



INNER WEST COUNCIL

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29 October 2019

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RE: Planning Proposal (Department of Planning, Industry and Environment (DPIE) Ref: PP_2017_IWEST_018_00) 469-483 Balmain Road, Lilyfield.

This is Council's submission on the above planning proposal being exhibited by the Sydney Eastern City Planning Panel.

Council is concerned that the exhibited planning proposal does not meet the Gateway Determination conditions, which in turn embodied the Sydney Eastern City Planning Panel's concerns expressed in its recommendation that the proposal could proceed to Gateway.

The Panel's core concerns were:

1. Consistency with the Greater Sydney Region Plan and Eastern City District Plan;
2. The viability of industrial uses if residential uses were to be permitted on the site;
3. Demonstrating that the development would not have a detrimental impact on current or future uses in the remainder of this industrial and urban services precinct;
4. Rationale for the height, floor space ratio, building massing and modulation; and
5. Provision of a site-specific Development Control Plan (DCP).

The exhibited proposal does not fully address any of these five (5) concerns. In particular it is inconsistent with the Region and District Plan industrial lands priority, and does not demonstrate the viability of industrial uses with dwellings above them or that the proposed residential uses would not have a detrimental impact on existing and future businesses in the rest of this industrial precinct.

The concept design is innovative, but it fails to provide a compelling rationale for the height, floor space ratio, building massing and modulation. The proposed draft DCP is limited in its scope and does not provide the range of measures and controls included in other recent site specific DCPs in the area.

The proposal also fails to meet the requirements of the DPIE's 'Guide to preparing planning proposals' strategic merit test. Council's assessment of the proposal is detailed in the two (2) attachments to this letter and summarised below against each of the Panel's five core concerns.

1) The proposal is inconsistent with the objectives of the Greater Sydney Region Plan and the Eastern City District Plan and it contradicts the Greater Sydney Commission's advice on how to retain and manage industrial and urban services land in its 'A Metropolis that Works' paper.

This paper stresses the importance of a "no regrets" decision making approach to retention of industrial land and in particular warns that "introducing residential uses to the city's working spaces brings with it a change in land pricing signals which will undermine retention of employment uses over time".

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The planning proposal does not provide convincing evidence that introducing residential uses would not be detrimental to this industrial site and become a regrettable decision.

This is not just a risk for this site, it would also create a high risk precedent for the Eastern City. If a large proportion of Eastern Sydney's small IN2 zones were to follow this precedent, it would have a significant negative impact for these precincts and the city's capacity to meet the industrial and urban services needs generated by future growth.

The provision of additional dwellings to meet Eastern City District Plan targets to 2021 or from 2021 to 2036 on this site is unnecessary as the Council's draft Housing Strategy shows that these targets are already being met without this site or indeed without other current planning proposal sites that have not been gazetted already.

2) Neither the planning proposal nor the associated Hill PDA Economic Impact Assessment provides a viability assessment of whether industrial uses would thrive in the proposed development should residential uses be permitted on the site.

Although the proposed development would retain employment floor space it would inhibit intensification of employment uses by capping the amount of urban services and industrial space. The proposal would constrain the site's future adaptability by introducing residential apartments above industrial floorspace.

3) The Hill PDA Economic Impact Assessment supporting the proposal fails to explain how the introduction of residential uses would **not** act as a Trojan horse or stepping stone to the whole development and the rest of the adjoining industrial precinct becoming primarily residential.

This would not be in the interest of maintaining a productive industrial and urban services area.

In addition, the planning proposal's suggested new Leichhardt Local Environmental Plan local provision that "Any development of the site is to have regard for any impacts created on the adjoining IN2 Light Industrial land" fails to meet the Gateway requirement that the proposal should demonstrate that it will not have such detrimental impacts by attempting to defer consideration of this matter to the development application stage.

The Hill PDA Economic Impact Study dated March 2019 is also inconsistent with the HillPDA Draft Employment and Retail Strategy for Council dated September 2019 Action 3.1.2 to prohibit residential development in industrial land.

