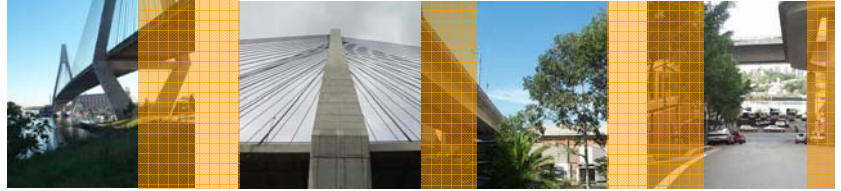


## Appendix F: Statutory and Strategic Context

### Table of Contents

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1.0	Introduction	2
2.0	Statutory Context	4
2.1	SREP 2005	4
	2.1.1 Background to SREP 2005	4
	2.1.2 Aims and Objectives	5
	2.1.3 Master Plan Requirements	7
2.2	SREP 26	8
2.3	Urban Development Plan for Ultimo Pyrmont Precinct (1999 Update)	16
2.4	Development Control Plans	17
	2.4.1 Sydney Harbour Foreshore and Waterways Area DCP 2005	18
	2.4.2 City of Sydney Development Control Plans	19
2.5	Draft City of Sydney LEP 2002	19
2.6	Other State and Regional Environmental Planning Policies to Consider	19
	2.6.1 SEPP 11 – Traffic Generating Developments	19
	2.6.2 SEPP 33 – Hazardous and Offensive Development	19
	2.6.3 SEPP 55 – Remediation of Contaminated Land	20
	2.6.4 Draft SEPP 66 – Integration of Land Use and Transport	20
3.0	Strategic Context	21
3.1	Overview	21
3.2	Glebe Island and White Bay Master Plan	22
3.3	Sydney Fish Market Master Plan 2005	23
3.4	Rozelle and Blackwattle Bay Master Plan	23
3.5	Jackson's Landing Master Plan with Amendments	24
3.6	Foreshore Promenade Policy for Land within SHFA Boundary	25
3.7	Public Foreshore Promenade – Implementation Strategy	25
3.8	Sharing Sydney Harbour Regional Action Plan	26
3.9	Sharing Sydney Harbour Access Plan	27



## 1.0 Introduction

The *Bank Street, Pyrmont Master Plan* has been prepared with regard to its strategic and statutory context. This report described the relevant planning instruments and policies as applicable to future development on the *Bank Street, Pyrmont Master Plan* site (subject site).

The principal environmental planning instruments that currently apply to the subject site are:

- *Sydney Regional Environmental Plan No. 26 – City West* (SREP 26); and
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP 2005)

SREP 26 and SREP 2005 give rise to the two key development control plans that guide development on the subject site, which are:

- *Urban Development Plan for Ultimo-Pyrmont* (UDP) – prepared in accordance with SREP 26; and
- *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005* (SREP 2005) – prepared in accordance with SREP 2005.

In addition to the key planning documents identified above, the following documents are also relevant to development on the subject site:

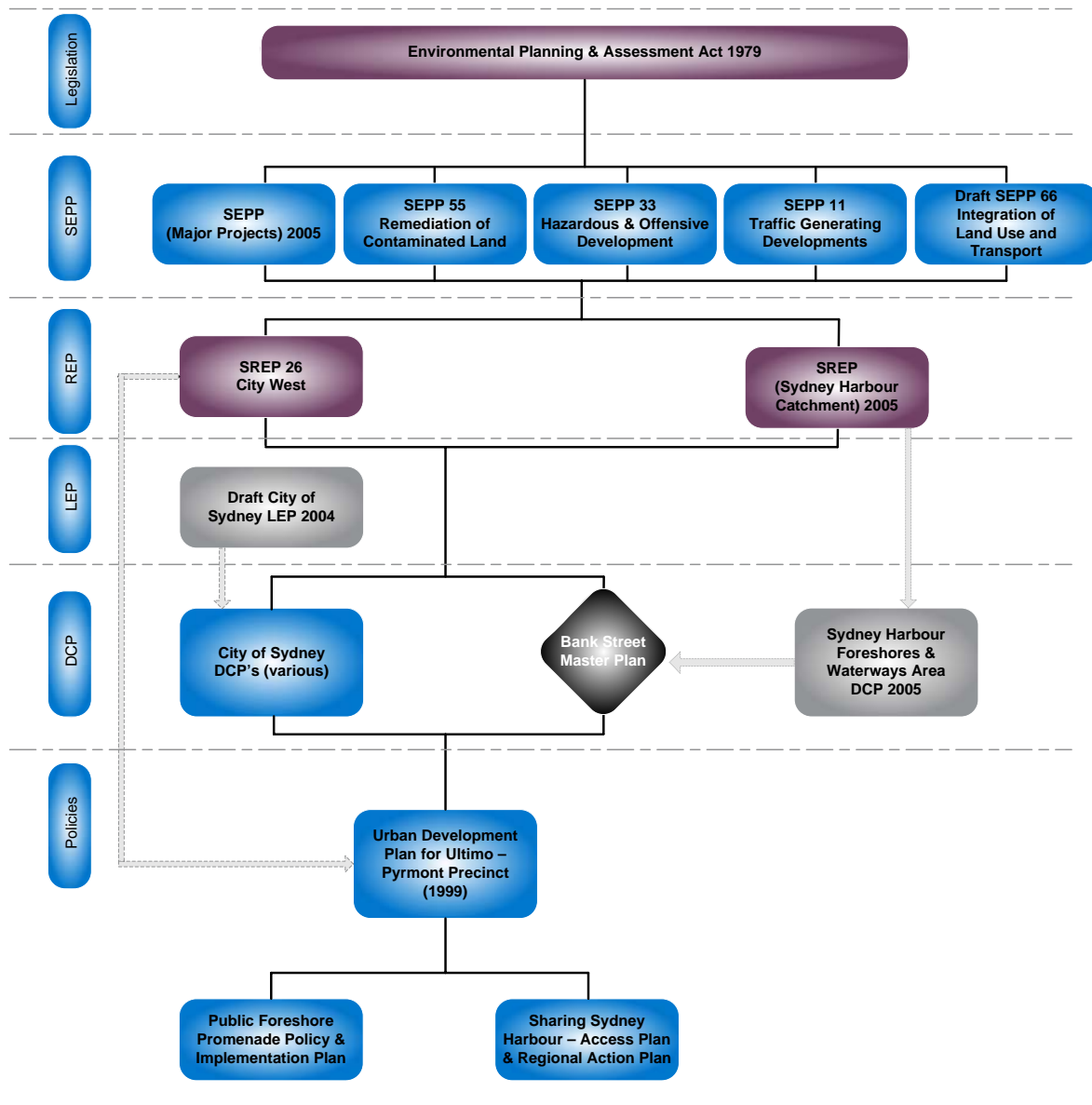
- *Draft City of Sydney Local Environmental Plan 2004* (Draft CSLEP);
- Master Plans for adjoining sites at the Sydney Fish Market, Jackson's Landing, Blackwattle Bay, Rozelle Bay and Fishmarket;
- *Foreshore Promenade Policy for Land within SHFA boundary: Pyrmont and Blackwattle Bay* (2003);
- *Public Foreshore Promenade – Implementation Strategy*;
- *Sharing Sydney Harbour Access Plan*; and
- *Sharing Sydney Harbour Regional Action Plan*.

Each of the planning instruments and development control plans have implications for future development on the subject site and are discussed in detail in the following sections. Relevant State Environmental Planning Policies (SEPPs) that do not directly impact on the preparation of this master plan, but which may have implications for future development within the study area are discussed in **Section 2.6** of this Appendix.

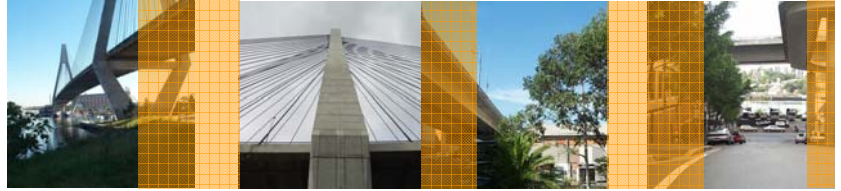
The hierarchy of key planning instruments that guide development on the subject site is shown in **Figure 1.1**. This diagram shows the primary planning instruments that determine the approval process and content of the *Bank Street, Pyrmont Master Plan* are SREP 26 and SREP 2005. The remainder of the planning instruments shown are matters for consideration during the preparation of the *Bank Street, Pyrmont Master Plan* but do not directly determine content or approval process for the Master Plan.

