

Amendments to Blackwattle Bay Design Guidelines

A review of the Blackwattle Bay Design Guidelines has been undertaken and demonstrated that amendments are required in relation to:

- Timing for satisfaction of controls relating to the submission of precinct-wide or site-specific strategies and investigations.
- Sustainability targets.
- Other miscellaneous amendments

The proposed amendments are minor and do not alter the intent of the original controls.

Section	Control	Proposed Amendment	Justification
2	Figure 2	Amend Figure 2 'Illustrative Precinct Plan': The legend is required to be updated to replace '2 Workplace & Retail' and '3 Residential' with 'Mixed Use'.	To align with the proposed amendment to the controls.
2.4	6	New streets, street widenings and open space (including the foreshore promenade) on Government sites are to be retained in government ownership and managed by PMNSW Placemaking NSW .	Spell out acronym. Also confirm whether it is Placemaking or Place Management NSW and update throughout.
2.5.2	4	Interpretive education about Aboriginal Culture is to be incorporated into signage, maps and wayfinding material <i>where appropriate</i> .	Following consultation with the First Nations Design Advisor and Placemaking NSW, there are some instances where this is not considered appropriate. The proposed amendment enables flexibility for interpretive education to be incorporated where appropriate.

Section	Control	Proposed Amendment	Justification
3.1	6	The precinct Public Space Plan shall be prepared prior to the submission of submitted with the first development application for the respective site. Development is to be consistent with the precinct public space plan	We suggest that this should be submitted with, rather than prior to, the first development application. Noting that under the VPA, the majority of open space on Government land needs to be delivered prior to issuing an OC for the first stage of development.
3.4	Figure 7	Include a note that indicates that the canopy cover controls includes the land below the Western Distributor hatching, otherwise this area appears to be excluded from the controls.	-
3.5.2	3	Street furniture is to be consistent with the Sydney Streets Design Code and relevant Council public space plans.	The public domain and street furniture will be managed by Placemaking NSW. If the control is retained, it is proposed to be amended as follows: <i>'Street furniture design should consider the Sydney Streets Design Code and relevant Council public space plans'.</i> This will ensure that public domain is generally consistent with the Sydney Streets Design Code, however will enable flexibility for Placemaking NSW.
3.7	4	Interpretive education about Aboriginal Culture is to be incorporated into signage, maps and wayfinding material where appropriate	Following consultation with the First Nations Design Advisor and Placemaking NSW, there are some instances where this is not considered appropriate. The proposed amendment enables flexibility for interpretive education to be incorporated where appropriate.
4.1	Table 3	Refer to track changed version below.	
4.4	6	Investigate the feasibility of precinct-scale waste facilities having regard to a. <i>the City of Sydney's existing food scraps recycling services</i> b. <i>future plans for community gardens within Blackwattle Bay</i>	Minor formatting change - the pdf version published on the website is not formatted as a list.

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		c. <i>NSW EPA resource recovery orders and exemptions.</i>	
4.5	9	The selection of building equipment and materials is to cater to higher operating temperatures and extreme heat events to reduce local occurrence of <i>utilities</i> interruptions.	Amendment for clarity.
4.6	1	<p>A precinct-wide Flood Risk and Impact Assessment is to be prepared by Infrastructure NSW prior to the lodgement of the first Development Application for residential or commercial buildings in the precinct. The study should:</p> <ul style="list-style-type: none"> a. be prepared in accordance with the NSW Flood Prone Land Policy, the principles of the Flood Risk Management Manual, Flood Risk Management Manual, the Considering flooding in land use planning guidelines 2021 and any adopted floor study and/or floodplain risk management plan prepared by the City of Sydney Council b. to identify precinct-wide flood and risk mitigation for individual sites, public and open space c. consider additional duration frequency flood events d. consider emergency response and consultation with the SES e. be prepared in consultation with Environment and Heritage Group <p>Note: the design and delivery of public space should be informed by the precinct-wide Flood Risk and Impact Assessment.</p>	We suggest this clause could now be deleted, as INSW have prepared this Study and it has been reviewed twice by EHG, with changes incorporated. Alternatively, the clause may be amended to state that Development Applications should prepared in accordance with the Flood Study.
4.6	2(c)	<p>All floor levels are to be at or above the Flood Planning Level identified in an adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 <i>NSW Flood Risk Management Manual 2023</i> and adopted by the relevant Council, or as otherwise determined through a the site-specific flood study prepared in consultation with and approved by Environment and Heritage Group</p>	As per above, this has been completed and to the satisfaction of EHG. Proposed amendment to refer to the EHG flood study.
4.6	2 (e)	Basement car parking must have all access and potential water entry points above the Flood Planning Level <i>above the 1% AEP flood</i>	To align with the EHG Study.

