM Traffic & Transport Addendum

Parking

Parking provision within the Blackwattle Bay Precinct is subject to the City of Sydney’s parking rates as set out in the Sydney LEP. It is not proposed to change the applicable parking rates.

Based on the indicative revised land use mix, additional parking would be provided to meet the additional residential dwellings delivered within the precinct, as outlined in **Table 12**. It is noted that this reflects the maximum number of parking spaces which are able to be developed in accordance with the applicable parking rates. The final number of parking spaces would be subject to the final land use mix, residential dwelling mix (number of bedrooms), and the allocation of parking spaces up to the maximum allowed rate.

As indicated in **Table 12**, there may be an increase in total parking spaces provided within the precinct by approximately 92 spaces. As outlined in the preceding section, however, the effect of providing this additional parking on the local road network would be minimal, as the vast majority of new residents would continue to make use of the highly accessible public and active transport infrastructure servicing the precinct.

Table 12 *Indicative parking provision*

Land use	Indicative maximum parking provision per SSP Finalisation	Indicative maximum parking provision per revised land use mix
Commercial and Retail	295 spaces	206 spaces
Residential	486 spaces	666 spaces
Total	781 spaces	872 spaces (+91 spaces)

5.8 Previous SSP Assessment

It is understood that there were previous SSP Assessments and Consultation documents prepared for the original Blackwattle Bay SSP. The previous SSP Assessment documents have been reviewed and we have determined that they following documents are not required to be reassessed:

- Blackwattle Bay Precinct Plan
- SSP Study Requirements
- Urban Design Statement Volume 1
- Urban Design Statement Volume 2
- Transport Management and Accessibility Plan
- Navigation Study

- Population Demographics and Workforce Profile
- Economic Development, Local Retail and Services Study
- Assessment against State planning documents
- Assessment against City of Sydney planning documents assessment
- Assessment against Eastern City District Plan Actions
- Revitalising Blackwattle Bay Community and Stakeholder Engagement - Outcomes Report
- Water Quality, Flooding and Stormwater Study
- Final Precinct Plan
- Survey
- Stormwater Management Plan
- Hydraulic Model Results Current Climate
- Proposed Grading Plan
- Climate Change Flood Behaviour
- Masterplanning the Bays Market District - Draft Masterplan Principles Consultation Report 2017
- Draft Design Code
- Visual Impact Assessment
- Social Sustainability Assessment
- Air Quality Assessment
- Noise & Vibration Assessment
- Health Risk Assessment Vol 1
- Health Risk Assessment Vol 2
- Health Risk Assessment Addendum
- Housing Diversity and Affordability Report
- Urban and Marine Ecology Constraints and Opportunities
- Infrastructure and Contributions Review
- Utilities and Infrastructure Servicing
- European Heritage Assessment and Impact Statement
- Heritage Interpretation Strategy-Plan
- Maritime Archeological Assessment
- Aboriginal Cultural Heritage Assessment Report
- Connecting with Country Framework for Tjerruing Blackwattle Bay
- Aboriginal Cultural Advice and Community Engagement Findings Report
- Arts and Cultural Strategy
- Urban Forestry Strategy
- Ecologically Sustainable Development Report
- Climate Change Adaptation Report
- Environmental Site Assessment
- Site Wide Remedial Concept Plan
- Site Audit Report
- Lighting Strategy
- Pedestrian Wind Environment Study Stage 1
- Pedestrian Wind Environment Stage 2
- Aeronautical Impact Assessment
- Health Impact Assessment

6.0 Conclusion

The proposed amendments to the Sydney LEP seek to remove the land use mix control that applies to Area 17 at within Blackwattle Bay, allowing a more flexible approach to land use mix that is anticipated to enable delivery of 320 additional homes in a precinct with significant amenity including access to open space, services, jobs and transport.

This Draft SSP Amendment and supporting studies have demonstrated that the proposal is reasonable and supportable for the following reasons:

- This proposal is consistent with State, Regional and District planning strategies for the City of Sydney and Blackwattle Bay.
- The proposal is consistent with the Pyrmont Peninsula Place Strategy and will support the development of residential and commercial premises.
- The proposal will assist in increasing housing supply in Sydney by increasing the ability to provide housing that is located close to jobs and infrastructure.
- The proposal will continue to provide commercial and non-residential premises and support the delivery of commercial floorspace, and the economy more generally, within the City of Sydney.

