

Department of Planning and Environment

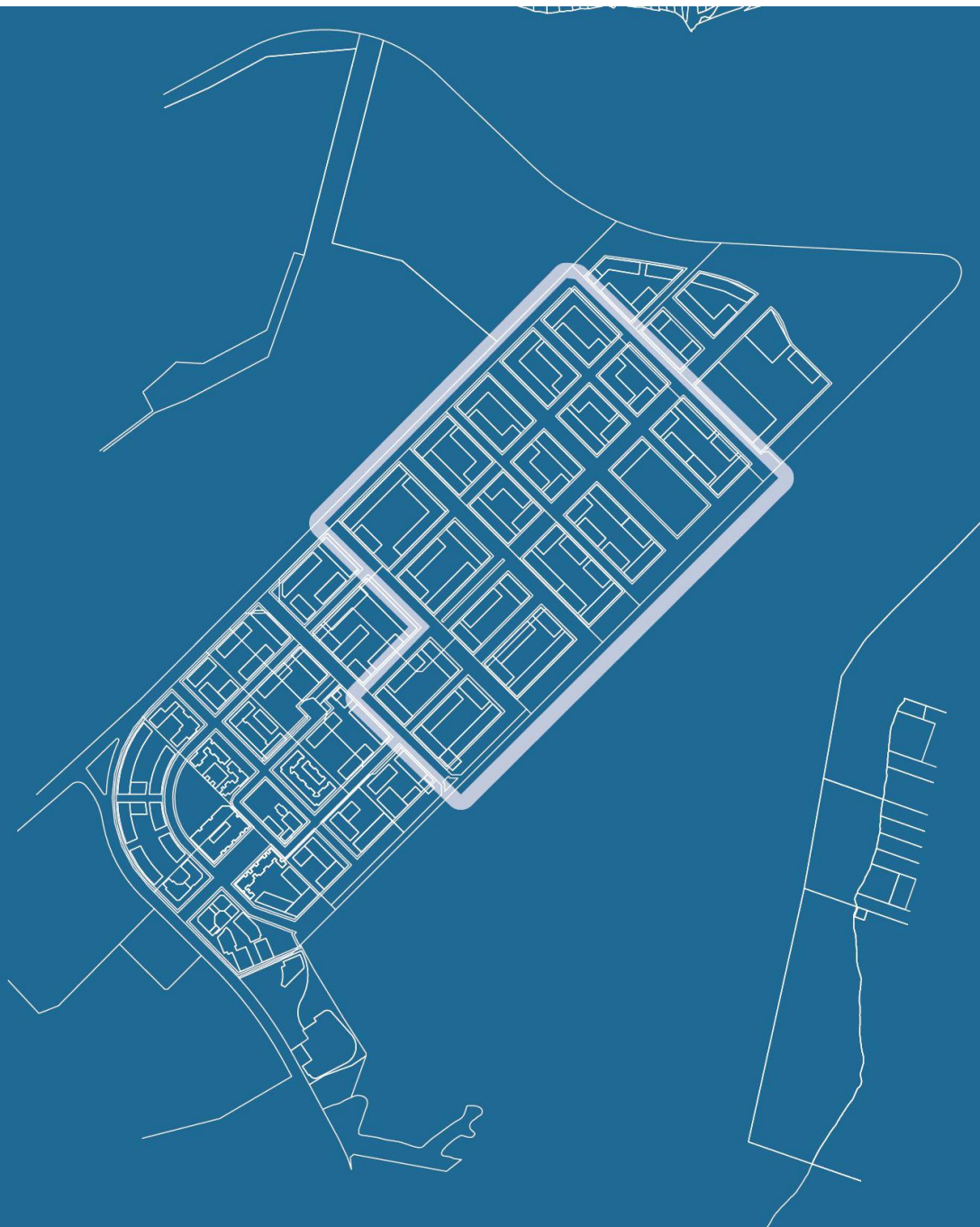
dpie.nsw.gov.au



Draft Homebush Bay West Development Control Plan Amendment No. 2

Draft Amendment 2

November 2023





Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning and Environment

dpie.nsw.gov.au

Draft Homebush Bay West Development Control Plan Amendment No. 2

First published: November 2023

Department reference number: SF23/134279

Copyright and disclaimer

© State of New South Wales through Department of Planning and Environment 2023. Information contained in this publication is based on knowledge and understanding at the time of writing, November 2023, and is subject to change. For more information, please visit dpie.nsw.gov.au/copyright

TMP-MC-R-WC-V1.2

Contents

SECTION 1 INTRODUCTION	4
1.1 Name of this Development Control Plan.....	4
1.2 Where this Development Control Plan applies	4
1.3 Relationship to other plans and policies	4
1.4 Purpose of this Part of the Development Control Plan	4
1.5 Amendment to Homebush Bay West Development Control Plan 2004.....	5
SECTION 2 AMENDMENT	6
SECTION 5 Homebush Bay West	7
5.1 Introduction	7
5.2 Design Framework Principles	10
5.3 Built Form General Controls	10
5.4 General Provisions	21
5.5 Site Specific Controls – Opportunity site	24

Figures

Figure 1 Land to which this Part of the Plan applies, shown in red	8
Figure 2 Location of the Opportunity site in Precinct B (Block H), shown in red.....	9
Figure 3 Precinct Map.....	13
Figure 4 Building Height Diagram - building shapes indicative only	16
Figure 5 Tower Height Diagram - Building shapes indicative only.....	17
Figure 6 Building Separation and Bulk - Performance criteria for tower spacing.....	19
Figure 7 Opportunity site - Public open space indicative layout	26
Figure 8 Opportunity site - Built form and towers zones (indicative only)	32

Tables

Table 1 Precinct floor space requirements.....	11
Table 2 Precinct B Opportunity site floor space requirements	11
Table 3 Maximum car spaces per dwelling type	22
Table 4 Opportunity site - car parking rates	33
Table 5 Stormwater treatment targets.....	39

SECTION 1 INTRODUCTION

1.1 Name of this Development Control Plan

This Plan is known as Homebush Bay West Development Control Plan 2004 Amendment No. 2.

The Plan was adopted by the Planning Secretary on [insert date] and came into effect on [insert date].

1.2 Where this Development Control Plan applies

This Plan applies to that part of the precinct known as Homebush Bay West (or Wentworth Point), as described in Clause 1.3 of the Plan being amended. This land to which this Amendment applies is

shown on the



Figure 1, in Section 5.1.

1.3 Relationship to other plans and policies

This Plan is to be read in conjunction with *State Environmental Planning Policy (Precincts — Central River City) 2021* (Central River City SEPP).

If there is any inconsistency between this Plan and the Central River City SEPP, the Central River City SEPP will prevail.

This Plan amends the Homebush Bay West Development Control Plan as adopted by the then Director-General on 3rd September 2004, and replaces the Homebush Bay West Development Control Plan 2004 Amendment No. 1 as adopted by the then Director-General on 9 July 2013.

This Plan fulfils the requirements of Clause 4.13 of the Central River City SEPP being a development control plan adopted under Section 3.44 of the *Environmental Planning and Assessment Act 1979*.

If there is any inconsistency between Part 1, 2, 3 or 4 of the Homebush Bay West Development Control Plan 2004 and this part of the Plan (Part 5) will prevail.

1.4 Purpose of this Part of the Development Control Plan

The purpose of this Part of the Plan is to provide amended and additional planning and design controls to govern development on land to which this plan applies.