All planning instruments shown are matters for consideration for future development applications. However, those that are primary instruments for the preparation of this Master Plan are also the primary controlling instruments for future development applications.

Figure 1.1 Bank Street, Pyrmont Master Plan planning framework



- Notes:**
1. Draft City of Sydney LEP will supersede SREP 26 in relation to the Bank Street site once gazetted.
  2. Sydney Harbour Foreshores and Waterways DCP will no longer apply to the Bank Street site once the Master Plan is adopted and deemed to be a DCP under the EP&A Act. Relevant provisions of the DCP are incorporated into the Master Plan in accordance with Section 74C of the EP&A Act.
  3. City of Sydney DCPs will eventually be consolidated into one DCP applicable to the site under Section 74C of the EP&A Act. These will likely be prepared in accordance with the City of Sydney LEP, should the draft 2004 version be gazetted.



## 2.0 Statutory Context

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A number of environmental planning instruments and associated development control plans, established under the *Environmental Planning and Assessment Act 1979* (EP&A Act), specifically apply to development proposed within the study area.

### 2.1 SREP 2005

#### 2.1.1 Background to SREP 2005

This master plan was prepared and exhibited under *State Environmental Planning Policy No. 56 - Sydney Harbour Foreshores and Tributaries* (SEPP 56). Upon gazettal of SREP 2005 on 28 September 2005, SEPP 56 was repealed to the extent that it applies to the subject site. SREP 2005 states that any master plan exhibited or adopted under SEPP 56 is considered to be exhibited or adopted under SREP 2005. This Master Plan therefore considers SREP 2005 as the current environmental planning instrument, but considers the planning principles under SEPP 56.

*Note: Clause 7(2) of SREP 2005 states that in the event of any inconsistency with another environmental planning instrument, SREP 2005 applies to the extent of that inconsistency.*

#### **Consent Authority for Bank Street Site**

Under Clause 5 of SREP 2005 the consent authority for development on the Bank Street site being a land based development is:

- City of Sydney Council being the council of the local government area for the land on which the development is proposed to be carried out; unless
- another environmental planning instrument specifies the Minister for Planning as the consent authority for the same kind of development on that land.

Clause 6(1) of *State Environmental Planning Policy (Major Projects) 2005* (SEPP (Major Projects) 2005) states that development identified in Schedule 2 of that policy is declared to be a project to which Part 3A of the EP&A Act applies. Projects to which Part 3A apply do not require development consent, instead the Minister is the approval authority for that development. Schedule 2 of SEPP (Major Projects) 2005 includes development over \$5 million on the Bank Street site (Map 9 – Sydney Harbour Foreshore Sites). Accordingly, the Minister is the approval authority for development on the Bank Street site that is over \$5 million.

Clause 9A(1) of SEPP (Major Projects) 2005 states that development identified in Schedule 6 of that policy is development for which the Minister is the consent authority, under Part 4 of the EP&A Act, and such development is not a project to which Part 3A of the Act applies. Schedule 6 of SEPP (Major Projects) 2005 includes development, with a capital investment value of not more than \$5 million, on the Bank Street site (Map 9 – Sydney Harbour Foreshore Sites). Accordingly, the Minister is the consent authority for development on the Bank Street site that is not more than \$5 million.

To summarise, in accordance with SREP 2005, on the Bank Street site:

- the Minister is the **approval authority**, under Part 3A of the EP&A Act, for development over \$5 million in capital investment value; and
- the Minister is the **consent authority**, under Part 4 of the EP&A Act, for development not more than \$5 million in capital investment value.

*Note: this arrangement of consent and approval authorities overrides Clause 14 in SREP 26 which states the Council of the City of Sydney is the consent authority for all development in the area to which that plan relates.*

## **SEPP 56 Planning Principles**

Although SEPP 56 no longer applies to the subject site, the planning principles under SEPP 56 are described in this section in order to provide the strategic background under which the *Bank Street, Pyrmont Master Plan* was prepared.

Clause 6 of SEPP 56 established a set of guiding principles that described a number of matters to be considered in the preparation of master plans and in the assessment and determination of Development Applications (DAs). Relevant guiding principles under SEPP 56 included:

- Increasing public use of land on the foreshore and the retention and enhancement of public access links between existing foreshore open space areas;
- Maximising public ownership and management of public access land;
- Consideration of the suitability of a site or part of a site for open space;
- Conservation of significant bushland and other natural features along the foreshore;
- Protection and improvement of the visual quality of the Harbour and its tributaries;
- Relationship between use of water and foreshore activities;
- Conservation of heritage items;
- Scale and character of development in relation to the context of the site;
- Character of development as viewed from the water and its relationship to surrounding foreshores;
- Ecologically Sustainable Development principles;
- Maintenance of key waterfront industrial sites and where possible, provision of public access through these sites;
- Feasibility and compatibility of uses; and
- Increasing water-based public transport.

These guiding principles have been incorporated into the planning principles under SREP 2005.

### **2.1.2 Aims and Objectives**

One of the major aims of SREP 2005 is to consolidate and simplify provisions contained within three separate environmental planning instruments, namely SEPP 56, *Sydney Regional Environmental Plan No. 22 – Parramatta River* (SREP 22) and *Sydney Regional Environmental Plan No. 23 – Sydney and Middle Harbours* (SREP 23).

Furthermore, with respect to the Sydney Harbour Catchment, SREP 2005 aims to:

- recognise, protect and maintain the catchment, waterways and foreshore areas as a natural public asset of national and heritage significance;
- ensure a healthy and sustainable environment on land and water;
- achieve a high quality and ecologically sustainable urban environment;
- ensure a prosperous working waterfront and an effective transport corridor;
- encourage a culturally rich and vibrant place for people;
- ensure accessibility to the Harbour and along its foreshore, and
- ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity.

### **Planning Principles**

Part 2 of SREP 2005 establishes a set of planning principles to consider when preparing environmental planning instruments, environmental studies or master plans. These principles relate to the Sydney Harbour Catchment, the Foreshores and Waterways Areas and heritage conservation matters. The principles that relate to the Bank Street site are summarised below.

- Protect and where practical improve the hydrological, ecological and geomorphic processes on which the catchment depends.
- Maintain and where feasible restore natural assets of scenic, cultural, biodiversity and geodiversity values.
- Take into account the cumulative environmental impact on the catchment.
- Achieve environmental targets for water quality.
- Protect the functioning of natural drainage systems on floodplains.
- Maintain, protect and enhance the unique visual qualities of Sydney Harbour.
- Increase publicly accessible vantage points for viewing Sydney Harbour.
- Improve water quality.
- Achieve targets set by *Sydney Harbour Catchment Blueprint*.
- Increase public access to and along the foreshores and waterways.
- Consider the provision of foreshore land to meet existing and future demand for working waterfront uses.
- Consider the compatibility of foreshore uses adjacent to industrial and commercial maritime uses.
- Appropriate water based public transport be encouraged to link with land based public transport.
- Encourage the provision and use of public boating facilities along the waterfront.

### **Foreshores and Waterways Areas**

The study area is identified as being within the Foreshores and Waterways Area. Part 3 of SREP 2005 contains matters to consider when assessing a development application, comprising the following:

- Biodiversity, ecology and environment protection;
- Public access to the foreshore and waterways;
- Maintenance of a working waterfront;
- Interrelationship of waterway and foreshore uses;
- Foreshore and waterways scenic quality;
- Maintenance, protection and enhancement of views; and
- Boat storage facilities.

Development applications for certain specific forms of development listed in SREP 2005 and any draft local environmental plan draft development control plan or draft Master Plan having frontage to a Waterway must be referred to the Foreshore and Waterways Planning and Development Advisory Committee and any submission made by the Committee taken into account by the decision maker.

### **2.1.3 Master Plan Requirements**

#### **Approval Requirements for Master Plans**

This Master Plan was prepared pursuant to Clause 11 of SEPP 56, which required a master plan to be prepared prior to development consent being granted on any part of the subject site (identified as a site of State or Regional significance under Clause 9 of SEPP 56). Upon gazettal of SREP 2005, the exhibited *Bank Street, Pyrmont Master Plan* transferred, in accordance with clause 11(4) of SREP 2005, to being prepared and exhibited under SREP 2005.