Appendix F – Residential Amenity Assessment

ADG Criteria	Original Assessment	Impact of proposed amendment
Part 3 Siting the Development		
3A Site Analysis	<p>The original assessment undertaken to support SSP rezoning, including the Urban Design Statements prepared by FJMT at both the original submission and Response to Submissions (RTS) stage sited the building envelopes which are now captured within the Design Guidelines.</p> <p>The Original SSP Study and the Finalisation Report outline the opportunities and constraints of the site, as well as the environmental impacts and mitigation measures, which have been used to develop the finalised building envelopes..</p>	<p>The proposal does not seek to amend any of the approved building envelopes and therefore the siting and site analysis undertaken as part of the original SSP remains relevant and unchanged.</p>
3B Orientation	<p>Similar to the site analysis outlined above, the original SSP process has sited and orientated the envelopes based on amenity, environmental impacts and the opportunities and constraints of the site and precinct more broadly.</p> <p>The siting and orientating of the envelopes as approved can be seen in the Finalisation Report accompanying the final SSP rezoning.</p>	<p>The proposal does not seek to amend any of the approved envelopes and therefore the orientation of as buildings determined as part of the original SSP remains relevant.</p> <p>Further detailed assessment of the orientation of residential apartments will be undertaken as part of a future State Significant Development Application(s).</p>
3C Public Domain Interface	<p>The public domain on the site is provided within the site and throughout the broader Blackwattle Bay Precinct. The design envelopes are yet to have detailed design to outline the location of balconies, front walls and fences and whether or not there will be multiple building entries as well as the amenity of the public domain.</p>	<p>The proposal does not seek to amend the approved envelopes and therefore the public domain interface of the original SSP remains relevant.</p> <p>Further detailed assessment of the interface between buildings and the public domain will be undertaken as part of a future State Significant Development Application(s).</p>
3D Communal and Public Open Space	<p>The precinct includes approximately 32.5% of the total area as public open space,- as seen in the Finalisation Report accompanying the final SSP rezoning.</p> <p>Adequate open space is provided to the site to enhance residential amenity and opportunities for landscaping.</p> <p>This proportion of open space is accompanied by a range of social infrastructure, such as a community centre and arts and creative spaces. Communal open space specifically for the residents has not yet been planned, as the proportion of dwellings and the detailed design and location of these dwellings is not yet finalised.</p> <p>However, communal open space will be provided in line with the ADG, to be finalised during the detailed design of the buildings.</p>	<p>The proposed amendments do not impact the delivery of communal open space. The future detailed design of the buildings will require consideration of communal open space, and the proposed amendments to land use mix do not impact this.</p> <p>Further detailed assessment of the provision of communal and public open space will be undertaken as part of a future State Significant Development Application(s).</p>
3E Deep Soil Zones	<p>Deep soil is not considered in detail in the original proposal. However, a significant portion of the precinct (approximately 33%) is identified to provide public open space, and it is assumed that in order for this land to be useable public open space, a portion of deep soil will be provided.</p>	<p>The proposal does not seek to amend the approved envelopes, nor will it have any impact on the surrounding public open space, and therefore the future deep soil provision will be able to be met.</p> <p>Further detailed assessment of the provision of deep soil will be undertaken as part of a future State Significant Development Application(s).</p>

ADG Criteria	Original Assessment	Impact of proposed amendment
3F Visual Privacy	The SSP Finalisation Report outlines that the separation between the approved building envelopes has been provided to allow for solar access to the foreshore promenade and the waterbody of Blackwattle Bay. All tower envelopes have been designed to include building separations of a minimum of 18m between a habitable and non-habitable room in line with the ADG recommendations.	The proposal does not seek to amend the approved envelopes and therefore the visual privacy of the original SSP remains relevant. Further detailed assessment of visual privacy will be undertaken as part of a future State Significant Development Application(s).
3G Pedestrian Access and Entries	The original SSP study does not dictate pedestrian access and entries into the building envelopes given the preliminary nature of these envelopes. It is anticipated that this would be resolved via detailed design.	The proposed amendment to land use mix will not impact the ability to comply with this section of the ADG. Further detailed assessment of pedestrian access and entries will be undertaken as part of a future State Significant Development Application(s).
3H Vehicle Access	The original SSP study does not dictate exact vehicular access and entries into the building envelopes given the preliminary nature of these envelopes. It is anticipated that this would be resolved via detailed design. It is noted that the Design Guidelines do include controls relating to vehicular access and where these accessways are to be located.	The proposal does not seek to amend the approved envelopes and therefore the vehicle access of the original SSP remains relevant. Further, the proposed amendments to land use mix do not impact the ability of the future development to comply with the relevant objectives of the Design Guidelines. Further detailed assessment of vehicle access will be undertaken as part of a future State Significant Development Application(s).
3I Bicycle and Car Parking	The original SSP study aims for a precinct target of 85% active and public transport and 15% private vehicle usage. The proposed parking spaces are 855 spaces across the Precinct. Refer to the Finalisation Study.	The proposal does not seek to amend the approved envelopes and therefore the parking arrangements of the original SSP remains relevant. It can be noted that there will likely be an increase in the car parking spaces by 91 spaces, however, this will be dependent on the split of residential and non-residential development at the commencement of development planning. The Traffic and Transport Addendum at Appendix E confirms that there is negligible additional traffic impact on the road network. Further detailed assessment of the provision of bicycle and car parking will be undertaken as part of a future State Significant Development Application(s).
Part 4 Designing the Building		
4A Solar and Daylight Access	As outlined in the original SSP Study – Urban Design Statement Volume 2 prepared by FJMT, the envelope tower orientations have been designed to minimise overshadowing and maximise solar access for the residential floor plates. The Urban Design Statement Addendum notes the building envelopes position and height support alignment with the ADG for solar access to neighbouring residencies. Additionally, the Urban Design Statement notes that whilst alignment may be difficult on some areas of Area 17, overall compliance should be achievable. Furthermore, the ADG recognises that in certain instances the design criteria can be supplemented, providing design guidance: where significant views are oriented away from the desired aspect for direct sunlight – south-western and southern views to Blackwattle Bay, the new Sydney Fish Market, and Wentworth	The proposal does not seek to amend the approved envelopes and therefore the solar and daylight access of the original SSP remains relevant. Strategic solar access modelling undertaken at this time confirmed that all buildings within Area 17 have good access to sunlight. Further detailed assessment of solar and daylight access will be undertaken as part of a future State Significant Development Application(s).