4) In respect to the required built form rationale the current floor space ratios for this part of Lilyfield are:

- R1 General Residential Zone - 0.5:1
- IN2 Light Industrial Zone – 1:1

The proposed Floor Space Ratio for the site is 2.54:1, which has an estimated yield of 142 units. The site area is 6,824m² and the proposed total gross floor area is 17,325m². A reduction in density is required to ensure integration with the low density character of the area and reduce overlooking of neighbouring properties and overshadowing of open space areas.

Given that the surrounding context is a low density residential and industrial neighbourhood next to the Callan Park State Heritage Item and a local heritage item, the proposed FSR of 2.54:1 is excessive and cannot be justified.

The planning proposal requests residential accommodation as an additional permitted use on this IN2 Light Industrial site. This is likely to be incompatible with existing and potential future industrial activities. Conflicts may arise over access arrangements for vehicles, pedestrians and between residential/employment land uses, concerns about loading and operating hours as well as noise, odour, dust and separation between uses.

The proposed 'residential accommodation' land use is also contrary to the objectives of the IN2 Light Industrial Zone of the Leichhardt LEP 2013.

5) The proposed DCP does not provide a full range of appropriate controls for matters such as accessibility, waste management, vehicular access/management and parking.

This also applies to the proposed DCP's cross referencing of provisions of the Leichhardt DCP 2013 which makes the document difficult to use. Council's preference would be for the provisions to be included in Part G of the Leichhardt DCP 2013 to remove the need for cross referencing.

Should you have any questions or require additional information, please contact **Leah Chiswick on 9392 5232** or leah.chiswick@innerwest.nsw.gov.au.

Yours sincerely,



Daniel East
Acting Manager Strategic Planning & Policy

Encl.

Attachment 1
Attachment 2

Attachment 1 – Detailed Economic and Social Impact Comments

Economic Impact

These comments are arranged below in two main parts, those that relate to the core FPD Planning Proposal (4 June 2019) and the supporting Hill PDA's Economic Impact Assessment (March 2019).

Planning Proposal

In addition to the explanation in the Council's covering letter of why the proposal is inconsistent with the Greater Sydney Region Plan (GSRP) and the Eastern City District Plan (ECDP) the proposal document is misleading and flawed in several critical aspects including:

1. The proposal maintains (p24) that the 2013 Leichhardt Employment and Economic Development Plan (EEDP) supports the proposed rezoning. This is a spurious claim as the EEDP is already nearly seven years old and is based on an employment study carried out in 2010, almost 10 years ago.
2. Under "Project benefits" the proposals lists diversity of housing and live work potential in the dwellings that would be provided. The live work potential claim is irrelevant as any new residential development and all existing dwellings have that potential.

Tables 9,10 and 11 of the Council's Draft Housing Strategy (May 2019) show that the LGA is forecast to exceed the ECDP 2016-2021 residential development target of 5,900 dwellings by around 950 dwellings without this site or indeed after ungazetted planning proposal sites. Equally the Housing Strategy's medium and high growth scenario projections show that the Inner West LGA will exceed the ECDP 2021-2036 targets of 15000 by between 2300 and 5000 dwellings.

Consequently the live work potential at Balmain Road will be easily accommodated elsewhere in the LGA in developments that do not have a high risk of an adverse impact on industrial and urban services land.

3. The "Justification" for the proposal outlined on page 40 confirms that it is not the result of any strategic study or report.

It also states that GSC Information Note "Industrial and urban services land (Retain and manage) – transitional arrangements" clarifies that the Panel's Gateway decision is the primary consideration for this proposal.

If that is the case then the proposal is not justified as both the detailed comments in this Attachment and the summarised comments in the cover letter confirm that the proposal does not meet the requirements of the Panel's Pre-Gateway Review decision.

4. The "Justification" is intended to confirm that a "planning proposal is consistent with a Council's local strategy or other strategic plan". This exhibited proposal claims consistency with Council's 'Our Inner West – 2036 Community Strategic Plan' and the 'Leichhardt Employment and Economic Development Plan 2013'.