*Note: this Master Plan is also prepared to give effect to the requirement under SREP 26 for a master plan, for which the approval process is unchanged by the gazettal of SREP 2005. The Minister is the approval authority for Master Plans under SREP 26.*

Under Clause 41(1) of SREP 2005, a master plan is required prior to the granting of development consent to any development on a 'Strategic Foreshores Site'. The Bank Street site is identified as a 'Strategic Foreshores Site' on Sheet 1 of the Strategic Foreshores Sites Map (Schedule 1 of SREP 2005) and accordingly this master plan has been prepared.

Clause 43(a) of SREP 2005 states that the appropriate authority for the purposes of adopting a master plan is the Minister in relation to any land for which the Minister is the consent authority for any development, regardless of whether the local council is the consent authority for other development. As the Minister is the approval authority under Part 3A of the EP&A Act for development over \$5 million on the Master Plan site and consent authority under Part 4 of the EP&A Act for development not more than \$5 million, the Minister is taken to be the 'relevant authority' for the purposes of adopting this Master Plan under SREP 2005.

Accordingly, the Bank Street, Pyrmont Master Plan is submitted to the Minister for approval.

*Note: Although the Minister is the consent authority for the Master Plan, Sydney Harbour Foreshore Authority have delegated assessment powers for the Bank Street, Pyrmont Master Plan.*

#### **Content of a Master Plan**

The purpose of the master plan is to outline the long-term proposals for the development and to explain how identified development proposals address the planning principles and development controls in any relevant environmental planning instruments, which in this instance, includes SREP 26.

Clause 46(2) of SREP 2005 states that in the preparation of a master plan, it is to illustrate and explain where appropriate the following matters:

- design principles drawn from an analysis of the site and its context
- phasing of development
- distribution of land uses including foreshore public access and open space
- pedestrian, cycle and motor vehicle access and circulation networks
- parking provision
- subdivision pattern
- infrastructure provision

- building envelopes and built form controls
- heritage conservation (including the protection of archaeological relics and places, sites and objects of Aboriginal heritage significance), implementing the guidelines set out in any applicable conservation policy or conservation management plan
- remediation of the site
- provision of public facilities
- provision of open space, its function and landscaping
- the impact on any adjoining land that is reserved under the *National Parks and Wildlife Act 1974*
- protection and enhancement of the natural assets of the site and adjoining land
- protection and enhancement of the waterway (including water quality) and any aquatic vegetation on or adjoining the site (such as seagrass, saltmarsh, mangroves and algal communities).

### **Heritage Provisions**

Part 5 of SREP 2005 contains a number of provisions to be considered when development is proposed which would have an impact upon an item of heritage significance. The study area is located in close proximity to the Glebe Island Bridge, which is identified under Schedule 4 as a heritage item of State significance. Any future development within the study area would be required to consider the impact upon this item, in accordance with Clause 55 – protection of heritage items.

## **2.2 SREP 26**

SREP 26 is currently the principal planning instrument, controlling development on land within the 'City West' area of the Sydney Region. The study area is located within the Ultimo-Pyrmont Precinct of City West.

*Note: The consent authority for development on the Bank Street site is determined by SREP 2005 and SEPP (Major Projects) 2005, which is discussed above.*

### **Aims and Objectives**

The principle aims of SREP 26 are to promote the orderly and economic use and development of land within City West and to establish a set of planning principles, both for City West as a whole and for each precinct within City West.

### **Guiding Principles**

Development undertaken pursuant to SREP 26 is to consider the following planning principles:

- Regional role of City West;
- Land use activities;
- Mixed living and working environment;
- Education;
- Leisure and recreation;
- Port functions;
- Social issues;
- Environmental issues;
- Urban Design and the public domain;
- Heritage;

- Movement and parking; and
- Implementation and phasing.

In addition to these guiding principles development within the Ultimo-Pyrmont Precinct is to consider the following planning principles:

- Role and land use activities;
- Residential development;
- Social issues; and
- Urban Design.

A comprehensive list of the relevant planning principles that apply to the City West area (**Table 1**) and the Ultimo-Pyrmont Precinct (**Table 2**) are provided below. These principles are considered in the formulation of the *Bank Street, Pyrmont Master Plan*.

**Table 1: Planning Principles of Regional Significance for City West**

<b>Regional Role</b>	<ul style="list-style-type: none"> <li>• Development in City West is to promote urban consolidation in the Sydney Region and consequently contribute to Sydney's status as a financial, commercial, residential and tourist city of world standing.</li> <li>• Development in City West is to provide benefits to the people of the Sydney Region and New South Wales.</li> <li>• The types and intensities of development in City West are to reflect its central location and accessibility to public transport and are to support and to complement development in the city centre.</li> </ul>
<b>Land Use Activities</b>	<ul style="list-style-type: none"> <li>• Development in City West is to contribute to an integrated mixed-use development pattern containing a wide range of housing and employment opportunities, and educational, recreation and cultural activities.</li> </ul>
<b>Mixed Living and Working Environment</b>	<ul style="list-style-type: none"> <li>• Development in City West is to house an increased population and to provide an increased quantity and range of employment opportunities which are compatible with the achievement of a high-quality mixed living and working environment.</li> </ul>
<b>Leisure and Recreation</b>	<ul style="list-style-type: none"> <li>• Full advantage is to be taken of the leisure and recreation facilities and the public open space in the city centre and in surrounding areas (particularly in City West) and the use of Sydney Harbour for leisure and recreation.</li> <li>• Public access to the entire foreshore in City West is to be provided. Opportunities for waterfront and water-based recreation and tourism activities, compatible with adjoining land uses, are to be provided.</li> </ul>
<b>Social Issues</b>	<ul style="list-style-type: none"> <li>• The needs of existing and future communities, including needs for social facilities and services are to be accommodated.</li> </ul>
<b>Environmental Issues</b>	<ul style="list-style-type: none"> <li>• Development in City West is to ensure a high level of environmental quality by addressing issues of air quality, noise levels, wind conditions,</li> </ul>

	<p>access to light and sunshine, privacy, soil conditions and water quality.</p> <ul style="list-style-type: none"> <li>• Development in City West is to have regard to the principles of ecologically sustainable development (namely, the precautionary principle, inter-generational equity, conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms).</li> <li>• Development in City West is to: <ul style="list-style-type: none"> <li>- incorporate measures to minimise waste, including (where practicable) utilising recycled materials and renewable building resources, recycling building and demolition wastes, and providing facilities for recycling and composting;</li> <li>- implement total water cycle management, including (where practicable) reducing consumption of potable water, treating and recycling waste water for re-use, minimising site run-off and stormwater generation, and reusing stormwater;</li> <li>- incorporate measures to conserve energy, including (where practicable) reducing energy consumption, and increasing inherent energy efficiency through design and materials selection;</li> <li>- promote biological diversity by measures that include (where practicable) increasing habitat through appropriate retention, planting and maintenance of native flora considered representative of the locality; and</li> <li>- complement and reinforce the development and use of the existing and planned integrated public transport, pedestrian and cycling networks in City West.</li> </ul> </li> </ul>
<p><b>Urban Design and the Public Domain</b></p>	<ul style="list-style-type: none"> <li>• Development in City West is to enhance, complement and contribute to the development of the public domain in order to create a high-quality physical environment for access, enjoyment and recreation for residents and workers.</li> <li>• Development in City West is to contribute to a high level of residential amenity and convenience.</li> </ul>
<p><b>Heritage</b></p>	<ul style="list-style-type: none"> <li>• The items and areas of heritage significance in City West are to be conserved and enhanced. New development is to respect the character of heritage items and conservation areas. The re-use of heritage buildings through adaptation and modification is to be encouraged.</li> </ul>
<p><b>Movement and Parking</b></p>	<ul style="list-style-type: none"> <li>• A range of housing and work, leisure and service facilities are to be provided in City West so that the need for travel is minimised.</li> <li>• A high degree of accessibility is to be provided to places in and outside City West for both able and disabled persons. Walking, cycling and use of public transport are to be encouraged as the means of movement.</li> <li>• Development in City West is to facilitate the provision and operation of a comprehensive regional public transport network.</li> <li>• Development, particularly that which is employment-related, is to be within the capacities of existing and proposed public transport and</li> </ul>

	<p>arterial road systems.</p> <ul style="list-style-type: none"> <li>• The provision for vehicular movement is to be consistent with the development of a high-quality pedestrian environment within the street system.</li> <li>• Parking controls are to support public transport strategies of the Government and to reflect road network capacities.</li> </ul>
<b>Implementation and Phasing</b>	<ul style="list-style-type: none"> <li>• Development is to contribute towards the efficient use of City West's existing infrastructure and towards the provision of physical and social infrastructure as part of the development process, in accordance with the provisions of the Act.</li> </ul>

Source: Sydney Regional Environmental Plan No. 26 – City West.