It also identifies an Opportunity Site, known as Wentworth Point, Block H, to allow for additional development in response to mass transit investment while making significant improvements to the size and quality of the public domain, and the provision of additional community facilities and open space.

In particular, it provides a revised rationale for building height and massing in Section 2.2.4 of the Plan in order to accommodate additional floor space and tower forms, and as a result, sets out revised controls for:

- Land use and density controls;
 - Building heights;
 - Building separation; and
 - Street setbacks.
-

1.5 Amendment to Homebush Bay West Development Control Plan 2004

The Homebush Bay West DCP 2004 is amended by the inclusion of Part 5 as set out in Section 2.

This amendment supersedes and replaces the Homebush Bay West Development Control Plan 2013 Amendment No.1.

SECTION 2 AMENDMENT

SECTION 5 Homebush Bay West

5.1 Introduction

This Part of the Plan applies to land within Precincts B, C, D, E (3) and the Opportunity site identified within Precinct B as shown in **Figure 2**.

It provides amended and additional planning and design controls to govern development in this area. In particular, it provides a revised rationale for building height and massing in section 2.2.4 in order to accommodate additional floor space and tower forms and as a result, sets out revised controls for:

- Land use and density controls – found in **section 3.4.1 of the main DCP (2004)**;
- Building heights – found in **section 3.4.2 of the main DCP (2004)**;
- Building separation and bulk – found in **sections 3.3.4 and 3.4.5 of the main DCP (2004)**; and
- Street setbacks – found in **section 3.4.6 of the main DCP (2004)**.

Additional guidance regarding desired building form and presentation is provided for the design of tower forms and their integration with the public domain as well as other building typologies and forms.

This Part (Part 5), must be read in conjunction with Parts 1 to 4 of this Plan whose provisions will still apply to development on the land to which this Part applies unless described otherwise in this Part or clearly in conflict with the objectives and rationale described in **Section 5.2**.

An Opportunity site, known as Block H, has been identified within the Homebush Bay West area. This site is located at 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point, refer to **Figure 2**. Site specific provisions related to the Opportunity site are set out in **Section 5.3.1** and **Section 5.5**.



Figure 1 | Land to which this Part of the Plan applies, shown in red

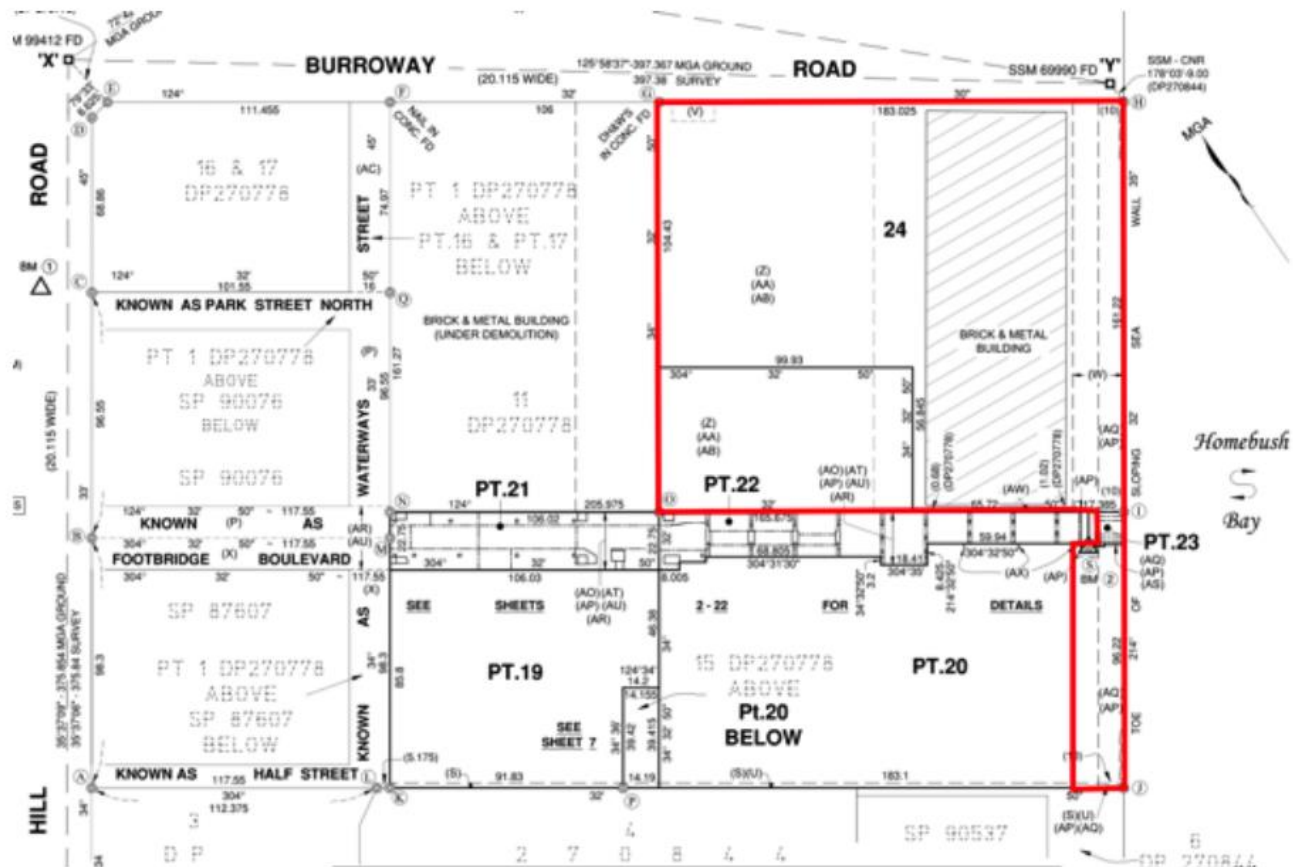


Figure 2 | Location of the Opportunity site in Precinct B (Block H), shown in red

5.2 Design Framework Principles

This part of the Plan provides additional floor area for residential development linked to the delivery of the Bennelong Bridge and potential to leverage off significant NSW government investment in the Sydney Metro West and Parramatta Light Rail Stage 2.

In order to accommodate this additional floor area, a different building typology in the form of towers is required to be introduced to complement the hierarchy of street defining buildings employed in the Plan.

The introduction of tower forms should not compromise the overarching Design Framework for Wentworth Point. It should also ensure visual and shadowing impacts are minimised and the overall aesthetic effect is enhanced wherever possible.

5.2.1 Building Height and Massing

The revised Design Framework in this part of the Plan, retains the broad principles of the Plan in relation to heights but seeks a simplified approach to create greater coherence. This is achieved through applying distinct heights for different locations:

- Foreshore;
- Minor Streets;
- Major Streets; and
- Tower Zone.

Each height represents a noticeable step up or down from the others to create a clearer and more coherent hierarchy of building heights for Wentworth Point.

Additional site specific controls including objectives, urban framework principles and built form provisions applying to the Opportunity site are set out in **Section 5.5** Precinct Structure

The revised Development Framework retains the majority of the key structuring elements contained in Section 2.4.5. In addition, the following structure elements apply:

- A **modified street hierarchy** that emphasises the importance of Burroway Road, Footbridge Boulevard and the central Major North-South Street.
- A more **urban character** at the northern end of Wentworth Point around the intersection of Footbridge Boulevard and the central north-south spine.
- **Tower forms** introduced within a designated 'tower zones' primarily along the central north-south spine.
- **Increased floor space and changes to built form for the Opportunity site** as set out in **Section 5.3.1** and **Section 5.5** (respectively).

