

# DRAFT DEVELOPMENT CONTROL PLAN 2019

Concord Development

160 Burwood Road

Concord 2137

9 September 2019

## Table of Amendments

| No. | Description | Adopted | Effective |
|-----|-------------|---------|-----------|
|     |             |         |           |
|     |             |         |           |
|     |             |         |           |
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# 1 Introduction

## 1.01 Preliminary

The “Concord Development” site is located at 160 Burwood Road, Concord and comprises approximately 3.9Ha of land with a water frontage to Exile Bay.

Old factory sites and industrial architecture have a particular appeal that is born of man’s fascination with machines and manufacturing. These sites often contain buildings and spaces with an inherent grandeur and a scale that is only seen in cities of the past, the grand palaces. The Bushells Factory is one of the few remaining buildings on the Sydney waterfront and is an iconic visual building that can be seen from surrounding suburbs.

Coffee has been roasted on the site for 63 years in a purpose built brick and concrete factory that is now a great landmark with a translucent Roasting Hall equal to a 13 storey building capped by an industrial chimney reaching 78 metres into the sky over Exile Bay. This great disparity of scale with the immediate low scale residential context creates a unique identity for the site without any significant impact on the amenity of houses that in time were subsequently constructed around it.

This DCP provides the detail controls in order to achieve the urban design outcomes identified in the Planning Proposal and to provide the specific site controls to support the high level LEP development standards.

This DCP includes:

- A Masterplan to set the urban design structure for the site; and
- Development controls for the public and private domain.
- Identification of the location of building scale and mass across the site.

This DCP should be read in conjunction with:

- Canada Bay Local Environmental Plan 2013 – provides provisions in accordance with the relevant standard environmental planning instrument under section 33A of the Act and integrates particular aims in legislation;
- Concord Development – Urban Design Report 2.0 dated 6 February 2019. The Urban Design Report sets out much of the background philosophy for the development as a supporting document for the rezoning from Industrial to Mixed Use. Whilst not a statutory document, it should be utilised to provide additional design guidance to the DCP.

## 1.02 Vision

The ‘vision’ for the “Concord Development” is to:

- Celebrating the natural landscape by maintaining connection to the local natural context through view corridors, green fingers and the only public foreshore space in the immediate locale.
- Respond to future changing needs are incorporated into reprogramming of the iconic Bushells Factory which will be adapted to cater for community events, temporary activation and retail/commercial uses.

- Create unique places based on the sites history and natural assets. The concept improves transition to existing & surrounding residential built form, maintaining the existing surrounding character.
- Connecting people to place, creating a sense of community and building social and cultural networks

## 1.03 Aims and objectives

The intention of the Development Control Plan is to set the detailed development objectives and controls that support the Canada Bay Local Environment Plan 2013 (as amended).

### Aims - High quality design

The following aims seek to implement Council’s vision for the development of a high quality urban design that is well connected and liveable, environmentally, economically and socially sustainable.

- A1 This proposal aims to deliver an exciting new urban development that embraces the existing industrial character of the site, while also providing the local community with new types of public amenity and facilities.
- A2 High quality public domain design to create memorable places that the community use and enjoy.

### Objective - Create a specific identify for the site

The DCP is based on the following objectives in support of Canada Bay Local Environment Plan 2013 (as amended).

- O1 To celebrate the site’s industrial heritage in a meaningful way, that not only benefits the local residents, but also the wider community. Provide adaptive reuse of the industrial heritage building.
- O2 To provide building forms scaled based on function, orientation of views to amenity and public spaces as well as height transition.
- O3 Optimise the waterfront location by providing continuous public access to the foreshore and community plaza
- O4 Design private and public spaces that create a special amenity and passive and active recreation opportunities, which are safe and promote ease of pedestrian movement.

## 1.04 Land covered by this DCP

This plan applies to the land known as 160 Burwood Road, Concord as identified in **Figure 1**.

## 1.05 Adoption of the Plan

This Concord Development DCP 2019 was adopted by the City of Canada Bay Council on XXXXXX 2019 and came into effect on XXXXX 2019.