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		<i>level + 0.5m, or the PMF (whichever is the higher)</i> and provide a clearly signposted flood free pedestrian evacuation route from the basement area separate to the vehicle access ramps	
4.6	4	Development applications for new buildings are to be subject to a site-specific flood study prepared in accordance with the NSW Flood Risk Management Manual 2023 NSW Floodplain Development Manual 2005 , the NSW Coastal Planning Guideline: Adapting to Sea Level Rise , NSW Coastal Risk Management Guide: Incorporating Sea Level Rise Benchmarks in Coastal Risk Assessments and the NSW Flood Risk management Guide: Incorporating Sea Level Rise Benchmarks in Flood Risk Assessments .	Update to current reference. We also suggest that this clause could be updated to reference the actual Flood Study INSW has prepared. We could provide this to DPE to place on the DPE's website.
4.7	1	A water sensitive urban design (WSUD) Strategy is to be prepared for the Precinct by Infrastructure NSW or the developer prior to the lodgement of the first development application on the southern government land for residential or commercial development on Government-owned land , and be generally in accordance with Figure 18 to deliver	Update to use language consistent with other similar provisions. It is noted that 'souther government land' is not defined, however residential or commercial development on Government-owned land is a clear reference to Area 16 or Area 17 as defined under the Sydney LEP 2012.
5.8	2	The floor-to-ceiling height of the Colonnade is to be 9m and designed to integrate across buildings and land parcels to facilitate safe, comfortable and convenient pedestrian access and enable dining and retail. Details to be established in a Public Domain Plan.	Clarify what the Public Domain Plan is and if it is the same as the Public Space Plan referred to in cl 3.1(5).
6.6.1	6	Future Development Application(s) for residential within the precinct must include details of strategies and/or mechanisms which can be secured through the development consent or other legal agreement to ensure prospective purchasers and occupiers are made aware of the matters outlined in cl.6.2 6.1(2 5) above.	To align with precinct staging. Numbering of clause reference also updated to refer to matters that prospective purchases are to be made aware of listed in 6.6.1(5).
7.1	1	Each Where required under the Sydney LEP 2012 , buildings are is to be subject of a competitive design process undertaken in accordance with applicable design excellence competition	This is to ensure alignment with the statutory controls and avoid a situation where smaller buildings (e.g. community centre at Bank Street Park) are subject to a design competition.

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		guidelines of the Government Architect NSW or the City of Sydney Council's Competitive Design Policy.	The cl 6.21D Sydney LEP requires a design competition to be held for buildings over 25m (outside of the CBD).
9.2.1	1	A precinct wide Public Art Plan is to be prepared by Infrastructure NSW prior to lodgement of the first development application for residential or commercial buildings on the Government owned land.	To align with precinct staging.

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Amendments to ESD Targets - Table 3

Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
-					It is proposed to delete the target source column to avoid inconsistencies when sources are reviewed and updated in the future. We also note some are incorrect.
Green Star Communities precinct rating	5 star			Version 1.1	
Green Star Buildings (1,500m ² or greater)	5 star		GSC	Version 1	<p>A minimum GFA threshold has been added. This is to be consistent with the City of Sydney requirements that only requires statutory Green Star ratings for development in a tower cluster in Central Sydney.</p> <p>Target source has been deleted to avoid inconsistencies when sources change in the future (noting that the incorrect source was also identified).</p>
BASIX energy targets			BASIX, SSP, CoS	BASIX targets are expressed as a	This change is required due to changes to the BASIX method of
<ul style="list-style-type: none"> Mid rise (4-5 storeys above the ground) 	35 61%	45 67%			

Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
<ul style="list-style-type: none"> High rise (6-20 storeys above ground) 	25 60%	40 66%		percentage reduction over NSW benchmarks	<p>calculation and the regulated targets within the Sustainable Buildings SEPP.</p> <p>The range of targets for the number of stories is changed to align with the Sustainable Buildings SEPP</p> <p>The Minimum goal is set at the levels regulated in the BASIX buildings SET, which is consistent with previous that match regulated BASIX SEPP minimums. Stretch goals are not able to be calibrated relative to previous due to the fundamental changes to the calculation so they have been set at 10% higher than the regulated minimums.</p>
<ul style="list-style-type: none"> High rise (21 or more storeys above ground) 	63%	69%			
NABERS energy rating for office and retail premises (1,000m ² NLA or greater): base building energy use	6 star Maximum 45 kWh/yr/m ² of GFA or 5.5 Star NABERS Energy CA + 25 or		CoS PPPS		A minimum GFA threshold has been added to ensure it is consistent with the Sydney DCP. This is also consistent with the Sustainable Buildings SEPP definition

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Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
	<i>certified Green Star Buildings rating with a "credit achievement" in Credit 22: Energy Use or equivalent</i>				<p>of prescribed office space.</p> <p>The requirements for maximum energy, NABERS and Green Star have been consolidated to be alternative pathways as per original intent and CoS DCP drafting (and correctly reflected for Hotels in the Design Guidelines). This prevents excessive cost and the risk of failing due to a mismatch in the lack of flexibility with a particular pathway.</p> <p>NABERS goal has been changed as required due to a change in the NABERS tool. In the new NABERS tool, Green Power can no longer be used, and the original 6 star goal is not achievable without Green Power. The revised requirement is as per the City of Sydney DCP, as the use of a CA worked to exclude Green Power in</p>