5.3 Built Form General Controls

The General Controls within Section 3.4 of the DCP 2004 are altered to accommodate additional floor area in accordance with the revised Urban Design Framework Principles outlined in **Section 5.2** of this

Plan. This includes amendments and additional controls for development density and building heights, building separation and bulk, and street setbacks.

5.3.1 Land use and density

Figures contained within **Table 1** show the maximum precinct floor space:

Table 1 | Precinct floor space requirements

Precinct	Site Area (m ²) (1)	Total Allowable floor space maximum (m ²)	Commercial/ maritime/ educational floor space minimum (m ²)	Retail/ café/dining associated with the waterfront (m ²)	Residential floor space maximum (m ²) (2)	Public open space minimum (m ²)
B	109,730	200,649	3,165	100	197,384	10,973
C	31,946	74,424	0	100	74,324	3,195
D	62,375	97,087	405	200	96,482	6,237
E (3)	44,940	73,979	330	100	73,549	5,075

Figures contained within the **Table 2** apply to the Opportunity site showing two scenarios of the available floorspace within Precinct B, and amended controls to accommodate an additional 62,000m² of floor space, linked to the provision of additional community facilities and open space and leveraging the NSW government investment in Sydney Metro West and Parramatta Light Rail Stage 2.

Table 2 | Precinct B Opportunity site floor space requirements

Precinct B	Site Area (m ²)	Total Allowable floor space maximum (m ²)	Non-residential floor space maximum (m ²)	Residential floor space maximum (m ²)	Public open space minimum (m ²)	Community facilities gross floor area (m ²)
Opportunity Site with additional floor space (refer note 4)	31,566	98,619	9,400 comprising of: <ul style="list-style-type: none"> ○ 2,900* minimum commercial & retail ○ 2,500 maximum gym & pool ○ 4,000 maximum for waterfront entertainment (refer to note 7) 	85,000	16,737 including: <ul style="list-style-type: none"> ○ 10,044 main urban park ○ 6,000 foreshore promenade; and ○ 693 town centre – foreshore link 	4,219 including: <ul style="list-style-type: none"> ○ 3,378 recreation centre ○ 841 Childcare centre (excluding outdoor play area) Refer to note 5

Notes:

- 1) The site area for Precinct E is corrected.

- 2) The amended residential floor space maximum includes additional floor space of 60,000m² for Precinct B, 24,000m² for Precinct C, 16,000m² for Precinct D, 8,000m² for Precinct E.
- 3) The additional floor area for Precinct E is to be distributed as 8,000m² to Lot 18 DP 270113.
- 4) The additional 66,219m² of floor space (excluding community facilities) for the 'Opportunity Site' is only permissible where:
 - The development includes, or contributes to, community facilities and open space to the satisfaction of the City of Parramatta Council, whether provided on the development site or not.
- 5) The floor space included for community facilities is indicative and subject to Council approval.
- 6) Misalignment between the GFA controls for Precinct B set out in **Table 1** and the GFA controls for the Opportunities site within precinct B in **Table 2** are intended. Where discrepancies occur the controls in **Table 2** take precedence.
- 7) **Waterfront entertainment** includes commercial and publicly accessible facilities to activate the Homebush Bay waterfront which may include a registered club; function, entertainment and/or recreation centres; restaurants and cafes and the like, gyms, and water recreation structures)
 - * The minimum floor space for non-residential uses required to be provided on the subject land may not be any greater than that which is required to activate the ground floor of buildings, the first floor of the pavilion building, and suitable basement areas.

Controls

Provide floor space and public open space for each precinct in accordance with the **Table 1** and **Table 2**, together with **Figure 1**, **Figure 2** and **Figure 3**, and in the locations specified in the Plan's Objectives (**Section 2.3**) and the revised Design Framework (**Section 5.2 and Section 5.5**), subject to the commercial viability of non-residential uses whereby **Section 4.4.5** Flexibility may be applied instead.

Note: Control 3.4.1 (ii) still applies.



Figure 3 | Precinct Map

5.3.2 Building Height

A consequence of accommodating additional floorspace at Wentworth Point while maintaining the structural elements within the Design Framework is the need to introduce tower building typologies as has occurred at Rhodes. The revised Design Framework proposes tower forms primarily along the central north-south spine.

This reflects the enhanced significance of this street and minimises their visual impact on the Foreshore and Sydney Olympic Parkland.

An overall maximum building height of 25 storeys is established in order to remain below the height of towers in the designated specialised centres at Rhodes and Sydney Olympic Park. These 25 storey towers will be limited to around the 'Focal Point'. The placement of these towers should facilitate the legibility of the peninsula. Other towers are generally limited to 16-20 storeys in height to permit transition to adjoining lands. Alternative building heights for the Opportunity site are set out in **Section 5.5.2**.

The integration of tower typologies into the massing on the peninsula provides the opportunity to allow for additional floor space without sacrificing the structural features of the Plan. A number of architectural treatments are available to manage the relationship of typical street defining buildings and tower typologies that will provide for additional building variety and interest.

Accordingly, the Objectives, Controls and Performance Criteria contained within **Section 3.4.2** are amended as follows:

Objectives

- To ensure the scale of development responds to the position of Wentworth Point within the metropolitan hierarchy.
- To ensure development represents an appropriate transition in scale to adjoining Sydney Olympic Parkland and adjoining land north of Burroway Road and south of Baywater Drive.
- To ensure the location of towers reinforce the urban structure and street hierarchy.
- To create a coherent pattern of building heights across the precinct.
- To create an interesting skyline.

Development Controls

- i. The maximum overall height for any building is 25 storeys and otherwise as shown on the revised Building Height Diagram and Tower Height Diagram.
- ii. Architectural features such as domes, towers, masts and building services may exceed the maximum height by up to 4 metres providing they do not exceed 10% of the gross floor area of the top building level.

Performance Criteria

- iii. Scale development to conform to the urban form principles in the revised Design Framework by complying with the following maximum height requirements for street types and widths:
 - Hill Road (east side only) 8 storeys.
 - Major east-west streets 8 storeys with the exception of 9 storeys along Burroway Road and 6 storeys at the foreshore edge.

- Major North-South Street 8 storeys.
 - Tower Zone ranging from 16 to 20 storeys except 25 storeys around the Focal Point'.
 - Major east-west streets 8 storeys.
 - Foreshore edge fronting the Foreshore Promenade 4 storeys.
 - Minor north-south and east-west streets 6 storeys.
- iv. Encourage the use of architectural treatments to create distinctive and interesting 'tops' to the towers.
- v. Refer to **Section 5.5.2** for alternative site specific building height controls for the Opportunity site.



Figure 4 | Building Height Diagram - building shapes indicative only



Figure 5 | Tower Height Diagram - Building shapes indicative only

5.3.3 Building separation and bulk

The revised Design Framework introduces tower forms whilst maintaining the structural elements of the Framework. A number of architectural treatments are available to manage the relationship between typical street defining buildings and tower forms that will provide additional building variety and interest.

Objectives

- To allow for visual permeability through the tower zone.
- To avoid unreasonable visual bulk of development when viewed from surrounding areas by ensuring appropriate tower separation, scale, form and articulation.
- To create tall slender tower forms and avoid monolithic buildings.
- To allow locational flexibility to optimise shadowing and aesthetic effects.