## 1.06 Interpretation

In this DCP, terms have the meaning ascribed to them in the Environmental Planning and Assessment Act 1979, the Canada Bay Local Environmental Plan 2013 and the Canada Bay Development Control Plan.

## 1.07 Use of this Plan

This Development Control Plan has been prepared under Section 51A of the Environmental Planning and Assessment Act 1979 and Part 3 of the Environmental Planning and Assessment Regulation, 2000.

This DCP must be used together with the Canada Bay Local Environment Plan 2013 (as amended), which provides the legal framework by which development decisions are made in the LGA. This DCP sets out the vision for the future development of the site

The purpose of this Plan is to provide further detailed controls that support the provisions of the Canada Bay Local Environment Plan 2013 (as amended). Where a Development Application (DA) does not comply with all of the DCP provisions, the applicant should demonstrate to the consent authority how the objectives and intent of the DCP controls are met.

Compliance with the provisions of this DCP does not necessarily guarantee that consent will be granted for a DA. Each DA will be assessed having regard to the Canada Bay Local Environment Plan 2013 (as amended), this DCP, other matters listed in Section 79C of the Environmental Planning and Assessment Act 1979 and any other policies adopted by the City of Canada Bay Council.

The matters for consideration contained in Section 79C of the Environmental Planning and Assessment (EP&A) Act 1979 must be addressed in any DA. A Statement of Environmental Effects (SEE) addressing these matters (a schedule of matters is in the Regulations) must accompany each DA.

## 1.08 Relationship with other relevant documents

There are a number of other documents and policies that must also be considered when preparing and making a DA. The provisions of this DCP are also to be read in conjunction with all other relevant Environmental Planning Instruments, DCPs, Council Policies and additional studies including, but not limited to:

- State Environmental Planning Policy 55 – Remediation of Land.
- State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development and the Apartment Design Guidelines.
- State Environmental Planning Policy (Sydney Harbour Catchment).

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
- SEPP (Infrastructure) 2007 Development near Rail Corridors and Busy Roads – Interim Guidelines.
- Crime Prevention through Environmental Design (CPTED) ‘Safer by Design’ principles (NSW Police Force).
- Concord Development – Urban Design Report 2.0 dated 6 February 2019. The Urban Design Report sets out much of the background philosophy for the development as a supporting document for the rezoning from Industrial to Mixed Uses. Whilst not a statutory document, it should be utilised to provide additional design guidance to the DCP.
- Statement of Heritage Impact, Proposed Development at Bushells Factory, 160 Burwood Road, February 2019 by Heritage21.
- Statement of Heritage Impact Addendum, September 2019 by Heritage 21.
- Heritage Listing Nomination Report at Bushells Factory, 160 Burwood Road, February 2019 by Heritage21
- Sustainability Strategy Analysis 4 February 2019, by Kinesis
- Greater Sydney Commission Regulation, Nov 2016

## 1.09 The Consent Authority

The City of Canada Bay Council is the consent authority for development for the Site except where otherwise identified in another Environmental Planning Instrument.

## 1.10 Structure of the DCP

The DCP comprises three main sections:

- Section 1 Introduction.
- Section 2 Framework Plan – sets out the urban design structure and principles of the DCP.
- Section 3: General Controls – provides the controls for public and private domain that apply to all development at the Site.

## 1.11 Acknowledgements

This Development Control Plan has been prepared for the City of Canada Bay Council by Colliers International Project Management Pty Ltd.

The authors wish to acknowledge the work of AJ+C Architects, BVN and the sub-consultant team.



## 2 Framework Plan

### 2.01 Urban design & place making principles

The Framework Plan illustrates the overall urban design framework for 160 Burwood Road, Concord. This DCP has been prepared making regard to the following urban design and place making principles:

#### **Provide a development that responds to the “Genius Loci” – Sense of Place of the site:**

The subject site is located on the shores of Exile Bay and is separated from the water’s edge by a 3m high concrete sea wall. The opportunity exists to reconnect the site to the water of the Bay by providing a new foreshore plaza and terraced boardwalk.

