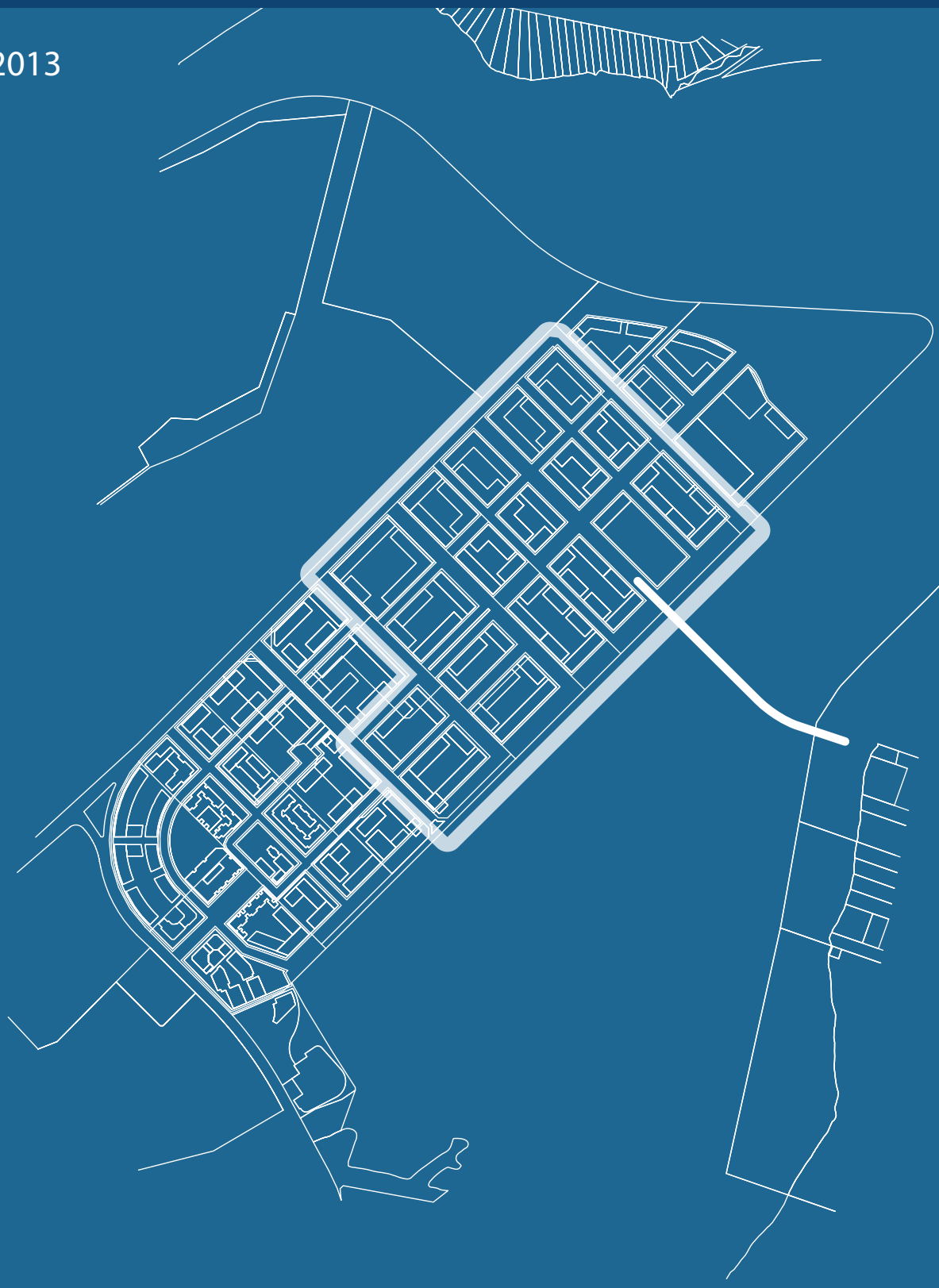
NSW GOVERNMENT Planning & Infrastructure

Amendment No. 1

2013



Homebush Bay West

DEVELOPMENT CONTROL PLAN

1.1 NAME OF THIS DEVELOPMENT CONTROL PLAN

This Plan is known as Homebush Bay West Development Control Plan 2004 Amendment No. 1. The Plan was adopted by the Director General on 9 July 2013 and came into effect on 31 July 2013.

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, but only when an agreement has been executed with the Roads and Maritime Service (or another State government authority) for the provision of a bridge between the subject land and Rhodes Peninsula and this Agreement includes provisions relating to the issuing of construction certificates for development permitted by Part 5 of this Plan, and the Bridge. This land to which the Plan applies is shown on the figure under clause 5.1.