Performance Criteria

- i. Ensure towers do not exceed a maximum floor plate of 950m² floor area.
- ii. Space towers so that they do not appear to coalesce into a continuous built form when viewed from Rhodes when viewed along street alignments at both right angles from the Bay and in oblique views.
- iii. For buildings above 8 storeys provide 18 metres between facing habitable room windows/balcony edges.
- iv. Locate tower forms generally in accordance with the Tower Height Diagram noting that locational adjustment is permitted.
- v. Refer to **Section 5.5.3** for alternative site specific building controls for the Opportunity site.



Figure 6 | Building Separation and Bulk - Performance criteria for tower spacing.

5.3.4 Street setbacks and building articulation

Street setbacks are a key determinant of the preferred character of an area. The public significance of the Bennelong Bridge as a key public transport, walking and cycling route combined with the publicly relevant activity generated by the park, the northern neighbourhood centre, the ferry terminal and other uses north of Burroway Road warrant a more intense urban character at this northern end of Wentworth Point.

The street setbacks proposed along this portion of the Major North-South Street are varied to contribute to a more urban character. However, they will continue to achieve the Plan's Street Setback Objectives by maintaining a transition between public and private space, achieving visual privacy of apartments and allowing for a landscaped setting for buildings.

Objectives

- As defined in **Section 3.4.6** and **3.4.7** of the Plan.
- Ensure that towers exhibit high quality design.

Performance Criteria

- Create a more urban character for buildings in Precinct B and C up to Burroway Road by providing a minimum 2.5 metre setback.
- Permit a zero setback on ground floor and up to 4 storeys in association with retail, commercial or community uses.
- Optimise amenity and comfort within the public domain by designing the forms and articulation of towers and associated buildings so as to:
 - minimise the generation of wind effects at ground level.
 - provide a sense of scale, enclosure and continuity that will enhance the pedestrian environment.
 - support an animated and attractive public domain through a suitable interface and transition with its adjoining building uses, entrances, openings, balconies and setbacks.
- The proportions and articulation utilised in towers should reflect a sound response to their contexts and potential aesthetic and physical effects.
- Refer to **Section** Error! Reference source not found. for site specific controls for the Opportunity site.

5.4 General Provisions

In cases of development which relates to, or incorporates, a tower form, some General Controls or Detailed Design Guidelines may no longer be reasonable or desirable to implement (other than density, building height and the like).

Accordingly, consideration should be given to varying the application or extent of these controls especially when they inadvertently give rise to diminished planning or design outcomes or tend to undermine the ability to economically realise the additional development potential provided by this Part.

In addition, the implementation of the Homebush Bay Bridge and subsequent improvements to public transport provide the basis for a significant shift in no-car travel. The Transport Management and Accessibility Plan supporting this Plan made a number of recommendations to support this mode shift including parking provisions and travel behaviour change initiatives.

Objectives

- To ensure that relevant controls and guidelines within Part 3 and 4 can be adapted sufficiently to realise development permitted by this Part.
- To ensure that the provisions are still appropriate given the effect of the change in built form and floor area.

Performance Criteria and Controls

A Development Control or Performance Criteria under Part 3 and 4 (other than 3.4.1, 2.4 and 6) may be varied in consideration of the need to adapt the objectives, performance criteria or controls for their practicality, effectiveness and appropriateness where development contains or relates to a tower form, the accommodation of Bennelong Bridge or the like. Alternative approaches to meet the planning or design principles and objectives may be adopted instead.

Without limiting the extent of this provision, the following does not or need not apply:

- 3.4.2 Building Height Control (ii) (maximum overall height for buildings) does not apply.
- 3.4.3 Topography and Site Integration Controls (i) and (iii) do not apply.
- 3.4.4 Building Depth Performance Criteria (i) and 4.5.3 Performance Criteria (ii) in that glass line to glass line distance may be greater than 18m.
- 4.1.4 Private Open Space Performance Criteria (ii) in that a podium may also contain parking.
- 4.1.4 Private Open Space Performance Criteria (iv) so as to require the same amount of private open space at ground level as would be required for a balcony if the apartment was above ground level.
- 4.4.8 Internal Circulation Performance Criteria (iii) where the minimum number of apartments off a corridor may be greater than eight within a tower form.
- 4.5.2 Daylight Access Performance Criteria (iii) in that 70% of apartments meet the 2 hour solar access criteria as per the Residential Flat Design Code.

- viii. 4.5.2 Daylight Access Performance Criteria (vi) in that the amount of overshadowing of the public domain (excluding streets) and communal space as referred, has regard to unavoidable shadowing from tower forms during these times and the means for alternate solar access in the locality.
- ix. 4.5.3 Natural Ventilation Performance Criteria (vi) and (vii) in that the minimum may be exceeded for percentage of apartments above 8 storeys given the different air movement characteristics.
- i. Refer to **Section 5.5.4** for additional site specific general controls for the Opportunity site.

5.4.1 Parking and Travel Demand Management

Objectives

- To assist the implementation of travel demand management initiatives to support non-car modes of transport

Performance Criteria and Controls

Development is to:

- i. Apply the following car parking rates in lieu of 4.3.2 (vii).

Provide residential car parking in accordance with the following requirements:

- Generally, provide a minimum of 1 space per dwelling

Table 3 | Maximum car spaces per dwelling type

Dwelling type	Maximum car spaces per dwelling
Studio	None
1 Bedroom	1.0
2 Bedroom	1.2
3 Bedroom	1.5
Visitor	1 per 8 dwellings (1 per 12 dwellings minimum)
Carshare	1 per 200 dwellings

- No more than 50% of adaptable housing required to be provided under 4.4.5 (vi) are also required to have a disabled car space.
- Visitor parking requirements may be satisfied by provision within basements, on newly created streets and additional parking created on existing streets.

- ii. Provide for a travel behaviour change program for each development after the opening of the Bennelong Bridge including:
 - Transport Access Guides (TAGs) or similar;
 - Community marketing and awareness campaigns for new residents;
 - Provision for a car sharing scheme able to be operated by, or on behalf of, the respective strata body corporate.

- iii. Refer to **Section 5.5.4.1** for alternative and additional site specific controls for the Opportunity site.

5.5 Site Specific Controls – Opportunity site

This section applies to the Opportunity site as shown in Error! Reference source not found. (refer to **Section 5.1**) and relates to the provision of additional gross floor space and alternative building form.

In the event of any inconsistency with a provision within **Section 5.4** of this Plan, **Section 5.5** will prevail.

Objectives

- To facilitate additional development in response to increased mass public transport provision provided by the Sydney Metro West Rail and Parramatta Light Rail (Stage 2, or similar service).
- To achieve design excellence and improved urban design outcomes.
- To improve the size and quality of the public domain.
- To facilitate the delivery of additional community facilities and open space.
- To optimise the extent and solar access of the main urban park.

Precinct Structure and Urban Framework Principles

To achieve the objectives of the Opportunity Site north of the Bennelong Bridge, higher tower forms are to be provided nearer the foreshore in a varied orientation.

The following urban framework design principles apply the Opportunity site, in addition to the principles set out in **Section 5.2**.

- Reinforce Wentworth Place and Footbridge Boulevard as the focal point forming the central north-south spine and east-west link for Wentworth Point.
- Create a compact and walkable network of streets that respect the Wentworth Point grid, maintain views to the water and relate to neighbouring development.
- Incorporate a new Urban Park which is programmed and purposeful responding to the needs of the community.
- Respond to the precinct's urban character by introducing a perimeter block and tower typology.
- Optimise towers for view sharing, tower separation, solar access, and to minimise overshadowing to neighbours.
- Locate height at the focal point to define the Wentworth Point town centre.
- Establish a continuous public foreshore promenade that is well integrated and accessible from the town centre.