The scale and character of the existing industrial buildings set an important precedent for the scale, height and character of the new development. The proposal suggests a development that is in keeping with the bold and strong scale of the existing structures - it is a ‘place’ that calls for the genius loci of the site to be felt and continued.

The building forms are scaled based on function, orientation of views to amenity and public spaces as well as height transition. Respect is given to the neighbouring properties by keeping the height of these buildings low at the boundaries, with moderate setbacks. The centre of the site features the largest allocation of height, stepping down to the perimeter of the site to approximately 3-6 storeys.

A 6 storey building is proposed adjacent the Bushells Factory. This building, slender in form, allows for a distinct visual separation to the existing Bushells factory, preserving the iconic nature of the building as well as respond favourably to the development controls for the site. Overshadowing of neighbouring buildings is minimised while direct sunlight to the public domain is maximised.

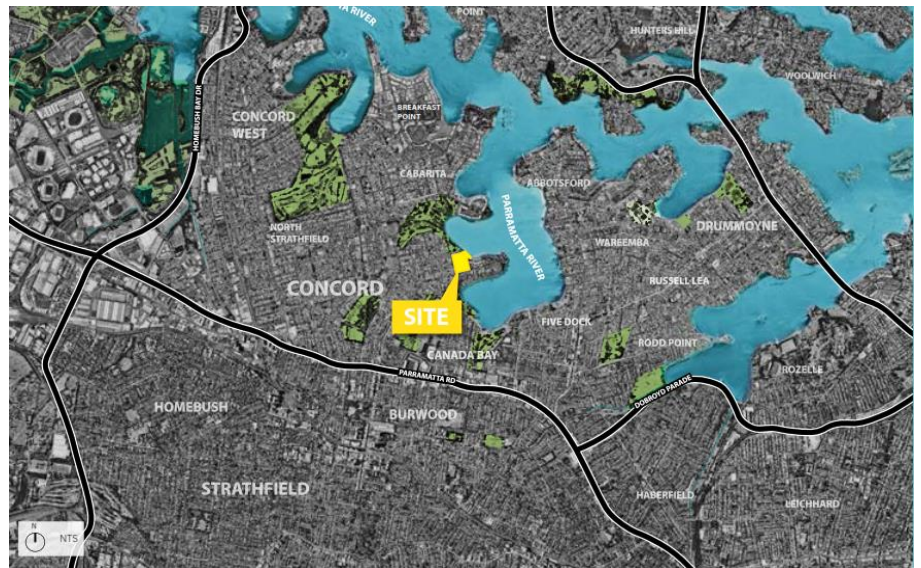


Figure 1 Concord Development Site

## 2.02 Adaptive reuse of the industrial heritage

Industry played an important part of the early history of Canada Bay, with a significant number of large industries established along the harbour's shoreline; the Site is now the last remaining working factory in the area.

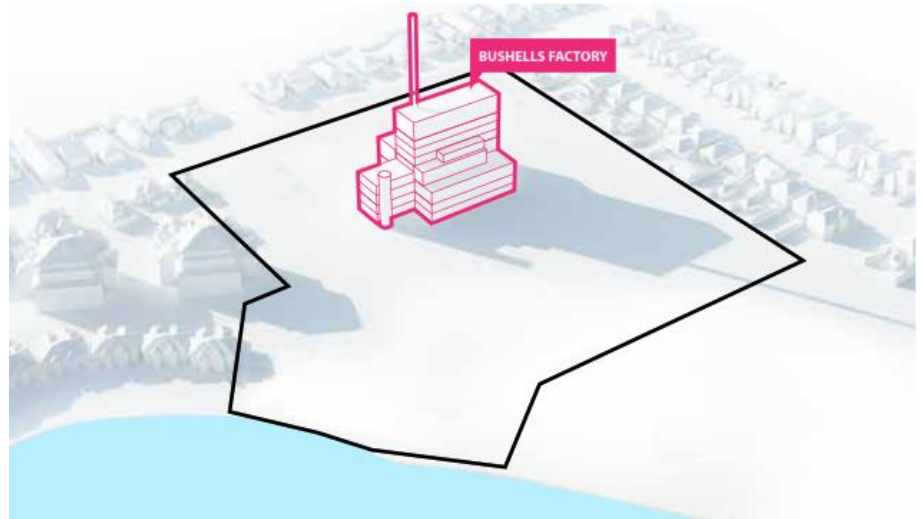
The existing factory is in a landscaped setting which has been identified in the Heritage Listing Nomination Report and Statement of Heritage Impact, undertaken by heritage consultants Heritage 21, as being of cultural significance as a representative example of the "Garden Factory Movement", and is recommended to be listed as an item of environmental heritage in the Canada Bay Local Environmental Plan 2013.