**Table 2: Planning Principles of Regional Significance for Precincts - Part 1 Ultimo-Pyrmont Precinct**

<b>Role and Land Use Activities</b>	<ul style="list-style-type: none"> <li>• Where possible, development is to make use of existing under-utilised buildings and large areas of land, which are either vacant or occupied by out of date facilities.</li> <li>• Development is to take full advantage of the Precinct's existing facilities, proximity to Darling Harbour, Central Station and other facilities of the city centre, and the extensive Pyrmont waterfront.</li> <li>• Retail development providing for the full range of neighbourhood needs is to be encouraged.</li> <li>• Uses at the ground level of buildings fronting the public domain should complement the functions of the public domain.</li> </ul>
<b>Social Issues</b>	<ul style="list-style-type: none"> <li>• A range of services and facilities should be provided to meet the needs of the existing and new residents and workers, including retail, leisure, recreational and welfare facilities that promote the health and well-being of the community and recognise its cultural and ethnic diversity.</li> <li>• Urban design is to enhance the conviviality and sense of place of the Ultimo-Pyrmont Precinct and reflect the character and heritage of the Precinct.</li> <li>• Development is to enable surveillance and to enhance street level activity to increase actual and perceived security.</li> </ul>
<b>Urban Design</b>	<ul style="list-style-type: none"> <li>• Building heights are to reflect and emphasise the topography of the Precinct by increasing in height as distance increases from the nearest waterfront. Building heights should allow a reasonable sharing of distant views from buildings by their occupants.</li> <li>• The heights and scale of buildings are to form a transition between the high-rise buildings in the city and low-rise buildings in the suburbs adjoining the Precinct.</li> <li>• The heights and scale of new buildings are to respect existing buildings in the locality, particularly heritage items and buildings in conservation areas.</li> </ul>

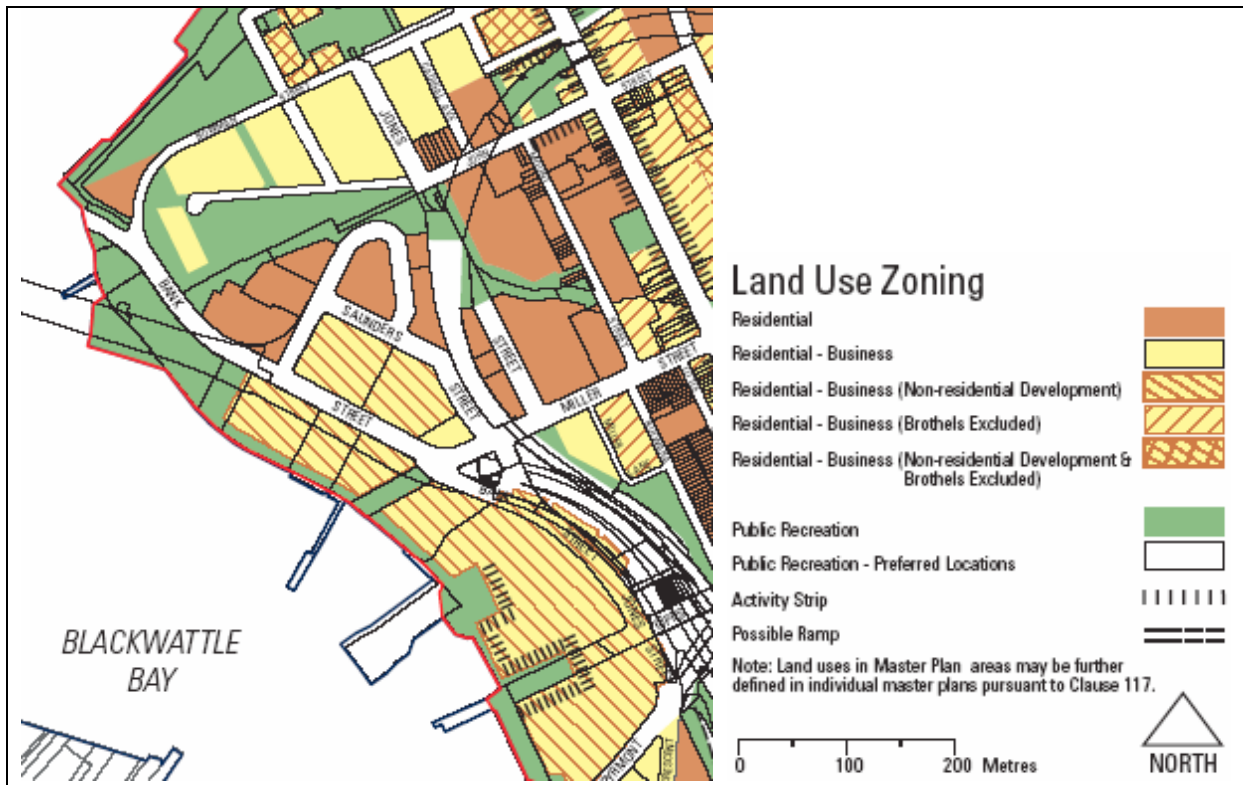
	<ul style="list-style-type: none"> <li>• The heights and form of buildings are to take account of visual impact, solar access, wind impact and, where appropriate, the privacy of residences, in order to contribute to a high quality of environmental amenity in intensively used parts of the public domain and in residential areas.</li> <li>• Buildings fronting the public domain should have appropriate height, bulk, finish and street alignment so as to enhance its quality by respecting its character. In general the scale of street facades must respect the width of adjoining streets or lanes, adjoining heritage items or other contextual elements.</li> <li>• Higher buildings may be accommodated: <ul style="list-style-type: none"> <li>- if they will emphasise existing or former high points in the natural ground level on Distillery Hill, Pyrmont Point, Darling Island and adjoining the CSR Stables, they will reflect the former vertical smoke-stack elements of the Pyrmont Point Power Station, or they will provide a suitable axial focal point in the vista down Liverpool Street, and</li> <li>- if they will not compromise the environmental amenity and general scale of development in their locality.</li> <li>- Development on the waterfront and on adjoining land is to maximise the environmental quality of those parts of the peninsula for all users.</li> </ul> </li> </ul>
Public Domain	<ul style="list-style-type: none"> <li>• Public recreation areas are to provide for a range of recreational opportunities for the residents of and workers within the Precinct.</li> <li>• Coordinated pedestrian and cycling networks are to be provided throughout the Precinct and to link with the city centre and suburbs adjoining the Precinct. Access to major natural features such as foreshores and escarpments is to be included.</li> <li>• The passage of through motor traffic in residential areas and areas of pedestrian and cycling priority is to be discouraged.</li> </ul>

Source: Sydney Regional Environmental Plan No. 26 – City West.

### Zoning and Permissibility

Land in the study area comprises two separate land use zonings under SREP 26, being a 'Residential-Business Zone' (non-residential development), and a 'Public Recreation Zone'. Land use zonings are illustrated in **Figure 2.1**, below.

Figure 2.1: Land Use Zoning Extract



Source: City of Sydney Draft LEP 2004

In the *Residential-Business Zone*, only uses which are generally consistent with one or more of the zone objectives are permissible. The objectives of the Residential-Business Zone aim to create a mixed-use area consistent with the Precinct’s proximity to the Sydney CBD, harbour locations and transport infrastructure. Uses are promoted which generate employment opportunities and enable people to live and work in the same community.

Certain land within the study area is marked on the Zoning Map as ‘*Residential-Business (Non-residential Development)*’. Under this zone, SREP 2005 states that residential development (other than for the purpose of dwellings for employees of a business use located on the same site) is prohibited (Clause 18). In 1999 the Land and Environment Court refused to grant a permit for residential development at 37 Bank Street, which is currently owned by Hymix.