Both are incorrect as Our Inner West 2036 requires the provision of affordable spaces for creative industries and the proposal does not confirm how the new artist's studio space would be made affordable. The Community Strategy also states that industrial and employment lands should be protected but the proposal's introduction of residential uses would threaten industrial and urban services on this side and in the adjoining precinct.

5. Turning to the actual strategic merit questions in the Department of Planning's "Guide to preparing planning proposals" the exhibited proposal's responses in its Section II fail to properly answer questions 1- 6 and 8-9 as follows:

- Q1. All recent and up to date strategic studies including Council's own Employment and Retail Land study and Draft Housing Strategy, plus Hill PDA's own 2015 Industrial Precinct Review for the Department of Planning and the GSC District Plan show that this and similar industrial precincts should be protected from rezoning. The exhibited proposal is not based on any study, its answer avoids the question and ignores the conclusion of the above studies.
- Q2. The housing provision and retention of industrial floor space objectives of the proposal can be better achieved through the evidence based planned approaches for both outcomes as set out in Council's Local Strategic Planning Statement (LSPS), Employment Land and Housing strategies.
- Q3. The proposal is inconsistent with the protection of industrial land priority of the Region and District Plan. This inconsistency is reinforced by the GSC advice on adopting a "no regrets approach" to decisions on the future of industrial land as set out in its paper "A Metropolis that works".
- Q4. The proposal references former Leichhardt Council strategies to say it satisfies this question. These are many years old. When the contemporary evidence provided in 2019 Council studies is applied, the risk posed by introducing residential uses to this precinct makes this proposal inconsistent with Council's employment land and housing strategies.
- Q5. The proposal assesses the development as having the ability to comply with SEPP 65 – Apartment Design Guide but fails to consider the crucial point that SEPP 65 does not deal with mixed industrial/residential developments.
- Q6. The proposal is inconsistent with Ministerial Direction 1.1 (4)(C) as it will reduce the total potential floor space for industrial uses on the site by building dwellings above the employment space. It is also inconsistent with 1.1 (5) (a) as it is not justified by a strategy and 1.1 (5)(c) because it is not in accordance with the Region Plan or District Plan for the reasons detailed throughout this submission.
- Q8. The planning proposal's section 11.3.2 response to Gateway Condition 1C requirement to provide examples of successful industrial and residential developments sidesteps this requirement by only identifying tangential cases. The examples provided involve two B2 sites, a B4 site and an R3 site with a pre-existing industrial use. Consequently, in this context, the proposal has not demonstrated that residential amenity and land use conflicts have been successfully managed in an IN2 zone with a new mixed industrial/residential development.
- The planning section 11.3.4 traffic and transport justification and the supporting Traffic Impact Assessment also purport to address Q8 of the Strategic Merit Test, but do not take account of the increased traffic flows in this part of the road network that were likely to arise and now have arisen from the opening of WestConnex Stage 1.
- Q9. In responding to this social and economic effects question, the proposal draws on the supporting Hill PDA's Economic Impact Statement (March 2019) and at the same time also seeks to answer Gateway Condition 1d about the viability of mixing industrial and residential uses on the same site.

The proposal implies that the Economic Impact Assessment includes a viability assessment to address this issue. It does not. Hill PDA only provide a commentary that "the redevelopment of the ageing building on the site is unviable under the current FSR and land use controls". It provides no evidence that the building cannot continue in its present state as affordable industrial and urban services accommodation. It also does not consider how the type of changes in planning controls identified in the Council's Employment and Retail Lands Strategy could enhance the prospects for an employment only development.

6. The exhibited proposal's Conclusion section on p57 is misleading. It starts by stating that the proposal supports the strategic directions of 'Our Inner West 2036' community strategic plan but then ignores the industrial land protection and affordable creative floor space priorities of the same plan.

In addition the Council's draft LSPS and Employment and Retail Land Strategy prioritise the protection of industrial land from inappropriate uses such as residential. These policy documents both flesh out the above Our Inner West 2036 priorities.