In recent years, Sydney's industrial sites have been given a new lease of life, with some of the original buildings and features retained and transformed into key features in the urban environment. Retaining and reintegrating historical or heritage buildings within an urban development promotes the community's sense of character and identity and create a sense of place.

The Site presents a unique opportunity to reconnect with the history of Canada Bay; one yet to be seen in the local area. New development is to provide an adaptive reuse to celebrate the existing industrial artefact, and created a new high quality cultural public space from the existing infrastructure.

A future Detailed Fabric Analysis undertaken by a suitably qualified heritage consultant is required with any development application to confirm the initial assessment and to ensure no significant fabric of potential heritage value will be lost.

The former Bushells Factory Building core, including chimney stack is generally well maintained and all of the original structural elements will be maintained indicated in **Figure 2**. Adaptive reuse principles should be employed such that all of the building's structure and form can be maintained without having to remove, alter or demolish a significant amount of original fabric.



**Figure 2 Adaptive Reuse Elements**





**Figure 3 Master Plan**

- The development is to be carried out generally in accordance with the Illustrative Masterplan in **Figures 3** and for the site, which is structured on the following elements;
- Acknowledge the power, scale and rich history of the existing industrial site
- Demolish deep, difficult to use warehouse buildings and free the original building from its industrial accretions.
- Recognise the iconic presence of the existing brick tower over the waters of the bay, preserve it and place it at the heart of the masterplan.
- Reconnect to the bay and draw water into the site by removing the 3m high concrete sea wall that separates the site from the water's edge.
- Retain the mature groves of trees along the eastern and western boundary to maintain the existing developed landscape and privacy for the neighbours.
- Define a new public street network that knits the site into the existing community.
- Develop built forms along the street edges that reference the powerful scale of the existing industrial buildings.
- Provide a new kind of public space connecting to the industrial relic that has a sense of enclosure and containment – a new foreshore plaza.
- Draw the park into the new industrial ground plane and create a new and vital public space on the waterfront. Draw sun into public space in mid-winter in the middle of the day, to maximise its use by the community.
- Minimise overshadowing to neighbours through the location of new building forms.



## 2.03 Non-residential Land Uses

The project offers an extraordinary opportunity to transform one of Sydney Harbour's last waterfront industrial sites into a new and vibrant urban development that will have enormous public benefit for the local community and create a new village centre.

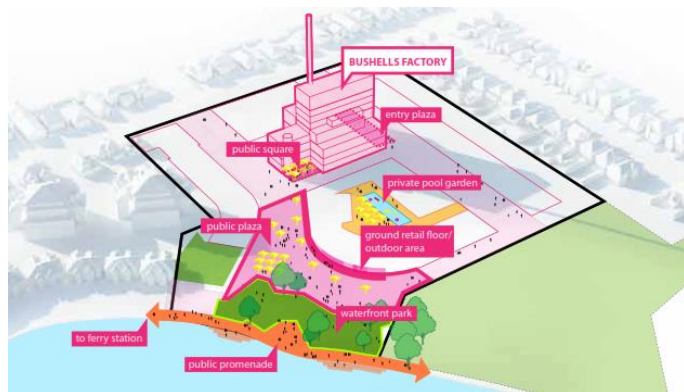
Non-residential uses will be located generally in accordance with the following as set out in **Figure 4**.