Certain land within the study area is also zoned for *Public Recreation* only uses, which are generally consistent with one or more of the zone objectives, are permissible. The objectives of the Public Recreation Zone aim to provide a variety of public areas and recreational opportunities, especially at waterfront areas and escarpments. Facilities that are ancillary to public recreation opportunities are permitted. Permissible uses in the adjoining zone are also permissible in the public recreation zone for a distance of 10 metres from the zone boundary, as long as this ensures a better relationship between the adjoining sites and does not decrease the total amount of land that will be available for use as a public recreation area.

The Poulos, Bidvest and Hymix sites are zoned *Residential-Business*; however a strip of land along the foreshore is zoned for *Public Recreation* to facilitate the provision of a foreshore promenade.

The submerged land is zoned W1 Maritime Waters under SREP 2005.

## Building facades

Under clause 26A, prior to granting consent, the consent authority must consider the scale and alignment of building facades with respect to width of the street, adjoining heritage items or other contextual items, an Urban Development Plan or a Master Plan adopted for the land.

## Floor space ratio

Under clause 27 of SREP 26, the business floor space ratio on land for which a master plan is required, within the Ultimo-Pyrmont Precinct to the north of Pyrmont Bridge Road, must not be greater than 2.5:1.

## Urban Development Plans

Clause 34 of SREP 26 states that before granting consent to development on land to which an Urban Development Plan applies, the consent authority must take into account the content of that Urban Development Plan. Accordingly, future development in the study area must take into account the provisions of the *Urban Development Plan for Ultimo-Pyrmont Precinct (1999 Update)*. This master plan has been prepared taking into account the provisions of this Urban Development Plan (see **Section 2.3** for further discussion).

## Master Plans

The Bank Street site is identified on Map 5 of SREP 26 as requiring a master plan. Clause 40 states that an approved master plan for the study area must be taken into account prior to granting consent for development on land where a master plan is required. A master plan must be generally consistent with SREP 26 and is to outline in broad terms the long-term proposals for development of land.

Clause 42 of SREP 26 requires consultation between the owner or lessee of the land and the Director-General of the Department of Planning and is to illustrate proposals for the matters identified in Table 3.

**Table 3: Master Plan Matters for Consideration**

Matters for Consideration in Master Plans	Master Plan section reference
Phasing of development	Section 2.13 – Phasing and Implementation
Distribution of land uses and, in Residential Business Zone, proposals for satisfying the principles of mixed residential and business use and public recreation use	Section 2.5 – Options Development
Pedestrian, cycle and road access and circulation networks	Section 2.8 – Traffic and Transport
Parking provision	Section 2.8 – Traffic and Transport
Subdivision pattern	No subdivision proposed is proposed - the lot layout is in keeping with existing pattern.
Infrastructure provision	Section 2.11 – Infrastructure and Services
Building envelopes and built form controls	Section 2.7 – Building Heights, Building Envelopes and Views
Heritage conservation	Section 1.5.1 – Historical Background and Heritage
Decontamination of the site	Section 2.12 – Ecologically Sustainable

	Development Principles
Provision of public facilities	Section 2.5 – Option Development, Section 2.9 – Urban Design Guidelines, Section 2.10 – Landscaping Guidelines
Provision of open space, its function and landscaping	Section 2.5 – Option Development, Section 2.9 – Urban Design Guidelines, Section 2.10 – Landscaping Guidelines
Any other matters stipulated by the Director-General	N/A

Master plans must be advertised for a period of 21 days and submissions received during that period must be taken into consideration prior to adopting the master plan.

### **Flexible use of land**

Under clause 48 of SREP 26 development on any land that is subject to a Master Plan which is not permissible in the zone may still be carried out within that zone, only with the Minister's consent and only if the proposed use is permissible within another zone that applies to that land. If such a proposal is considered, prior to granting consent in this circumstance the Minister must be satisfied that the development results in:

- *better distribution of land uses;*
- *no increase in business floor space within the master plan;*
- *no reduction in the land available for public recreation areas within the master plan; and*
- *no reduction in public access to the entire foreshore in City West.*

### **Building Height**

Under clause 23, the maximum permissible building height in the study area is 14 metres, however any building on land in the Public Recreation Zone must not exceed 7 metres in height. Clause 48A of SREP 26 allows master plans to identify maximum building heights that exceed these height limits, but only where the master plan can demonstrate that development over the height limit will result in:

- *a better pattern of building heights will result;*
- *reductions in building heights on other sites in the master plan;*
- *achieving urban design principles for City West and the Precinct; and*
- *no adverse effects of the higher building heights on the quality of the adjoining public domain.*

### **Land decontamination**

Prior to granting consent to development, clause 49 of SREP 26 requires the consent authority to take into account any risk to public health or safety from contamination on the land as a result of past industrial land uses and be satisfied that any risk is removed prior to development commencing.

### **Heritage items and conservation areas**

No heritage items or conservation areas are located within the study area.

### **Consultation**

Prior to granting consent to development on the study area, the consent authority is required (clause 52), where appropriate, to seek the views of:

- Director-General;

- Council of the City of Sydney;
- Central Sydney Planning Committee;
- City West Development Corporation; and } now Sydney Harbour Foreshore Authority
- Darling Harbour Authority.

## 2.3 Urban Development Plan for Ultimo Pyrmont Precinct (1999 Update)

The *Urban Development Plan for Ultimo Pyrmont Precinct* (the UDP) was prepared in accordance with SREP 26 and makes more detailed provisions relating to development than contained within the SREP. The UDP indicates a number of principles, which are considered important for the design of development, and controls through which these principles may be satisfied. These principles must be reflected in any master plan.

Clause 34 of SREP 26 requires the relevant consent authority to take the UDP into account when determining a development application. Where there is any inconsistency between the UDP and the REP, the provisions of the REP prevail.

### Built Form Controls

Under clause 1.1, where a master plan includes controls that address the matters otherwise controlled under Section 3 of the UDP (Built Form), the controls under Section 3 of the UDP do not apply to master plan areas. Where the master does not include appropriate controls for matters addressed in Section 3 of the UDP that section will apply to the land covered by the master plan.

### Aims and Objectives of the UDP

The principal objective of the UDP is to ensure that detailed planning and urban design principles and controls reflect and complement the principles and controls in SREP 26 to assist in achieving a built environment of a high standard in the precinct.

In particular the principles and controls in the UDP are intended to:

- Assist in achieving a built form which is medium rise but accommodates an intensity of development which is appropriate to the precinct's inner city location;
- Ensure that the built environment will have a positive inter-relationship with the character and functions of streets, squares, parks and the 'public domain';
- Ensure that the amenity of the precinct for existing and future users, and particularly for residents, is protected and improved;
- Demonstrate how high density inner city living can be made more sustainable and reduce the impact of urban development on ecological systems; and
- Indicate where development can directly contribute to the amenity of and the provision or embellishment of the public domain.

### Provisions in the UDP

The UDP comprises of 11 sections, which contain provisions on the following subjects:

- Guiding Principles (local context);
- Built Form (building envelopes, privacy, heritage, views and vistas, etc.);
- Character and Detail (ground level activities, façade treatment, roof design, etc.);

- Sustainable Residential Development (floor to ceiling height, ventilation, dwelling mix and diversity, private and communal open space, etc.);
- Retail, Business and Neighbourhood Strategy;
- Environmental issues (wind and reflectivity impacts, solar access, etc.);
- Access, Parking and Circulation (parking and servicing, facilities for cyclists and people with disabilities, etc.);
- The Public Domain Principles and Strategy; and
- Provisions Relating to Specific Land.

The relevant controls and design guidelines from the UDP have been considered as part of the preparation of the *Bank Street, Pyrmont Master Plan*.