5.5.1 Public domain and open space

The public domain will comprise publicly accessible streets, lanes, pathways, plazas as well as a main urban park and waterfront linear park containing a promenade (the foreshore promenade.)

Objectives

The objectives for the public domain and open space network of the Opportunity Site are to provide:

- A clear legible public domain.
- Places for people to gather formally and informally.
- A main urban park for the community to cater for a wide range of uses and users.
- A foreshore promenade.
- Integration and reflection of the history of the site.

Development Controls

Development of the public domain and open space network is to include:

- i. A hierarchy of spaces, designed as a suite which enable a range of uses over a long time frame.
- ii. Public and street frontages along all park edges in accordance with DCP Vol. 2 Public Domain 3.5 Parks (3).
- iii. Active edges to the new urban park and waterfront.
- iv. Provision of a main urban park, refer to **Section 5.5.1.1**
- v. Provision of a foreshore promenade, refer to **Section 5.5.1.2**
- vi. Provide mid-site access for physical and visual permeability and reflect both movement towards the waterfront as well as north-south connections. It should be in the form of streets, lanes and/or public paths as well as view corridors.
- vii. Public amenities at to be provided both at the foreshore and the main urban park.
- viii. Be guided by DCP Volume 2 Homebush Bay West December 2005 Public Domain Manual and design principles.
- ix. Be consistent with the Homebush Bay West DCP controls in relation to overshadowing, basement car parking and deep soil requirements.
- x. Provide equitable access from the north and south and foreshore, as well as directly adjoining streets.
- xi. Achieve best practice:
 - Flooding and rainwater management outcomes, including diversion or all storm water from the Bay and collection for reuse and/or groundwater recharge; and
 - Ecologically Sustainable Development outcomes and minimise urban heat in accordance with **Section 5.5.4.4** and **Section 5.5.4.5**.
- xii. Incorporate desire lines in the public domain design and through site links.
- xiii. Provide equitable accessibility, for all levels of ability, especially connecting to, and through, the main urban park. Allow easy and generous pedestrian priority movement across vehicular access crossings along the site's perimeter.

- xiv. Maintain positive spatial relationships between buildings, streets, open spaces and neighbouring buildings.
- xv. Trees are to be arranged in large contiguous planting areas, the majority of which should not be raised, and must be supported by suitable soil volumes and depths to allow trees to grow to mature size.
- xvi. Provide on-streetcar parking on adjoining and internal streets as appropriate.

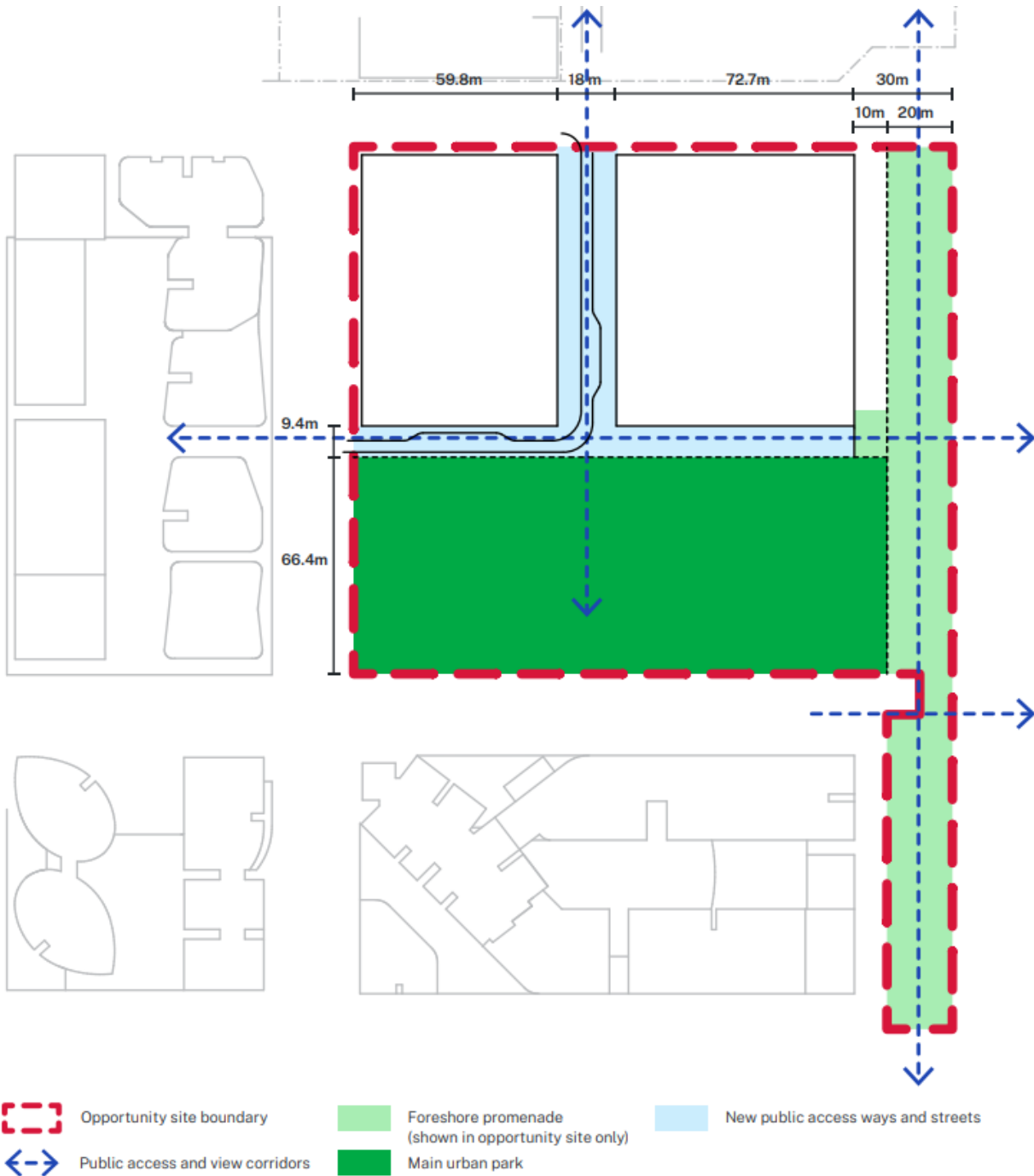


Figure 7 | Opportunity site - Public open space indicative layout

5.5.1.1 Main Urban Park

In addition to the objectives and controls set out in **Section 5.5.1**, the following applies to the main urban park.

Objectives

The main urban park is to:

- Be informed an open space needs assessment.
- Provide for a new main urban park, of a regular shape, that connects and responds to wider street pattern and block layout.
- Provide for a range of use and functions including public gathering, active and passive recreation and other leisure uses.
- Be well connected to the street network.
- Integrate and interpret of the history of the site.
- Minimise solar access impacts on the main urban park.