The new local roads connecting Burwood Road to the water will become a vital component of the new public realm, with retail frontage along its ground plane at both sides. The entry to this street is broad and inviting, with a proposed village grocer and childcare centre at the entry to development, providing immediate and local amenity.

The lower floors of the Roasting Hall and Boiler House, with its heavy deep ribbed concrete structure is retained and could house a myriad of community uses from musical performance space to multipurpose cultural spaces designed for use as exhibition and display.

The robust and powerful concrete structure of the lower ground floor storerooms will be retained to house new gourmet providores stores, wine and tapas bars – creating a new Food and Beverage Garden Precinct inspired by the story of blending tea and roasting coffee on the site. This space has the opportunity to become a garden loggia under the original Roasting Hall with market style food outlets and weekend markets in the beach plaza.

Retail outlets with outdoor dining area overlooking the foreshore plaza and public promenade is suggested, with a terraced boardwalk adjacent the river configured to bring locals using the Canada Bay foreshore walkway.



**Figure 4 Public Realm**

## 2.04 Character

The overall character of the site is one of strong, bold buildings of industrial scale and confident presence that sit within a low landscaped setting.

This is an environment for a development that embraces this exciting and important historical setting and creates a new urban realm that recognises the genius loci of this place, consistent with the character intent indicated in **Figure 5**.

It should reinvigorate these exciting industrial structures, provide meaningful and activated public space, and create an architecture that rests alongside it that is equally exciting in its bold scale and industrial materiality.



**Figure 5 Character Images: External Public Spaces**

## 3 General controls

### 3.01 Introduction

This Section sets out the general planning controls that apply to the Site. These controls are to be read and applied in conjunction with the Canada Bay Local Environmental Plan 2013, and the NSW Planning and Environment Apartment Design Guidelines.

A short description of the intent of the controls is provided and where relevant, controls are illustrated with diagrams and images of built projects demonstrating good practice.

### 3.02 Built Form

Under the Canada Bay Local Environment Plan 2013 (as amended) Height of Building and Floor Space Ratio development standards have been established for the Site. The building envelopes, massing and setbacks across the site should be generally as described in this section, but allow some latitude for the detailed architectural design of buildings.

The envelopes have been tailored to the site, taking into consideration its characteristics and genius loci. These characteristics are described throughout this DCP, in terms of the following:

- The relationship of the building to the public domain, including street and public open space frontages;
- The desired character of parks and streets;
- The retention of the factory building as a prominent industrial heritage landmark;
- The optimum development potential; and
- The environmental impact.

This development control is intended to promote highly articulated buildings with generous balconies, recesses and steps in facades to ameliorate a sense of excessive bulk. The scale and character of the existing industrial buildings set an important precedent for the scale, height and character of the new development. The proposal suggests a development that is in keeping with the bold scale of the existing structures.

#### a) Floor Space Ratio

Floor Space Ratio (FSR) is the ratio of a building's overall floor area to the size of the site.

The proposed FSR for the site is a maximum of 1.25:1.



Figure 6 Floor Space Ratio map per Block

## b) Building Height

The buildings are to be no greater in height as shown in **Figure 7**. The height in storeys is above the datum point at the intersection of the new local road and Burwood Road.

The maximum height of buildings is to be in accordance with the Canada Bay Local Environmental Plan 2013.