No evidence is provided to justify the second conclusion that the "site is at the end of its economic life". The other part of the second conclusion is based on a partial and inaccurate interpretation of the Leichhardt EEP which in any case is almost 7 years old and is based on a 2010 employment land study.

The third and fourth conclusion cherry picks part of the Region and District Plan, misinterprets their meaning in relation to protecting industrial land and omits to fully address the proposal's inconsistencies with these Plans' employment land priorities.

The fifth conclusion inclusion of new employment and creative space as a public benefit avoids the obvious flaw that this new space would have to recoup development costs and consequently would be unaffordable for existing urban services and creative uses.

The sixth conclusion about proximity to the Bays Precinct is opaque, but if this is intended to suggest the proposed 142 dwellings would complement the Bays Precinct regeneration project it is irrelevant. Council's Draft Housing Strategy confirms that the District Plan housing targets can be easily met without residential uses on this site. The Housing Strategy will ensure ample new housing to complement the Bays Precinct project is provided in an evidence-based planned approach for the LGA.

Attachment 2 – Detailed Urban Design Comments and Draft Development Control Plan (DCP)

1. Urban Design Comments

- The proposal states that it “has been developed in line with” 2007 Leichhardt Council design principles for development of the site. At almost 13 years these principles are clearly outdated.
- The supporting Heritage Assessment conducted by NBRS & Partners considers the potential heritage value of the buildings on the subject site, but does not consider potential impacts of the proposal on adjoining heritage items (dwelling at 8 Fred Street (local item) and Callan Park Conservation Area (State item)). Without this assessment, the appropriateness of the proposal’s bulk and scale cannot be adequately considered. The Urban Design Report notes that “taller building elements are located towards Balmain Rd to take advantage of the Callan Park amenity and diversity of heights along Balmain Rd”, however the impact of this scale of development (6 storeys, including a ground floor with a high ceiling) on the adjoining State heritage item has not been considered.
- Maximum RLs should be included in both the Local Environmental Plan (LEP)/DCP amendments.
- As discussed in the detailed comments on the draft DCP below, the illustrative cross section in the Urban Design Report shows that the scheme will result in wall heights of approximately 12.4m (three storeys) to Balmain Road and 8.5m (two storeys) to Fred Street. Wall heights in this location should be a maximum of two storeys, particularly given the 4m floor-to-ceiling height for the ground floor and the 400mm+ slab between ground and first floors. Under Leichhardt DCP 2013, the Nanny Goat Hill Distinctive Neighbourhood has a 7.2m maximum wall height (C13).
- Consideration should be given to increasing the upper level setback to Balmain Road (currently shown as 3m) so as to reduce apparent bulk and scale.
- Setbacks between the ‘character buildings’ and the proposed buildings should be appropriate and confirmed.
- Particularly long building lengths are shown to Fred Street and Balmain Road so requirements on building wall lengths and articulation should be included.
- The planning proposal suggests a new local provision that would require that “any development of the site is to have regard for any impacts created on the adjoining IN2 Light Industrial land”. It appears that this is the response to the Gateway requirement (e) to update the proposal to “demonstrate that the development will not have a detrimental impact on the current or future uses of the adjoining industrial area”. Using a local provision to shift consideration of this to the Development Application (DA) stage is unacceptable. The proposal does not consider whether there are appropriate mechanisms to protect the viability of the adjoining industrial land.
- Given the need to safeguard all existing industrial and urban services land that has been identified by both the Greater Sydney Commission and Inner West Council, ensuring the ongoing viability of the remainder of the industrial precinct is a paramount consideration. Council’s Draft Employment and Retail Lands Study, undertaken by HillPDAs, forecasts that there will be a shortfall of industrial and urban services floorspace in the Balmain Road industrial precinct of between 18,151sqm and 41,089sqm by 2036. Consequently, any amendment of the LEP needs to address requirement (e) of the Gateway determination directly, rather than deferring consideration of the matter to the DA stage.