Development Controls

The main urban park must:

- i. Be located level with adjacent streets Wentworth Place and Footbridge Boulevard (refer to **Figure 7**).
- ii. Deliver a contiguous main park area of a minimum area of 10,044m² of a regular shape and minimum dimension of 60m
- iii. Provide for the following uses and functions:
 - Flexible areas for civic activities and community gathering spaces; and
 - Active areas such as a children's playground / all age play spaces / multi-use court / fitness equipment and bike hub including a children's playground, minimum size of 500m²; and
 - A large grassed open space area: kick about and informal play space fringed by large shade trees, outlook & views; and
 - Amenities with toilets and baby change; and
 - Café/s of a maximum of 1 storey, and maximum internal area of 100m²; and
 - Pedestrian paths that connect to the street network; and
 - Seating, bin, lighting, fitness equipment and/or community gardens and a paved plaza area that addresses the main public street: and
 - Sub-surface drainage and automatic irrigation.
- iv. Solar access to the main park must:
 - Demonstrate that 75% of the park will receive direct solar access for a minimum of 3 hours between 9am-3pm during midwinter.
 - Solar access is to be assessed with cumulative overshadowing of adjacent developments and DCP building envelopes of those yet to be approved.
 - Solar access to the main urban park to be contiguous as far as practical.

- Solar access to the foreshore and new street is not to be included in calculating solar access on main urban park.
- v. Reuse the portals that were part of the original building in the park design.
- vi. Provide planting on structure where appropriate.

5.5.1.2 Foreshore Promenade

In addition to the objectives and controls set out in **Section 5.5.1**, the following applies to the foreshore promenade.

Objectives

To provide:

- A continuous foreshore promenade, activated at key locations.
- A well-lit accessible area under the Bennelong Bridge in accordance with CPTED principles.
- Large canopy tree planting.

Development Controls

The foreshore promenade must:

- i. Be a minimum of 20m wide from the property boundary along the eastern water's edge, refer to **Figure 7**.
- ii. Provide for a continuous public pathway connecting to the foreshore to the north and south of the site.
- iii. Have tree planting in the 20m foreshore setback.
- iv. Be activated at key locations such as building interfaces and the Bennelong Bridge landing.
- v. Use materials and finishes that blend with existing and proposed materials adjoining the site.
- vi. Provide 24/7 direct lift and stair access from the foreshore to Footbridge Boulevard at the southeast corner.

5.5.2 Building Heights

Objectives

- To ensure future development is compatible with the character of streets and the wider precinct.
- To protect the amenity of the main urban park, foreshore promenade and public open spaces.
- To provide built form outcomes that can accommodate the permissible floor space.
- To allow for a suitable tower height composition.
- To provide for decreasing building heights to protect solar access to the main urban park and deliver a human scaled interface.

Development Controls

The maximum permitted height of buildings and towers is provided in the diagram below and described in the following controls:

- The maximum height limit of buildings providing a street wall to Burroway Road and Wentworth Place is limited to 8 storeys.
- The maximum height limit of buildings that form a podium to the tower is 10 storeys.
- A maximum of one tower is permitted within each of the tower zones shown in **Figure 8**.
- The maximum height limit of a tower is 40 storeys, in which the tower closest to the foreshore promenade being a maximum of 139.75 metres¹ and the tower closest to Wentworth Place being a maximum of 143.75 metres².
- Architectural roof features such as domes, towers, masts and building services may exceed the maximum height limit in section 5.5.2 (iv) by up to 8.5 metres, provided they are fully integrated into the design of the roof feature.
- Any volume above the maximum height limit in section 5.5.2 (iv) may not be used for residential purposes.
- Provide built form transitions zones, as shown in **Figure 8**, to cater for a stepped building envelope, decreasing in building height towards the main urban park that deliver:
 - Solar access requirement for the main urban park set out in **Section 5.5.1.1 (iv)**; and
 - Low scaled building forms along the interface with the main urban park.

5.5.3 Built Form

Objectives

The built form is to:

- Maintain the grid pattern east of Hill Road and reinforce the street pattern.
- Reinforce the street pattern.

¹ Height measured in metres with nominal RL 6, exclusive of architectural roof features.

² Height measured in metres with nominal RL 2, exclusive of architectural roof features.

- Assist in providing continuity of the built form on the east side of the peninsula and Hill Road.
- Provide setbacks and building facades that are appropriately scaled for the building use and desired street character.
- Minimise perceived density from the public domain.
- Minimise impacts of density on the adjacent development.
- Maximise the views to the water from the public domain.
- Clearly define public and private spaces.
- Respond in contemporary architecture to climate and sustainability issues.

Development Controls - Setbacks

- i. The following building setbacks are to be provided:
 - Buildings are to be setback 30m from the property boundary to the bay, of which 20m is the foreshore promenade and a further 10m to accommodate circulation / spillover dining / activation along the building's water frontage.
 - Minimum 2.5 metre setback from Burroway Road and Wentworth Place
 - Zero setback in all cases on ground floor and up to 4 storeys in association with retail, commercial or community uses (excluding Burroway Road, Wentworth Place, and frontages to the bay)
- ii. Building setbacks must accommodate additional width in footpaths for higher volume pedestrian activity and to compensate for road infrastructure where necessary.
- iii. Balconies and ground floor terraces may extend forward of the street setback line by a maximum of 600mm across a maximum 50% of the building frontage and the setback line may be averaged where justified.
- iv. Upper levels over 8 storeys are to be setback from the built form below by a minimum of 3 metres.
- v. Towers are to be setback from Burroway Road and Wentworth Road by a minimum of 4 metres.
- vi. Towers are to maintain a minimum 70m setback from the bay.

Development Controls - Towers

- vii. The placement and height of towers must consider alignment, suitable separation, effect on the skyline from viewing points from inside and outside the site, the impact of overshadowing of public places and parks, wind turbulence, and minimise privacy and view loss from adjoining developments.
- viii. The maximum footprint of any tower is 1,150m², which includes all areas to the external face of a building including external walls, internal voids and balconies. The maximum footprint excludes sun shading and landscape planters.

Development Controls – Layout, Orientation and Interfaces

- ix. Podium buildings must align with the orthogonal street grid.
- x. Buildings must have a street address.

- xi. Ground floor uses must respond to the planned and developed characteristics of the respective streets, as follows:
 - **Wentworth Place:** retail frontages in development opposite and a potential park edge.
 - **Burroway Road:** education, commercial and flexible live/work typologies with potential maritime uses in proposed development opposite and a potential park edge.
 - **Footbridge Boulevard:** park edge.
- xii. Layout and built form is to minimise barriers from the transition of levels from the peak of the synthetic terrain at Wentworth Place to the finished seawall levels at the waterfront within the site and to the waterfront.
- xiii. Development is to provide clear sight lines within and through the site.
- xiv. Development is to address impact of views on existing towers as a result of increased built form and development.
- xv. Modulate and articulate buildings to provide depth in the external walls, interest at street level and highlighted entrances.
- xvi. Clearly distinguish between public and private domains particularly for the main park and waterfront, while allowing for active edges to the foreshore linear park and elsewhere as appropriate.
- xvii. Define the main park without excessive indentation or complexity, edges to streets and the waterfront should be activated, and be sufficiently robust to accommodate a range of uses.
- xviii. Provide seamless, continuous and active interfaces to the public domain.
- xix. Use robust resilient materials that complement the neighbourhood and reflect the location.
- xx. Car Parking must be located in basements. Above ground car parking may be considered where this is not practical due to topographical and site constraints. In these instances, above ground parking must:
 - Not be higher than the level of the main urban park, and
 - Be sleeved by apartments, other uses, the false terrain or other suitable means.