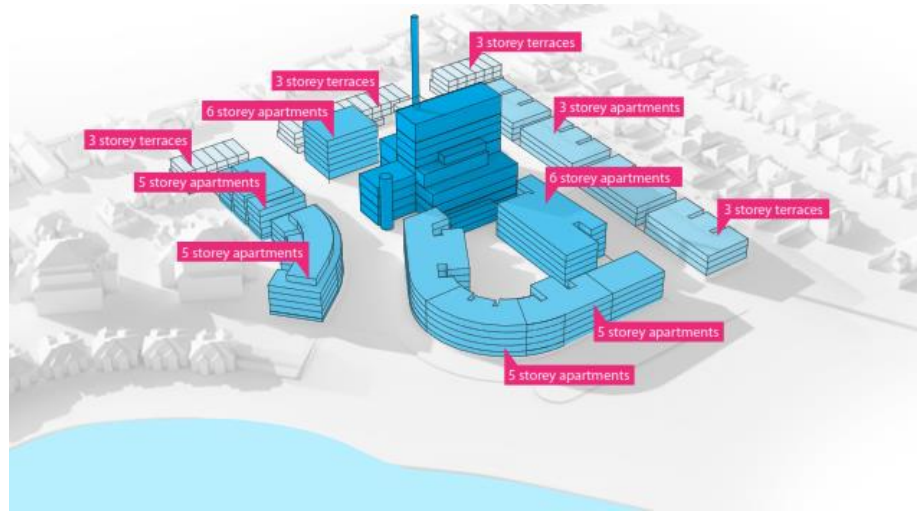
## c) Setbacks

Buildings are to be setback from boundaries and separated from each other

Burwood Road is defined by a 3 storey height limit set back 6m from the site boundary. Setbacks from the western boundary which is adjacent the backyard of detached residential dwellings is 12m, to minimize overshading and visual impact. The existing trees on this boundary are to be retained and create a considerable existing visual screen between the existing factory site and the residences on Duke Avenue.

A 6 storey residential tower is located north of the retained factory building. It is located in this location to maximise sun into the public ground plane in the middle of the day in mid-winter. A series of 5-6 storey mixed use structures bookend the foreshore plaza, providing residential units above retail and active street frontages.

- Building C4, C3 & E2 have retail and community spaces located at its ground planes. This provides a strong marker and entrance into the foreshore plaza and draws people toward the waterfront.
- Outlets for creative pursuits are located along the base of the refurbished factory building C6, along the length of new internal street to provide an active and engaged new community thoroughfare.



**Figure 7 Height of Buildings**



### 3.03 Access and Circulation

#### Site Access

The development does not turn its back on the original street pattern of the area as many new waterfront developments have done. In contrast, it uses the surrounding street patterns to inform the new public street network of the development.

To the north, Zoeller Street is to be extended approx. 50m northeast towards the water. To the south, a new local road is projected from Marceau Drive and becomes a shared pedestrian zone as it enters the foreshore plaza, maximising the connection to the water's edge with the new street pattern. This street becomes a vital component of the new public realm, with retail frontage along its ground plane at both sides, and vehicular access for retail visitor parking, and retail loading. The street culminates in a large turning circle and drop-off that connects to the pedestrian paths that reach the water's edge, and aligns with the new vibrant marketplace located in the industrial warehouse shell.

A new north-south running street is to be located towards the site's western boundary, providing through access between Burwood Rd and Zoeller Street which becomes the front entrance to the western residential block and the access to underground residential car parking.

#### Car Parking

Off street underground parking is to be provided for both residents and visitors to the precinct. There will be four main car parks.

A car park entry from Zoeller Street and the new local street provides the vehicular access to the site's car parking and loading zones. Two basement car park entries will be provided by the other new local street with a large loading dock for all the retail areas accessed off this street, close to the Burwood Road entry. The western street links Burwood Road and Zoeller Street, containing a further car park entry to the central car park.