2. Development Control Plan Comments

- Compared to recent Leichhardt Development Control Plans for similarly large developments at Balmain Leagues (only 500m from subject site), Kolotex/Labelcraft and Allen Street, Leichhardt, the proponent's draft DCP does not fully address the issues and themes it should.
- It is unclear whether it is proposed to include the controls for the site within a stand alone DCP or within Part G of DCP 2013. Council's preference would be for the provisions to sit within Part G to remove the need for cross referencing/adopting provisions of DCP 2013. Section 1.3 states "in the event of an inconsistency between this section of the DCP and the remainder of Leichhardt DCP 2013". This infers that these provisions sit within DCP 2013, while 1.1 suggests that the DCP is stand alone.

1.3 Relationship with other plans

- The table on Page 4 is of little value. If this is to be a stand alone DCP then it needs to specifically reference the provisions (sections/parts) of DCP 2013 which it is adopting and the language used must clearly reflect this.

1.5 Application to the DCP Provisions

- This section is unnecessary as the Act establishes the status of DCPs.

2.1 Desired Future Character Statement

- This section should include commentary on heights and massing.

2.2 Principles

- Reference should be made to minimising impacts on adjacent/nearby heritage items (dwelling on Fred St and Callan Park Conservation Area – State item).
- "Encourage the development of a built form that does not adversely impact on the solar amenity of adjoining residential properties" – In addition to the built form provisions, achievement of this principle should be supported by provisions which ensure that overshadowing of adjoining properties is minimised, e.g.

Objective

To minimise the overshadowing impacts of development within the Precinct on adjoining properties.

Control

The surrounding residential properties are to receive a minimum three hours of direct sunlight to 50% of windows to principal living areas and 50% of principal open space between 9am and 3pm at the winter solstice. Where properties receive less solar access than specified above, there should be no further reduction.

3.1 Public Domain

- O2 "To increase pedestrian permeability around the Site" and enhance the local pedestrian network.
- C1 "Widened footpaths to Balmain Road, Alberto Street and Fred Street are to be provided as shown at Figure 2. These areas are to be dedicated to Council" at no cost.
- C3 Amend to – A public domain/landscape plan is to be submitted with a development application for the redevelopment of the Site that illustrates the proposed materials and finishes of the public domain and landscaping around the Site in accordance with (*refer to relevant sections*).
- A control should be included which requires provision of a publicly accessible link between Balmain Road and Cecily Street (as shown in the Urban Design Report). The control should stipulate the width of the link, whether access is to be unrestricted/restricted, and require that it provide unimpeded pedestrian access

i.e. without stairs.

- Additional controls:
 - Overhead power cables along the Balmain Road and Fred Street frontages must be relocated underground and replaced with appropriate street lighting given the scale of the development and the significant aesthetic benefit resulting from undergrounding, including allowing for viable street tree planting.
 - Incorporate street trees along Balmain Road, Fred Street and Alberto Street.

3.2 Uses and Activities

- Need provisions that will safeguard the current and future viability of the adjoining industrial area.
- C2 - Delete 'active'. It may not be appropriate for employment uses to have an active frontage.
- Additional controls:
 - The development shall comply with Council's requirements for Diverse Housing (refer Clause 6.13 of LLEP 2013).
 - Dwellings of different sizes and tenures should be well integrated within the development.

3.3 Site Layout and Built Form

- Additional objectives and controls required in relation to achieving appropriate street wall heights and fine grain development. The urban design report states that the design incorporates vertical facade articulation (noting that Lilyfield and surrounds are 'fine-grained' neighbourhoods) – this should be reflected in the DCP. E.g. Building façades are to display a distinct vertical modulation and rhythm that complement the fine grain character of the locality.
- The controls allow flexibility ('generally consistent', 'where variation is proposed') in relation to heights and setbacks. This dilutes the controls, potentially making them ineffective. These could be replaced (and simplified) with a control that allows for variation, but only where a better built form outcome is achieved e.g.:

Alternative building envelopes will only be permitted if the proposal can demonstrate a higher quality outcome can be achieved with regard to:

 - response to the surrounding context
 - built form and scale transition across the site
 - impacts to the adjacent HCA and heritage items
 - amenity to the surrounding properties and within the site
 - permeability and connectivity
- C4 – Include a requirement that upper level setbacks are to be free of any encroachments from any parts of new building structures.
- Maximum RLs be should be included in the LEP/DCP.
- Wall heights should be a maximum of two storeys, particularly given the 4m floor-to-ceiling height for the ground floor and the 400mm+ slab between ground and first floors. The illustrative cross section in the urban design report shows that the scheme will result in wall heights of approx. 12.4m to Balmain Road and 8.5m to Fred St. Under DCP 2103, Nanny Goat Hill Distinctive Neighbourhood has a 7.2m maximum wall height (C13).
- Consideration should be given to increasing the upper level setback to Balmain Road (currently shown as 3m) so as to reduce apparent bulk and scale.
- Confirm setbacks between the 'character buildings' and the proposed buildings.

- Include requirements on building/wall lengths and need for articulation – particularly long building lengths are shown to Fred St and Balmain Rd.

3.4 Building Design

- C1 – Vague. Reads more like an objective. Not measurable.
- C2 – Include: Roof structures to be within the maximum RL and not visible from the public domain.
- Delete “Alternate setbacks are allowable if designed to minimise visual impact”.

3.5 Residential Amenity

- The visual privacy provisions are of no effect due to SEPP 65 Clause 6A.
- Inclusion of the solar access provisions of the ADG is unnecessary.
- Consideration should also be given to including an additional section, Acoustic Privacy (or similar), relocating controls from this section and including additional controls:
 - Where adjacent to industrial zoned land, buildings are to be designed and constructed to mitigate noise impacts and to ensure architectural integrity.
 - Private open spaces and habitable rooms shall be located away from industrial zoned land, or protected with appropriate noise shielding devices.

3.6 Open Space and Landscape

- C2 – If the redevelopment is to have 100% site coverage with no deep soil planting then the provision of green roofs and walls is imperative. Interestingly, the illustrative concept plan shows almost all roof surfaces as green roofs. See ‘Building materials and finishes’ below.
- Require planting of mature trees on structure (vault style) within the communal courtyards.
- Include a requirement that any planting on structure is to satisfy the following soil volume requirements:

Tree size	Height	Soil volume
Small	6-9m	20m ³
Medium	10-13m	30m ³
Large	14m+	40m ³

- The minimum number of trees is 1 large tree (at least 12 metres) per 90m² of soil, or 2 medium trees per 90m² of soil.

3.7 Access and Parking

- Additional objective – Access should also reduce the potential for traffic conflict and conflict between pedestrians and vehicles.
- Additional controls:
 - Vehicle access should be separated from pedestrian entries to avoid pedestrian vehicular conflict.
 - Ingress and egress from the site shall be in a forward direction.
 - Vehicular entries are to be designed to minimise the visibility of garage doors on the street. This is to be achieved by providing parking below ground level and setting doors back from the street boundary and building edge wherever possible.
- Show indicative locations for access, both vehicular and pedestrian.

3.8 Sustainability

- C1 – If this is to be a stand alone DCP, the provisions of DCP 2013 should be adopted, however the sustainability provisions of DCP 2013 are not comprehensive and robust enough. For example, Section C1.21 Green Roofs and Green Living Walls of DCP 2013 does not *require* the provision of green roofs and walls. Green roofs and walls are particularly important given that no deep soil is proposed.

Waste

- If the DCP is to be stand alone, it needs to adopt the provisions of Part D and Appendix D of Leichhardt DCP 2013.

Additional controls:

- Consideration to be given to waste requirements, particularly for the 'employment space', e.g. bulky waste hazardous waste, liquids, access for collection, storage of reusable items, and an appropriate control imposed.
- The collection of all waste, recycling and bulky waste is to occur on-site.
- Waste and recycling storage areas are to be provided within the premises in reasonable proximity to the vehicle entrance, and no lower than one level below street level.
- Waste and recycling must be managed, stored and presented within acoustically treated areas to minimise the noise of collection.
- A dedicated space is to be allocated for communal composting or worm-farming for residents or design for source separation, collection and processing of food organics.
- Secure space is to be allocated for the separate storage of liquid wastes, including commercial cleaning products, chemicals, paints, solvents, motor and cooking oils.