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Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
					the DCP, making it an appropriate minimum goal for the new version of NABERS.
Office and retail buildings NABERS energy rating for Shopping Centres (5,000m ² GLAR or greater): base building energy use	Maximum 45 kWh/yr/m ² of GFA or 5 Star NABERS Energy CA or certified Green Star Buildings rating with a “credit achievementexceptional performance” in Credit 22: Energy Use or equivalent		CoS DCP		<p>The reference to NABERS is changed to Shopping Centres, as that is the only tool that NABERS has for retail uses. The tool rates common area loads and cannot be used for retail shops. The reference to Shopping Centres is consistent with the City of Sydney DCP.</p> <p>A minimum GLAR threshold has been added to ensure the threshold is consistent with the Sydney DCP GLAR of 5,000m².</p> <p>The requirements for maximum energy, NABERS and Green Star have been consolidated to be alternative pathways as per original intent and CoS DCP drafting (and correctly reflected for Hotels in</p>

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Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
					the Design Guidelines). This prevents excessive cost and the risk of failing due to a mismatch in the lack of flexibility with a particular pathway. NABERS goal has been changed as required due to a change in the NABERS tool. In the new NABERS tool, Green Power can no longer be used, and the original 6 star goal is not achievable without Green Power. The revised requirement is as per the City of Sydney DCP, as the use of a CA worked to exclude Green Power in the DCP, making it an appropriate minimum goal for the new version of NABERS.
Office and retail buildings: Renewable energy procurement	Equivalent to 'net zero energy' or a maximum of 45 kWh/yr/m ² of GFA			<i>To be demonstrated on a building-by-building basis or through participation in a precinct-wide initiative.</i>	A precinct wide solution is noted as allowable to ensure a precinct wide approach to renewable energy can be delivered without the complication of each building having to procure its own

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Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
					arrangement for renewable energy.
Hotels (100 rooms or more): whole building energy use	Maximum 240 kWh/yr/m ² or 4 star NABERS Energy CA + 10% or Certified Green Star Buildings rating with a 'credit achievement' in Credit 22: Energy Use or Equivalent			To be demonstrated on a building-by-building basis or through participation in a precinct-wide initiative.	A minimum number of rooms threshold has been added to ensure buildings that are too small for NABERS to provide value are not subject to target. The 100 room threshold is consistent Sustainable Buildings SEPP
Hotels: Renewable energy procurement	Equivalent to 'net zero emissions from energy used on site ' or a maximum of 240 kWh/yr/m ² of GFA				A precinct wide solution is noted as allowable to ensure a precinct wide approach to renewable energy can be delivered without the complication of each building have to procure its own arrangement for renewable energy.
Net zero carbon precinct	100% by 2041			% reduction in carbon emissions (baseline to be determined)	The % reduction in carbon is not relevant for a 100% net zero carbon precinct so is removed to avoid confusion.
Precinct powered by renewable energy	100%			% of total estimated demand provided by renewable energy from off-site and/or on-site sources	

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Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
NABERS water rating for office (1,000m² NLA or greater) and retail shopping centre (5,000m² GLAR or greater) buildings	5 4 star	5 star			<p>The reference to NABERS is change to Shopping Centres, as that is the only tool that NABERS has for retail uses. The tool rates common area loads and cannot be used to retail shops. The reference to Shopping Centres is consistent with the City of Sydney DCP.</p> <p>A minimum NLA and GLAR thresholds have been added to ensure the GLAR threshold is consistent with the Sydney DCP.</p> <p>Minimum goal established at new Sustainable Buildings SEPP regulated minimum +1 star due to significant technical risk in meeting 5 star minimum for all office and shopping centre buildings. 5 star NABERS water target moved to a stretch goal.</p>
BASIX water targets	40%	60%	BASIX	BASIX targets are expressed as a	Changes to language only reflect uniform

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Target	Minimum goal	Stretch target	Target source	Comment (where required)	Justification
<ul style="list-style-type: none"> Residential building other than high rise High-rise residential <p>for all residential buildings</p>			CoS Stretch targets SSP	percentage reduction over NSW benchmarks	target across all effected buildings and to be consistent with Sustainable Building SEPP
Public open space	Irrigation 100% recycled water			<i>To be demonstrated on a standalone basis or through participation in a precinct-wide initiative.</i>	A precinct wide solution is noted as allowable to ensure a precinct wide approach to water reuse can be delivered without the complication of public open space have to procure its own arrangements for recycled water.

BASIX SEPP – BASIX State Environmental Planning Policy

PPPS – Pyrmont Peninsula Place Strategy

GSC – Green Star – Communities v1.1

SSP – State Significant Precinct Study Requirements

CoS – City of Sydney requirement and/or target