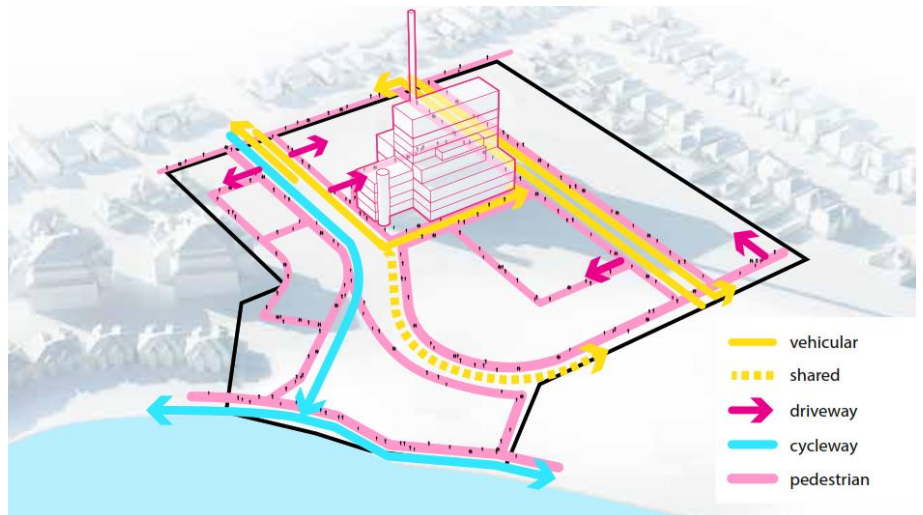


Figure 8 Movement and Access through Site



### 3.04 Public and Private Open Space

The site's transformation into a mixed use residential development will capitalise on its unique setting to create a permeable public domain with ground floor retail activation, community facilities, publicly accessible parkland and lush, communal and private gardens that are elevated above the public domain.

The development will reference this unique character to create a public domain that is in essence a park like garden with opportunities for a range of recreational activities with areas for markets, outdoor seating associated with restaurants and cafes, informal areas for barbecues and picnics and a network of paths to meander.

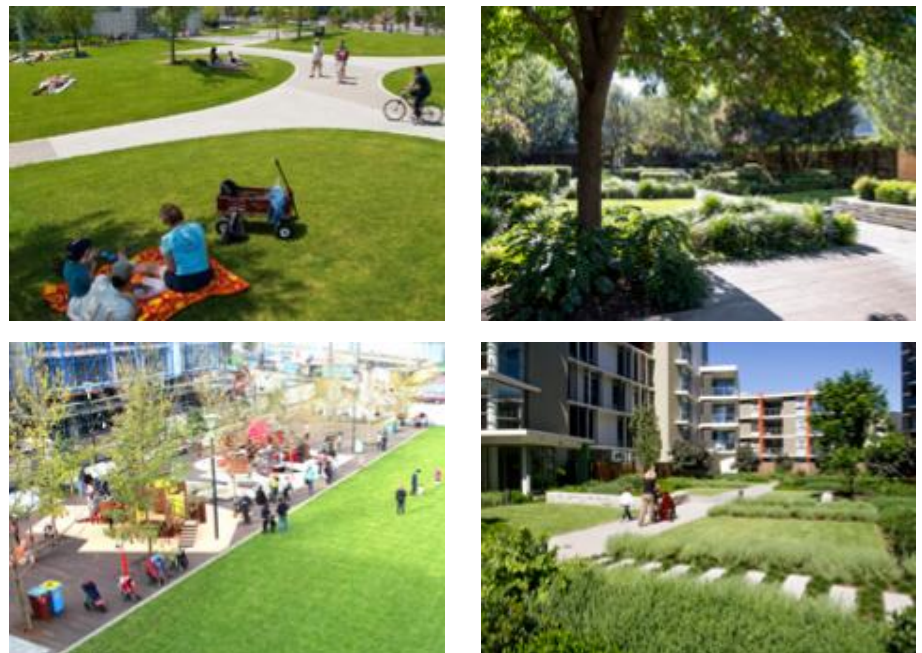
The comparison of public open spaces to private can be seen in **Figure 9**.



**Figure 9 Public & Private Open Spaces**

### 3.05 Landscape Character

The spatial character between public and private areas will be clear and unambiguous with public art incorporated into the landscape as an integral component rather than something that is simply 'inserted'. The landscape will also include varying plant material of primarily natural supplemented with exotic species that will provide form, texture and seasonal colour, consistent with the character intent indicated in **Figure 10**.



**Figure 10 Character Images: Landscaping**

## 3.06 Sustainability

### Ecological Impact

This development seeks to ensure the industrial character of the site is retained and celebrated in its built form. The retention of structure provides environmental benefits by reducing embodied energy in the development.