The draft DCP lacks provisions for environmental management (including ecologically sustainable development, water sensitive urban design, water reuse, recycling and harvesting and biodiversity), heritage, building materials and finishes and design excellence. Suggested additional provisions are included below.

Environmental Management

Objectives

- To ensure that the new development applies the principles of ecologically sustainable development.
- To reduce environmental impacts of the development.
- To encourage improved environmental performance through the use of industry recognised building rating tools.
- To promote the use of renewable energy sources and materials to reduce the use of resources, and the generation of pollution and waste resulting from development activity.
- To reduce the cause and impact of the urban heat island effect.
- To implement sustainable urban water management.
- To improve the diversity and abundance of locally indigenous flora and fauna species across the Inner West.
- To enhance habitat and contribute to the network of wildlife corridors throughout the Inner West.

Controls

Ecologically Sustainable Development (ESD)

- The development is encouraged to use an environmental rating tool, such as Green Star, to demonstrate the degree to which it is an ecologically sustainable development. Where Green Star is used, achievement of a minimum of 5 stars is encouraged.
- The installation and use of photovoltaic solar panels is encouraged. Where possible, solar panels should be co-located with extensive green roofs to increase the operational efficiency of the solar panels.

- The development must increase urban green cover on the site through tree planting, mass planted garden beds, WSUD, and green roofs and walls.
- The development must enhance urban biodiversity by increasing habitat for local flora and fauna.
- Use building materials, fittings and finishes that have been recycled, made from or incorporate recycled materials, and have been certified as sustainable or 'environmentally friendly' by a recognised third party certification scheme.
- All new water fittings and fixtures such as showerheads, water tap outlets, urinals and toilet cisterns, in all non-residential development, the public domain, and private open space are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.
- Non-residential development is to be designed to minimise the need for active heating and cooling by incorporating passive design measures related to glazing, natural ventilation, thermal mass, external shading and vegetation.
- All lighting within the public domain should be energy-efficient, such as LED lighting.

Water Sensitive Urban Design (WSUD)

- The development should adopt an integrated approach to water cycle management and address water conservation, efficiency, stormwater management, drainage and flooding through a coordinated process.
- A suitably qualified engineer with experience in stormwater, drainage and WSUD is to assess the site requirements for the proposed development, and prepare the required stormwater, drainage and WSUD plans in accordance with the provisions of this DCP and with best practice sustainable water management techniques.
- Design the site to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.
- Where filtration and bio-retention devices are proposed, they are to be designed to capture and provide temporary storage for stormwater.

Water Re-use, Recycling and Harvesting

- Water used for irrigation of public and private open space (including green roofs and walls) is to be drawn from reclaimed water or harvested rainwater sources where there is feasible access to those water sources. Possible sources include harvested stormwater, treated greywater and wastewater and water from a decentralised local network. Water treatment measures must be incorporated to ensure that the water is fit for purpose.
- Rainwater tanks should be installed where there are roof forms from which rainwater can be feasibly collected and plumbed to appropriate end uses.

Biodiversity

- New habitat features are to be incorporated into the development, including trees, shrubs and groundcover vegetation, water bodies, artificial habitat (such as insect hotels and habitat boxes), rockeries, and green roofs and walls where possible.
- Opportunities to link to, extend or enhance existing or potential biodiversity corridors should be realised in the new development.
- A mix of locally indigenous tree, shrub, grass and groundcover species should be incorporated into the planting palette. Where this is not practical, use Australian native plants.

Building materials and finishes

Objectives

- To provide high quality and durable finishes and materials.
- To mitigate impacts to the surrounding heritage items, using appropriate materials and finishes.
- To ensure that the development includes green roofs, green podiums, green walls and green façades to improve air quality, amenity, habitat, ambient air temperature, building insulation, and aesthetic quality of the urban environment.