ADG Criteria	Original Assessment	Impact of proposed amendment
	Park. This is discussed further at Section 5.5.3 of the SSP Amendment.	
4B Natural Ventilation	The Urban Design Statement demonstrated that the proposed envelope and indicative floorplates have the ability to meet the targets for natural ventilation as set out in the ADG. However, this is subject to the future detailed design phase and subject to final arrangement of dwellings.	The proposal does not seek to amend the approved envelopes and therefore the natural ventilation of the original SSP remains relevant. Further detailed assessment of natural will be undertaken as part of a future State Significant Development Application(s).
4C Ceiling Heights	No assessment has been made against ceiling heights and this would be subject to future detailed design.	The proposed amendments to land use mix will not impact the ability of the future development from complying with relevant ceiling height controls.
4D Apartment Size and Layout	No assessment has been made against apartment size and layout as only indicative floorplates were considered during the SSP assessment and this would be subjected to future detailed design.	The proposed amendments to land use mix will not impact the ability of the future development from complying with relevant apartment size and layout controls. Further detailed assessment of apartment size and layout will be undertaken as part of a future State Significant Development Application(s).
4E Private Open Space and Balconies	No assessment has been made against private open space and balconies and this would be subject to future detailed design.	The proposed amendments to land use mix will not impact the ability of the future development from complying with relevant private open space controls.
4F Common Circulation and Spaces	No assessment has been made against common circulation and spaces and this would be subject to future detailed design.	The proposed amendments to land use mix will not impact the ability of the future development from complying with relevant common circulation controls.
4G Storage	No assessment has been made against storage and this would be subject to future detailed design.	The proposed amendments to land use mix will not impact the ability of the future development from complying with relevant storage controls.
4H Acoustic Privacy	The original SSP Study had anticipated that a key noise source would be the Western Distributor. Mitigation measures have been incorporated in informing indicative floorplates for the building envelopes. This is outlined at Section 5.5.3 .	The proposal does not seek to amend the approved envelopes and therefore the acoustic privacy of the original SSP remains relevant. As discussed in Section 5.5.3 , the proposed amendments are capable of continuing to provide acoustic privacy. Further detailed assessment of the provision of acoustic privacy will be undertaken as part of a future State Significant Development Application(s), including having regard to the site-specific factors identified in the Blackwattle Bay Design Guidelines.
4J Noise and Pollution	As discussed at 4H Acoustic Privacy, the proximity to Western Distributor is a key noise source issue. Air quality may be impacted as a result of heavy traffic flow on the Western Distributor. This is outlined at Section 5.5.3 of the SSP Amendment.	The proposal does not seek to amend the approved envelopes and therefore the acoustic privacy of the original SSP remains relevant. As discussed in Section 5.5.3 , the proposed amendments are capable of continuing to maintain acoustic privacy and manage noise and pollution impacts. Further detailed assessment of the provision of noise and air quality will be undertaken as part of a future State Significant Development Application(s), including having regard to the site-specific factors identified in the Blackwattle Bay Design Guidelines.