1.3 RELATIONSHIP TO OTHER PLANS AND POLICIES

This Plan is to be read in conjunction with Sydney Regional Environmental Plan No 24 – Homebush Bay Area (REP). If there is any inconsistency between this Plan and the REP, the REP will prevail.

This Plan amends the Homebush Bay West Development Control Plan as adopted by the Director General on 3rd September 2004.

1.4 PURPOSE OF THIS DEVELOPMENT CONTROL PLAN

The purpose of this DCP is to provide amended and additional planning and design controls to govern development on land to which this plan applies that is additional to that permitted under Part 3 and in accordance with the VPA.

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;
- Building heights;
- Building separation; and
- Street setbacks.

1.5 AMENDMENT TO HOMEBUSH BAY WEST DEVELOPMENT CONTROL PLAN 2004

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

5.1 Introduction

This part of the Plan applies only to development on land that is subject to a Voluntary Planning Agreement (VPA) for the provision of a pedestrian, cycling and public transport bridge linking Wentworth Point to Rhodes.

The land that is subject to the amended development controls and the VPA for the Homebush Bay Bridge, is contained within Precincts B, C, D and part E as shown in the figure below.

It provides amended and additional planning and design controls to govern development that is additional to that permitted under Part 3 in accordance with the VPA. 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 (section 3.4.1);
- Building heights (section 3.4.2);
- Building separation and bulk (3.3.4 and 3.4.5); and
- Street setbacks (3.4.6).

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 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 5.2.

5.2 Design Framework Principles

Additional floor area for residential development is required as the funding mechanism under the Voluntary Planning Agreement for the provision of the Homebush Bay Bridge.

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 retains the broad principles of the DCP 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.

5.2.2 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, Bridge Boulevard and the central Major North-South Street.
- A more **urban character** at the northern end of Wentworth Point around the intersection of Bridge Boulevard and the central north-south spine.
- **Tower forms** introduced within a designated ‘tower zone’ primarily along the central north-south spine.

PART 5 HOMEBUSH BAY BRIDGE DEVELOPMENT

5.3 Built Form General Controls

The General Controls within Section 3.4 are altered to accommodate additional floor area in accordance with the revised Urban Design Framework Principles outlined in Section 5.2. 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 the Table in Section 3.4.1 are amended as follows to accommodate an additional 106,000m² floor area:

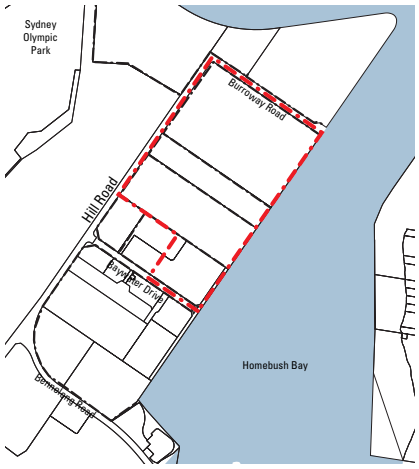
Precinct	Site Area (m²) (1)	Total Allowable floor space maximum	Commercial/ maritime/ educational floor space minimum	Retail/ café/dining associated with the waterfront	Residential floor space maximum (2)	Public open space minimum
B	109,730	200,649	3,165	100	197,384	10,973
C	31,946	74,424	0	100	74,324	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

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, and 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.



CONTROLS

Provide floor space and public open space for each precinct in accordance with the table above and in the locations specified in the Plan's Objectives (Section 2.3) and the revised Design Framework (Section 5.4) subject to the commercial viability of non-residential uses whereby 4.4.5 Flexibility may be applied instead.

Note that the control 3.4.1 (ii) still applies.

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 limited to 16-20 storeys in height to permit transition to adjoining lands.

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.

Revised Building Height Diagram - building shapes indicative only

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.

Building Separation and Bulk Performance Criteria 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 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

i Create a more urban character for buildings in Precinct B and C up to Burroway Road by providing a minimum 2.5 metre setback.

ii Permit a zero setback on ground floor and up to 4 storeys in association with retail, commercial or community uses

iii 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.

iv The proportions and articulation utilised in towers should reflect a sound response to their contexts and potential aesthetic and physical effects.

5.3.5 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 Homebush Bay 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:

i 3.4.2 Building Height Control (ii) (maximum overall height for buildings) does not apply.

ii 3.4.3 Topography and Site Integration Controls (i) and (iii) do not apply.

iii 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.

iv 4.1.4 Private Open Space Performance Criteria (ii) in that a podium may also contain parking.

v 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.

vi 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.

vii 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.

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

x 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.
- Dwelling type Maximum car spaces per dwelling

studio	none
I bedroom	1.0
2 bedroom	1.2
3 bedroom	1.5
visitors	1 per 8 dwellings (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 may be satisfied by provision within basements, on newly created streets and additional parking created on existing streets.

xi Provide for a travel behaviour change program for each development after the opening of the Homebush Bay 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.