Controls

- Employ high quality finishes and materials that are contemporary, with reference to the following:
 - Modern forms that incorporate ecologically sustainable development principles

- Materials and finishes: use high quality materials and finishes that highlight architectural features and enhance articulation in particular at the lower levels of the street frontages. Encourage the use of materials that are durable, produce low glare and do not require high levels of maintenance
- Legibility: use balanced variations in form, articulation and materials/finishes to highlight individual buildings and enhance the visibility of entrances
- Fenestration: reflect the function of buildings through fenestration patterns. Avoid expansive areas of blank glass and solid walls unless required for ADG or BCA purposes
- Roof structures: carefully integrate roof structures into the architectural style of the building and minimise the impact of any plant or telecommunications equipment
- Incorporate finishes and materials in the scheme which reference, and are sympathetic to, the surrounding heritage items.
- Air-conditioning units are not to be visible from the public domain.

Green Roofs and Podiums

- Green roofs and podiums are encouraged on all buildings. The size of the green roofs for buildings with the following gross floor areas are to be:
 - 250 to 999m² — 30% of roof space
 - 1,000 to 1,499 m² — 50% of roof space
 - 1,500m² or greater — 75% of roof space
- Green roofs and podiums must be planted with suitable Australian native plants (endemic to the Inner West where possible) and include habitat features such as habitat boxes, stone boulders and native bee hives.
- Green roofs must have a minimum substrate depth of 150mm.
- Green roof areas designed for use as communal open space are to have a high standard of finish and design.
- A detailed description, plan and sections of the roof top design are to be submitted with the development application (as part of landscape plan). The design must address:
 - safety and security
 - biodiversity
 - visual and acoustic privacy
 - maintenance and servicing
 - wind effects

Green Walls and Façades

- Green walls and façades are required on at least 15% of the available building surfaces, with particular focus on the north facing façades to Balmain Road and Cecily Street.
- Green walls and façades must be planted with suitable Australian native plants (endemic to the Inner West where possible) and include habitat features.
- Green facades using planter boxes/container planting installed at different levels across the building are encouraged
- A detailed description, plan and sections of the proposed green wall and/or facade design are to be submitted with the development application (as part of landscape plan). The design of any green wall or facade is to address:
 - safety and security
 - biodiversity
 - maintenance and servicing
 - wind effects

Heritage

Objective

- To ensure that development on the Site is sympathetic to adjacent heritage items.

Controls

- A Heritage Impact Statement (HIS) is to be submitted with any development application for the redevelopment of the Site, addressing the impact of the proposed works on heritage items in the vicinity of the proposal.
- This Statement should include consideration of 'The Design Context: Guidelines for Infill Development in the Historic Environment' (prepared by the NSW Heritage Office and Royal Australian Institute of Architects NSW Chapter) with regard to scale, form, materials, colours and responding to the local character.
- A development application for the redevelopment of the Site is to be accompanied by 'before' and 'after' perspective views from the heritage items to enable the potential impact to be considered.

Design Excellence

Objectives

- To achieve design excellence for new development on the site.
- To ensure development contributes to the urban design and architectural quality of the locality.

Controls

- Design excellence is to be achieved to ensure a high quality outcome for the site.
- Council's design and heritage experts shall assess proposals for the site and/or a Design Excellence Panel shall be appointed by Council to determine whether design excellence is achieved by the project. The proponent shall cover the cost of a design review process.
- The following criteria shall be considered to determine whether design excellence is achieved:
 - excellence of architectural design, including internal layout, façade treatment, architectural detailing, roof features and spaces between buildings
 - the proposed uses and use mix
 - heritage conservation and restoration
 - streetscape character and site context
 - the bulk, massing and modulation of buildings
 - street frontage heights
 - environmental outcomes, such as sustainable design
 - overshadowing and solar access, visual and acoustic privacy, wind and reflectivity
 - noise and air pollution attenuation
 - the achievement of the principles of Ecological Sustainable Development
 - 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
 - achieving appropriate interfaces at ground level between the building and the public domain
 - excellence and integration of landscape design
 - high quality finishes and materials