A major requirement for the project is addressing the ecological value of the site. As such the project is targeting net positive ecological impact and will improve the ecology of the waterfront by providing a variety of habitats for animals and plants. Improving the ecology of the site will assist in restoring the connection to nature that many residents within cities have lost. Occupant amenity is also of key significance to the development and the intent is to create a destination for residents, staff and visitors by creating a mixed use development that provides amenities, services and social infrastructure that people need.

### Sustainability Initiatives

Proper governance of sustainability initiatives is imperative from a number of perspectives, notably planning and community. Implementing appropriate governance structure ensures targets made in the beginning of the process are upheld throughout the design, construction and operation of the development.

The project aims to achieve Australian leading practice in design, construction and operation. As a commitment it is to achieve a 5 Star Green Star communities rating, and 5 Star Green Star Design and As-Built ratings for the buildings on the site.

Utilising the CCAP integrated sustainability, infrastructure and design tool, the potential sustainability performance outcomes for the development have been mapped, and a strategy for its implementation developed. The development seeks to achieve beyond the baseline compliance requirements set by BASIX, by enacting on 5 specific interventions;

- Efficient appliances & improved thermal design
- Solar Photovoltaic & battery ready facilities
- Recycled water read infrastructure
- Green façade treatment for cooler dwellings
- Best practice parking measures and access to car share facilities

These interventions can deliver the outcomes listed in Figure 11 by implementing the technology listed in Figure 12. It is intended that these implements will be included into the design, and incorporated into the construction.

|                                  | Impact of interventions |
|----------------------------------|-------------------------|
| Greenhouse gas emissions         | ▼ 34%                   |
| Water consumption                | ▼ 38%                   |
| Peak electricity                 | ▼ 50%                   |
| Solar PV contribution            | 20%                     |
| Recycled/rain water contribution | 30%                     |
| BASIX Energy score (estimated)   | 53                      |
| BASIX Water score (estimated)    | 66                      |
| Annual household cost savings    | \$7,200                 |

Figure 11 Impact of Interventions Table

| Technology                | Benchmark   | Modelled scenario   |
|---------------------------|---|---|
| Hot water system          | Centralised gas   | Centralised gas   |
| Thermal Design (NatHERS)  | 5-star average  | 8-star average (delivered through design & green façade)                                |
| Space heating and cooling | 2-Star A/C  | 5-Star A/C  |
| Lighting                  | Halogen, T8 & CFL   | Efficient (LED)   |
| Appliances                | Dishwasher<br>2.5-star Energy, 2.5-star Water   | Dishwasher<br>4-star Energy, 5-star Water   |
|                           | Dryer<br>1.5-star Energy  | Dryer<br>Heat Pump Clothes Dryer  |
|                           | Clothes washer (not installed)  | Clothes washer<br>4.5-star Energy, 5-star Water   |
|                           | Fridge (not installed)  | Fridge<br>5-star Energy   |
| Solar PV                  | None  | 300 kW*<br>(0.5 kW per multi unit dwelling<br>2 kW per townhouse)                       |
| Water Fixtures & fittings | Toilet – 4-star<br>Showerhead – 3+ Star<br>Kitchen Taps – 5-star<br>Other Taps – 5-star | Toilet – 4-star<br>Showerhead – 3+ Star<br>Kitchen Taps – 5-star<br>Other Taps – 5-star |
| Water reuse               | None  | Recycled water for irrigation, toilet and laundry                                       |
| Car parking rates         | Affordable – 1 space  | Affordable – 0 space  |
|                           | 1 bed – 1 space   | 1 bed – 0 space   |
|                           | 2 bed – 1.5 space   | 2 bed – 1 space   |
|                           | 3 bed – 2 space   | 3 bed – 1.5 space   |
|                           | 1 visitor per 3 apartments  | 1 visitor per 5 apartments  |
|                           |   | Unbundled parking<br>Provision of car share spaces                                      |

Figure 12 Technological Assumptions for Scenarios Table