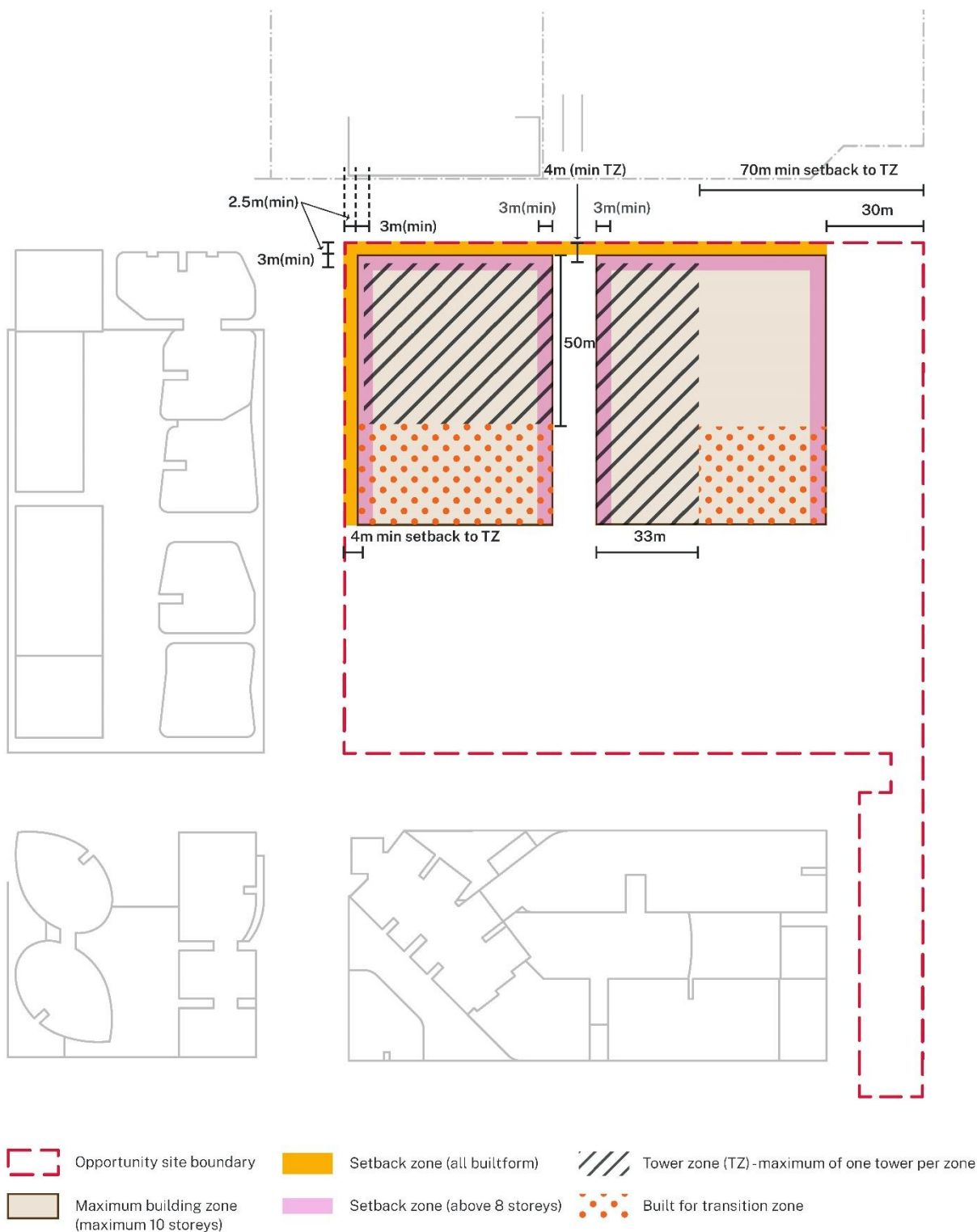


Figure 8 | Opportunity site - Built form and towers zones (indicative only)

5.5.4 General Controls

5.5.4.1 Parking and Travel Demand Management

Objectives

- To assist the implementation of travel demand management initiatives to support non-car modes of transport.
- To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport-public transport, bicycling, and walking.
- To provide adequate car parking for the building’s users and visitors, depending on building type and proximity to public transport.

Performance Criteria and Controls

Development is to:

- Apply the following car parking rates in lieu of 4.3.2 (vii) to (xiv) of DCP 2004 and **Section 5.4.1** of this Plan.

Table 4 | Opportunity site - car parking rates

Dwelling type	Maximum car spaces per dwelling
studio	none
1 bedroom	1.0
2 bedroom	1.2
3 bedroom	1.5
Visitor	1 per 12 dwellings minimum
car share	1 per 200 dwellings

- No more than 50% of adaptable housing required to be provided under 4.4.5 (vi) are also required to have a disabled car space.
 - Visitor parking requirements must be satisfied within basements.
- The following additional carparking requirements are to be applied:
 - Provide 0.1 car parking space per child for childcare centre parking.
 - Provide 1.4 car parking spaces per court for the indoor sports centre; plus, five kiss and ride style, drop off / pick up bays.
- The following bicycle parking is to be provided in lieu of 4.3.2 (xii) and (xiv) of the DCP 2004:
 - 1 resident space per dwelling plus 1 visitor space for every ten units,
 - 1 employee space per 150m² of commercial floor space
 - 1 visitor space per 400m² of commercial floor space.
- Provide motorbike parking at the rate of 1 space per 25 car parking spaces.

- v. Bicycle storage facilities are to be designed in accordance with Part 3 of AS2890.3 and are to include 10A power point outlets to serve 10% of spaces with no space being more than 20m away from a charging outlet. (Chargers excluded.)
- vi. The consent authority may permit variations to the above maximum rates on the basis of transport and traffic management proposals which meet their approval.

5.5.4.2 Wind

Objectives

Development is to:

- Ensure suitable wind environments for pedestrians and residents.

Performance Criteria and Controls

The development is to:

- i. To ensure public safety and comfort, the following maximum wind criteria are to be met by new buildings:
 - 8 metres per second in retail streets; and
 - 13 metres per second along major pedestrian streets, parks and public places; and
 - 16 metres per second in all other streets and places.
- ii. Development applications are to be accompanied by scaled model wind tunnel testing study to assess the pedestrian wind environment of the public domain and public open space network having regard to the Lawson distress criteria as well as within private and communal balconies and open spaces.
- iii. Design buildings and public and private open spaces having regard to wind testing to minimise wind generation and effects through building form, articulation, screening, galleries, tree planting, vegetation and the like.
- iv. The wind study shall be performed by a professional wind engineer with experience in wind issues in the built environment. It is recommended that the applicant or the wind engineer consults the City of Parramatta planning department to agree on the type and approach of the pedestrian level wind study required for the proposed development.
- v. Historical data of wind speed and direction collected over a minimum of 10 years shall be used as the basis of a pedestrian level wind study. Data from the Bankstown Airport Bureau of Meteorology anemometer starting earliest in 1993 shall be used and adequately corrected for the effects of differences in roughness of the surrounding natural and built environment. The use of wind data for daytime hours between 6am and 9pm is generally recommended and may be specifically requested by the City of Parramatta, however, wind data for all hours may be used as well, where appropriate. Climate data are to be presented in the wind study report.
Note: The criteria for pedestrian level wind comfort and safety are based on published research, particularly on the criteria developed by Lawson (1990). Pedestrian safety and comfort are affected by both the mean and the gust wind speed. As such, the criteria defined above are to be applied to both the mean wind speed and the Gust Equivalent Mean (GEM), i.e., the 3 s gust wind speed in an hour divided by 1.85.

5.5.4.3 Design Excellence

Objectives

- To deliver high quality architectural, urban and landscape design.