## 2.4 Development Control Plans

Recent amendments to the EP&A Act have implications for preparation of the Bank Street, Pyrmont Master Plan. In order to clarify the current situation regarding this Master Plan, a description of its existing statutory status and the status of relevant environmental planning instruments is provided below:

This Master Plan is prepared on the following basis:

- The *Draft Bank Street, Pyrmont Master Plan* was exhibited under SEPP 56 (which, is taken to be exhibited under SREP 2005) and SREP 26, prior to the commencement of the *Environmental Planning & Assessment (Infrastructure and Other Planning Reform) Amendment Act 2005* (the Amendment Act).
- Under Schedule 6 of the EP&A Act (Savings and Transitional Provisions), the *Bank Street, Pyrmont Master Plan* will be deemed to be a Development Control Plan (DCP) upon its making (and in accordance with clause 11(4) of SREP 2005).
- Under clause 74B of the EP&A Act, the Director-General is the 'relevant planning authority' for the purposes of the Bank Street, Pyrmont Master Plan.
- Under clause 74C(2) of the EP&A Act the *Bank Street, Pyrmont Master Plan* will be the only DCP applicable to the study area that is made by the Director-General. Accordingly, the relevant provisions of the Sydney Harbour Foreshores and Waterways DCP have been incorporated into the *Bank Street, Pyrmont Master Plan*. To facilitate this, the Master Plan will include references to the relevant clauses of the *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005*.
- The Council of the City of Sydney (the other 'relevant planning authority') may prepare a DCP that also applies to the study area.
- The *Urban Development Plan for Ultimo-Pyrmont Precinct* prepared under SREP 26 is not a deemed DCP under the EP&A Act and therefore does not need to be referenced by the *Bank Street, Pyrmont Master Plan*.

In summary, the *Bank Street, Pyrmont Master Plan* is a 'Master Plan' for the purposes of SREP 2005 and SREP 26. Upon its adoption by the Minister, the Master Plan will be deemed, under the EP&A Act, to be a DCP that has been made by the Director-General. Accordingly, the Master Plan will continue to be titled a 'Master Plan' as it has been formally exhibited as such. To ensure consistency with the intent of the Amendment Act, the *Bank Street, Pyrmont Master Plan* contains references to the relevant provisions of other relevant DCP's prepared by the Director-General that would otherwise apply to the study area.

#### **2.4.1 Sydney Harbour Foreshore and Waterways Area DCP 2005**

The *Sydney Harbour Foreshore and Waterways Area Development Control Plan 2005* (DCP 2005) applies to all development proposals within the Foreshores and Waterways Area as identified by SREP 2005. DCP 2005 contains a number of performance-based criteria and guidelines relating to foreshore access, visual and natural environments, industrial uses and recreational and maritime activities which aim to:

- Protect ecological communities within the area;
- Ensure that the scenic quality of the area is protected or enhanced;
- Provide siting and design principles for new buildings and waterside structures within the area; and
- Identify potential foreshore access locations in the area.

The following sections describe the key provisions that apply to development on the Bank Street, Pyrmont Master Plan site. The master plan incorporates references to these provisions where appropriate.

#### **Ecological Assessment**

Part 2 of the DCP 2005 contains provisions relating to the consideration of ecological impacts resulting from development proposals to ensure that the biological diversity in and around Sydney Harbour and its tributaries are conserved. No ecological communities are identified adjacent to, or in the vicinity of the study area (Map 8).

As this section of the DCP 2005 does not apply to the study area, the Master Plan does not include a reference to this part.

#### **Landscape Assessment**

Part 3 of the DCP 2005 contains provisions relating to the consideration of visual impacts resulting from development proposals upon the foreshore and waterways of Sydney Harbour. The DCP 2005 identifies a number of 'Landscape Character' classifications applying to the lands covered by the DCP. In addition, the DCP 2005 contains a series of maps designating various parts of the waterway and its foreshore as exhibiting a particular landscaped character. There are no specific 'Landscape Character' classifications designations given to the study area (Map 8), nor to any areas adjacent to, or in the vicinity of the study area.

As this section of the DCP 2005 does not apply to the study area, the master plan does not include a reference to this part.

#### **Design Guidelines for Water-based and Land-water Interface and Land-based Developments**

Parts 4 and 5 of the DCP 2005 contain design guidelines to help maximise the use of the foreshore and waterways for public recreation, and minimise any visual impact. Each section contains specific provisions relating to matters such as: foreshore access; siting of buildings and structures; built form; signage; marinas (private and commercial); private landing facilities; mooring piles, single moorings and mooring pens; dredging slipways; skids; boat lifts; swimming enclosures; swimming pools; boat sheds; sea walls; reclamation; planting; maritime activities; waterfront industry; community boating and water-based recreational facilities; multi-unit residential developments; redevelopment sites and inclinators, stairs and driveways.

The Master Plan contains references to the relevant provisions of Parts 4 and 5 that control development within the study area, including land based development and development within the land-water interface.

#### **2.4.2 City of Sydney Development Control Plans**

City of Sydney development control plans that apply to development in the study area include:

- *City of Sydney Notification of Planning and Development Applications Development Control Plan 2005*
- *City of Sydney Signage and Advertising Structures Development Control Plan 2005*
- *City of Sydney Convenience Store Development Control Plan 2004*
- *City of Sydney Contaminated Land Development Control Plan 2004*
- *City of Sydney Access Development Control Plan 2004*
- *City of Sydney Boarding Houses Development Control Plan 2004*
- *City of Sydney Child Care Centres Development Control Plan 2005*

These DCPs will continue to apply to the study area until a consolidated DCP under the EP&A Act has been prepared by the Council of the City of Sydney.

#### **2.5 Draft City of Sydney LEP 2002**

Sydney City Council has prepared a Draft Local Environmental Plan (LEP) that, when adopted, will repeal SREP 26 within the Ultimo-Pyrmont Precinct. This Draft LEP was adopted by the Sydney City Planning Committee in March 2004 and has been forwarded to the Department of Planning for gazettal. To date, this plan has not been gazetted and remains a draft instrument.

Development within the Ultimo-Pyrmont Precinct is primarily dealt with under Section 3 of the Draft LEP and the provisions within this Section are generally a direct duplication of the provisions contained within SREP 26 and hence do not need to be reconsidered in this instance.

#### **2.6 Other State and Regional Environmental Planning Policies to Consider**

Other relevant planning policies relating to future types of development, but which have a negligible impact on the future form of development in the study area have been considered as follows.

##### **2.6.1 SEPP 11 – Traffic Generating Developments**

*State Environmental Planning Policy No. 11 – Traffic Generating Developments* (SEPP 11) requires consent authorities to forward certain development applications to the Roads and Traffic Authority, which will result in a noticeable increase in traffic generation. Development proposed in this Master Plan is unlikely to trigger SEPP 11.

##### **2.6.2 SEPP 33 – Hazardous and Offensive Development**

*State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* (SEPP 33) requires specified matters to be considered for proposals which are 'potentially hazardous' or 'potentially offensive' developments, including location and the way in which a development is to be carried out. When consent is sought for a 'potentially hazardous or 'potentially offensive' development, they must be supported by a preliminary hazard analysis. Application of SEPP 33 is not required as part of this master plan.

### **2.6.3 SEPP 55 – Remediation of Contaminated Land**

*State Environmental Planning Policy No. 55 - Remediation of Contaminated Land* (SEPP 55) provides planning controls for the remediation of contaminated land. The policy states that a consent authority cannot grant development consent to a proposal, unless it is satisfied that the subject land is suitable for the proposed development. A planning authority is required to consider whether land is contaminated as part of preparing an environmental planning instrument that would permit a change of use of the land. Accordingly, SEPP 55 is applicable to all future development applications or creation of environmental planning instruments (local environmental plans, regional environmental plans) for the study area.

Given the history of the study area as being used for industrial and port-related purposes, there is potential for the area to be contaminated. All future development within the study area will be required to consider the provisions of SEPP 55 and provide evidence to the consent authority that a site to which that development relates is suitable for its future occupation.

### **2.6.4 Draft SEPP 66 – Integration of Land Use and Transport**

*Draft State Environmental Planning Policy 66 – Integration of Land use and Transport* (Draft SEPP 66) aims to ensure the effective integration of land use planning and transport services in the Sydney greater metropolitan region.

Clause 9 to the Draft SEPP 66 states that before a consent authority grants consent to a development application the following must be considered:

- Whether carrying out the development will further the aims and the planning objectives of the SEPP;
- Whether the development is consistent with the policy on location of specific land uses and the general policies in the Integrated Land Use and Transport Policy Package;
- Whether adequate consultation with the Director-General of the Ministry of Transport and any appropriate planning agency, transport agency and transport provider has been undertaken;
- Whether the transport implications are considered;
- Whether the development incorporates travel demand management mechanisms and features that will minimise the demand for travel and the use of cars;
- An urban form and structure that encourage walking, cycling and public transport use;
- Parking requirements designed to discourage car use in areas with good public transport access;
- Provision of adequate trip-end facilities for cyclists such as secure bicycle storage;
- Residential densities that will help achieve a passenger threshold for viable public transport services; and
- Suitable provision for taxis.