Performance Criteria

- i. In considering whether development exhibits design excellence, the consent authority must have regard to the following:
- ii. Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
- iii. Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,
- iv. Whether suitable soil depths, volumes and contiguous planting areas to support a thriving landscape are satisfactorily achieved for all landscape areas on structures.
- v. Whether the proposed development detrimentally impacts on view corridors,
- vi. How the proposed development addresses the following matters:
 - The suitability of the land for development.
 - The existing and proposed uses and use mix.
 - Any heritage and archaeological issues and streetscape constraints or opportunities.
 - The location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form.
 - The bulk, massing and modulation of buildings.
 - Alignment of buildings with the streets to reinforce the block and street pattern.
 - Street frontage heights.
 - Environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity.
 - Excellence of the principles of ecologically sustainable development including improvement on the minimum applicable energy and water target of BASIX.
 - Pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network.
 - The impact on, and any proposed improvements to, the public domain.
 - The impact on any special character area.
 - Achieve appropriate interfaces at ground level between the building and the public domain.
 - Excellence and integration of high quality landscape design.

5.5.4.4 Ecologically Sustainable Development

Objectives

The development is to:

- Seek to deliver improvements above the NSW legislated minimums with regard to energy and water efficiency and resident amenity.
- Provide resilience to future changes in climate.

Performance Criteria and Controls

The development should:

- i. Seek to achieve a BASIX Energy score and thermal performance in accordance with State Environmental Planning Policy (Sustainable Buildings) 2022.
- ii. Seek to achieve a BASIX Water score of 50, or the score set out in the State Environmental Planning Policy (Sustainable Buildings) 2022, whichever is the greater.
- iii. Provide photovoltaics to each of the buildings if sufficient roof space is available.
- iv. Seek to implement decarbonisation initiatives where appropriate including requiring the embedded network operator to supply carbon neutral electricity.
- v. Provide an integrated water management system for the site that includes the capture and reuse of stormwater.
- vi. Wintergardens must:
 - Be well designed and contribute to the high quality of the building façade; and
 - Be designed and constructed as a private external balcony with drainage and finishes acceptable to an outdoor space, and
 - Have a generous opening between the wintergarden and any adjacent living area to allow seamless connection of the spaces where ambient conditions are suitable; and
 - Integrate acoustic control for living areas and bedrooms on the internal façade line between the wintergarden and the living area or bedroom; and
 - Ensure glazing in the external façade of a wintergarden has must have a solar absorption of less than 20%.
- vii. Provide for Electric vehicle (EV) charging infrastructure. All multi-unit residential car parking must:
 - Provide an EV Ready Connection to each and every space allocated to residents and visitors.
 - Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready Connections and Shared EV connections.

5.5.4.5 Urban Heat

Objectives

The development is to:

- To reduce and minimise urban heat.
- To maximise user comfort in the local urban environment (private open space and the public domain).
- To minimise the reflection of solar heat downward from the building façade into private open space or the public domain.

Development Controls

The development must:

- i. Where surfaces on roof tops or podiums are used for communal open space or other active purposes, the development must demonstrate at least 50% of the accessible roof area complies with one or a combination of the following:
 - Be shaded by a shade structure.; or
 - Be covered by vegetation consistent with the controls on Green Roofs or Walls in Section 4.3.3.6.3 Landscaping in the Parramatta DCP.
- ii. Where surfaces on roof tops or podiums are not used for the purposes of private or public open space, for solar panels or for heat rejection plant, the development must demonstrate the following:
 - (a) Materials used have a minimum solar reflectivity index (SRI) of 82 if a horizontal surface or a minimum SRI of 39 for sloped surface greater than 15 degrees; or
 - (b) 75% of the total roof or podium surface be covered by vegetation; or
 - A combination of (a) and (b) for the total roof surface.
- iii. Future development applications must:
 - Evaluate the heat resiliency of the proposed development using CSIRO predictive weather file RCP 8.5 for the Climate Zone determined by NatHERS and accounting for the urban heat island effect; and
 - Analyse all public and communal open space using the UTCI (Urban Thermal Climate Index) methodology. Including overshadowing attributes of the proposed building envelope and urban tree canopy; and
 - Assess four (4) time intervals for each representative day (9am, 12pm, 3pm, 6pm) configured seasonally; and
 - Confirm that at least 90% of the public and communal open space performs within the +1 and -1 categories for at least 95% of the time = 90 / 95 / UTCI \pm 1.

5.5.4.6 Water Sensitive Urban Design

Objectives

The development is to:

- To manage the quantity and quality of stormwater run-off.
- To protect and enhance existing natural or constructed drainage networks the magnitude and duration of erosive flows.
- To ensure that on-site stormwater management measures are operated and maintained in accordance with design specifications.

Performance Criteria and Controls

The development must:

- i. Integrate Water Sensitive Urban Design (WSUD) principles into the development through the design and use of 'green' stormwater systems, biological water retention and treatment and integration of water management into the landscape rather than relying on 'end of pipe' proprietary treatment devices prior to discharge.
- ii. Employ operating practices that prevent contamination of stormwater.
- iii. Maximise pervious surfaces and use soft landscaping and deep soil to promote infiltration and reduce stormwater run-off.
- iv. Make adequate provision for the control and management of stormwater run-off from the site to ensure that stormwater has no adverse impact on Council's stormwater drainage systems, natural watercourses, the development itself, or adjoining properties.
- v. Stormwater drainage design criteria, overland flows, and location of stormwater detention and rainwater tanks are to be in accordance with Council's Stormwater Disposal Policy and current Development Engineering Design Guidelines.
- vi. Run-off entering directly to waterways or bushland is to be treated to reduce erosion and sedimentation, nutrient and seed dispersal.
- vii. The discharge of polluted waters from the site is not permitted. Discharges from premises of any matter, whether solid, liquid or gaseous is required to conform to the Protection of the Environment Operations Act and its Regulations, or a pollution control approval issued by the NSW Office of Environment and Heritage for Scheduled Premises.
- viii. Prepare and implement a Site Stormwater Management Plan (SSMP) incorporating water sensitive urban design measures The SSMP must:
 - Identify the potential impacts associated with stormwater run-off and provide appropriate measures for water quantity, water quality and water efficiency and re-use; and
 - Be developed in accordance with *Council's Stormwater Disposal Policy* and current *Development Engineering and Design Guidelines*; and
 - Achieve pollution reduction targets identified in **Table 5** and consider measures including vegetated swales; vegetated filter strips; sand filters; bioretention systems; permeable pavements; infiltration trenches; infiltration basins; landscape developments; Gross Pollutant Traps and filters; and

- Utilise the MUSIC modelling tool (or equivalent) to determine pollution load reduction as defined in Table 2; and
- Be prepared by a suitably qualified professional.

Table 5 | Stormwater treatment targets

Pollutant	Performance target reduction loads
Gross Pollutants	90% reduction in the post development mean annual load of (greater than 5mm)
Total Suspended Solids	85% reduction in the post development mean annual load of Total Suspended Solids (TSS)
Total Phosphorus	65% reduction in the post development mean annual load of Total Phosphorus (TP)
Total Nitrogen	45% reduction in the post development mean annual load of Total Nitrogen (TN)
Hydrocarbons, motor oils, oil and grease	No visible oils for flows up to 90% of the one-year ARI peak flow specific for service stations, depots, vehicle body repair workshops, vehicle repair stations, vehicle sales or hire premises, car parks associated with retail premises, places of public worship, tourist and visitor accommodation, registered clubs and pubs

NOTE: Reductions in loads are relative to the pollution generation from the same development without treatment