## 3.0 Strategic Context

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### 3.1 Overview

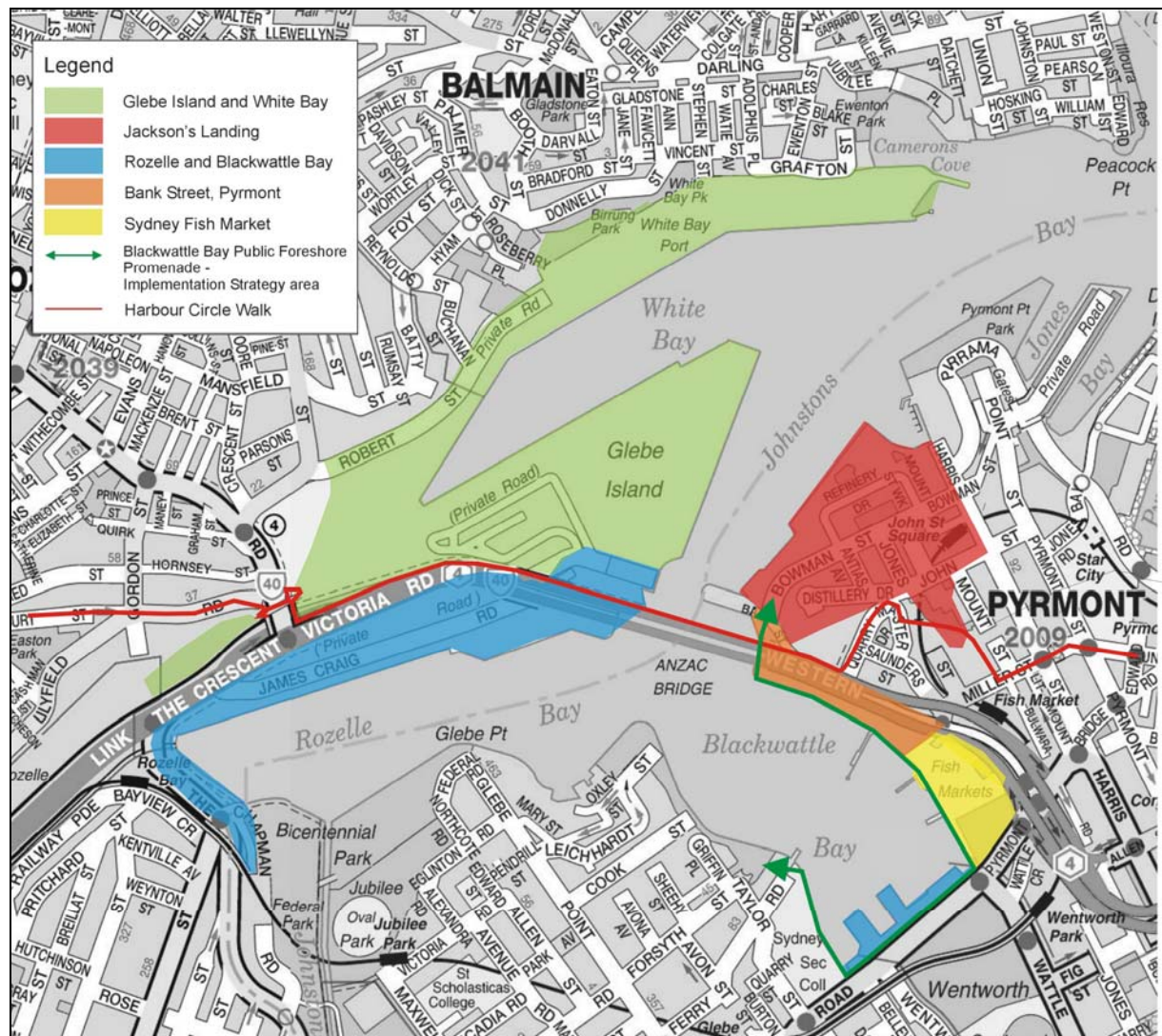
The subject site is part of the wider Blackwattle Bay area that extends from the Glebe Island Bridge in the north, past the Sydney Fish Market (SFM) to Glebe Point. The subject site therefore has a wider strategic context both along the foreshore and further east to Pyrmont (**Figure 3.1**).

The Bank Street area is the last of the sites in this area to be subject to a master plan process. The area is also included in a number of foreshore related strategies developed by the Sydney Harbour Foreshore Authority (SHFA) and others. Master plans and strategies that impact on the Bank Street area include:

- *Glebe Island and White Bay Master Plan* (2000);
- *Rozelle and Blackwattle Bay Master Plan* (2002);
- *Sydney Fish Market Master Plan* (2005);
- *Jackson's Landing Master Plan* (2003);
- *Foreshore Promenade Policy* (2003);
- *Public Foreshore Promenade – Implementation Strategy* (2003);
- *Sharing Sydney Harbour Regional Action Plan* (2000); and
- *Sharing Sydney Harbour Access Plan* (2003).

Each of these have been assessed and briefly described below, including the implications for the Bank Street area.

Figure 3.1: Surrounding Master Plans and Studies



Source: Maunsell Australia Pty Ltd

Note: Charter vessel wharf has been extended (not shown on this map)

### 3.2 Glebe Island and White Bay Master Plan

The Glebe Island and White Bay Master Plan, produced by the Sydney Ports Corporation, was adopted in May 2003. The master plan is in place to control and direct the future development of the Port facilities, with all future development intended to be consistent with requirements of the master plan. The master plan requires a Ports Improvement program to be established, which will provide guidance to enhance the appearance of the port such as landscaping and signage. The master plan encourages 'Ports and Employment' uses, in accordance with the site's zoning.

#### Implications for the *Bank Street, Pyrmont Master Plan*

- White Bay has historically been associated with major industry such as White Bay Power Station, and its intrinsically working harbour character; and
- If at any time, Hymix were to consider relocation, the character and level of accessibility of White Bay would be suitable for their requirements, especially if Hymix were to utilise water access.

### 3.3 Sydney Fish Market Master Plan 2005

The *Sydney Fish Market Master Plan 2005* was released in June 2005 and was prepared by the NSW Government Architects Office, the Department of Commerce and JBA Urban Planning Consultancy Pty Ltd, on behalf of SFM and SHFA, the Government and wider community. The master plan is a requirement of SREP 26. The consent authority is the Minister for Planning, with the ultimate purpose of the master plan being to assist in the consideration of future development applications (DA's). The preservation and enhancement of the SFM unique 'sense of place' is fundamental to maintaining the intrinsic working harbour atmosphere.

The Hymix concrete batching plant adjoins the fish market master plan study area in the north, Bank Street and Pyrmont Bridge Road are to the east, Wentworth Park to the south and Blackwattle Bay to the west. The SFM covers 44,000m<sup>2</sup>, with a 310 metre harbour frontage and 267 metre frontage to Bank Street<sup>1</sup>. There are two wharves and one pontoon at the fish markets; the southern most is publicly accessible with 20 berths, the central wharf is used by the fishing fleets with room for 6 boats and the third is used for the permanent berth of fishing fleet.

The master plan proposes to intensify land uses within the SFM area with additional retail and office/commercial floor space and 993 car parking spaces on site. The master plan remains within the maximum FSR across the site, which is 2.5:1, in accordance with SREP 26.

One of the primary concerns of the master plan was vehicle movement and the lack of segregation between vehicles and pedestrians and the public and commercial uses. Another concern has been poor quality urban design, resulting in a layout that is dysfunctional and aesthetically poor.

#### **Implications for the *Bank Street, Pyrmont Master Plan***

- Although the majority of visitors who do come on foot are generally from the Pyrmont area, there is a feeling that the surrounding area is not conducive to walking, as it is car dominated, with pedestrian routes being poorly defined. Lighting below the Western Distributor is also insufficient. Pedestrian movements in the immediate area would be addressed to some extent in the *Bank Street, Pyrmont Master Plan*.
- The SFM Master Plan proposes to implement foreshore access along the entire SFM harbour frontage, with continuation of a foreshore promenade/public open space running north adjacent to the site, along the larger NSW Maritime site and No. 1 Bank Street, and continuing into the triangle of land at the northern end of the study area. It is proposed that this is funded by Section 94 contributions.
- The main pedestrian entrance to the site is on Pyrmont Bridge Road, whilst the main vehicular entrance is on Bank Street adjacent to the Hymix south site. It is believed this is a problem intersection, with figures predicting problems especially by the (2007) AM peak.
- Main environmental issues at the site include odour, stormwater and sewage, contamination and noise. These issues could all negatively impact on the adjacent Bank Street properties, although the current land uses tend to suffer similar environmental issues. The SFM Master Plan proposes measures to mitigate these problems.

### 3.4 Rozelle and Blackwattle Bay Master Plan

NSW Maritime (formerly Waterways) produced this master plan in 2002 to guide future rejuvenation of the Rozelle Bay site (from the Old Glebe Island Bridge southwest, to the western end of Bicentennial Park) and a second smaller site between the fish markets and Glebe's foreshores. The master plan is required under the SREP 26. The land is owned by the NSW Maritime, with the prominent land use

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<sup>1</sup> Figures taken from the *Sydney Fish Market Master Plan, 2005*

being maritime and industrial. The sites are zoned 'Waterfront Use', and follow objectives in the SREP 26 for this land use.

Land within the *Rozelle and Blackwattle Bay Master Plan* precinct is to be utilised for working waterfront activities, with all future redevelopment to retain the 'diversity and maritime character' of the precinct. The preferred uses envisaged for the Rozelle Bay site includes charter vessels, marine contractors, commercial marine offices, marine repairs and heritage fleet. The proposed land uses for the Blackwattle Bay site are charter vessels and general mixed marine uses (some non-conforming uses may be considered at a small site at the northern end). Due to this industrial nature, the master plan notes increased measures are required for the safety of pedestrians and cyclists. In terms of public access to the waterfront, the master plan classifies access in one of three ways: 24-hour Access, Daylight Hours and Business Hours. This method is useful in improving both safety and security in the area.

#### **Implications for the *Bank Street, Pyrmont Master Plan***

- The master plan proposes to retain the current 'no wash zones' and 'no anchor zones'. The proposed new Bank Street water access proposal should be aware of this;
- The master plan proposed a boat ramp for passive public watercraft use, at the western end of Rozelle Bay (labelled R9 in the master plan), however this is now unlikely to occur;
- The issue of foreshore access is satisfied by having a '*level of public access that balances the working nature of a maritime precinct with the principle of increasing public access to the foreshore*'. Public access runs through the development site and along the foreshore where feasible. This would be a suitable description of the likely foreshore access along the *Bank Street, Pyrmont Master Plan site*;
- Parking is provided in accordance with Australian Standards, with only limited parking encouraged in the master plan. Parking provisions for the *Bank Street, Pyrmont Master Plan* would also be in accordance with these standards, ensuring consistency.

### **3.5 Jackson's Landing Master Plan with Amendments**

In October 2003, Lend Lease produced their *Master Plan with Amendments*, to add to an existing CSR Master Plan which Lend Lease had prepared in the late 1980's for the previous owner, CSR. The master plan covers an 11.73 hectare site on the Pyrmont Peninsula, north of the Bank Street study area (**Figure 3.1**).

To satisfy statutory planning objectives, the master plan includes a range of land uses, housing types and extensive public open space. Land use zonings at the site included residential, residential-business and public recreation. Within these zonings, Lend Lease developed a master plan based on:

- approximately 1,400 dwellings;
- a maximum of 38,000m<sup>2</sup> of business floor space; and
- 3.87 hectares of public open space.

Residential accommodation will range from 1 to 4 bedroom properties, with a mix of terrace houses, town houses and apartments. In the Harris Street and Elizabeth Bay areas, Lend Lease proposed retail uses, cafes and restaurants at ground level.

#### **Implications for the *Bank Street, Pyrmont Master Plan***

- Public access way dimensions throughout the development will comply with the Urban Development Plan for Ultimo/Pyrmont, which require access ways to be a minimum of 6 metres, and an average of 10 metres in width;

- Limited sections of an existing wharf will be retained as part of the waterfront open space, and also incorporates provision for a berthing facility on Elizabeth Bay;
- Bank Street and Bowman Street are detailed in the *Ultimo-Pyrmont Traffic, Transport and Parking Strategy* as Local Distributor Roads;
- Bowman Street is to be widened to three lanes between Bank and Jones Streets, enabling it to accommodate a commuter bicycle route and possible bus route; and
- Foreshore access is provided along the water front open space, perimeters of the site, utilising boardwalks only where necessary. The foreshore promenade along the Waterfront West Park is proposed to be 6 metres wide.

### 3.6 Foreshore Promenade Policy for Land within SHFA Boundary

SHFA's *Foreshore Promenade Policy for Land within SHFA Boundary: Pyrmont Peninsula and Blackwattle Bay* (2003) is the guiding document (supported by the draft *Blackwattle Bay Public Foreshore Promenade – Implementation Strategy* below) for foreshore promenade development in the master plan study area and surrounds. It provides suitable guidance for setback widths based on the individual site and area, and also identifies missing foreshore links (such as the Bank Street study area). The overarching objective of the document is to 'guide and facilitate the procurement of a high quality and continuous foreshore promenade for foreshore access to be enjoyed by the community at large.'

#### Implications for the *Bank Street, Pyrmont Master Plan*

- Importantly for the Bank Street site, SHFA state that the foreshore walkway may be diverted away from the waters edge for safety and security, and that it is the continuity and accessibility of the walk that is important;
- The foreshore promenade should consider, amongst others, walkers, joggers, cyclists, skaters, emergency vehicle and disabled access, and access to this should be provided at regular intervals. The boardwalk should also connect comprehensively with the surrounding pedestrian/cyclist network;
- SHFA recommend setbacks that are site-specific based upon heights of buildings, local topography, etc. The average width is 10 metres across a site, and is not permitted to fall below 8 metres. To allow for emergency vehicle access, the minimum trafficable width is 6metres<sup>2</sup>;
- In exceptional circumstances, temporary 6 metre wide boardwalks may be permitted to fill missing links over water adjoining foreshore land. Security gates and fencing will be required to protect adjacent non-residential land uses;
- New promenades should be located on dry land where possible. SHFA discourage boardwalks over water except 'in areas of missing foreshore links on the western side of the peninsula where foreshore access is currently not possible on land'. The policy details the 'exceptional circumstances' where a boardwalk will be permitted.

### 3.7 Public Foreshore Promenade – Implementation Strategy

The draft SHFA *Blackwattle Bay Public Foreshore Promenade – Implementation Strategy* (2003) is intended to be the mechanism for implementation of the State Governments public foreshore access initiative for Blackwattle Bay. At present, public foreshore access exists from Woolloomooloo Bay to Walsh Bay, King Street Wharf at Darling Harbour to Jackson's Landing at Pyrmont, and is approved (conditionally) from Glebe Harbour (former Fletcher site) at Blackwattle Bay to the existing Jubilee Park at Rozelle Bay. This Implementation Strategy is aimed at the missing sections between the western end of Jackson's Landing and the Sydney University Rowing Club at Glebe.

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<sup>2</sup> These setbacks are based on the 'co-existence of public space being located adjacent buildings of approximately 5 storeys high'.

For each site within this master plan, the strategy provides:

- Site ownership and existing use;
- Description of the general foreshore condition and necessary upgrade works;
- Relevant environmental planning instruments and policies;
- Options for foreshore access;
- Recommendations for foreshore structures to facilitate public access; and
- Preliminary cost estimates for proposed public access components.

### **Implications for the *Bank Street, Pyrmont Master Plan***

This report provides recommendations for foreshore access at the site. Most notably for the study area:

- Foreshore access at the northernmost triangle of NSW Maritime land, and No.1 Bank Street is to be an upgrade of the Bank Street footpath;
- Foreshore access at the larger NSW Maritime site being an extension of the concrete walkway, for the entire site. SHFA recommend the site be landscaped for a 'public recreation park with water access for un-powered vessels';
- For the Poulos, Bidvest and Hymix sites, SHFA recommend that in the event of any redevelopment, new buildings be set back to provide minimum a 10 metre wide landscaped foreshore promenade;
- From the Poulos site, running south to the point where the Hymix site meets the fish market, a continuous 6 metre wide boardwalk was recommended;
- A minimum 5 metre wide strip is to be provided from Bank Street to the foreshore, through the NSW Maritime owned Miller Street Lot (positioned between the two Hymix sites). The site is also to be landscaped for public recreation. This will have transport/access issues for Hymix site operations;
- SHFA recommend that the seawalls at the Hymix site be upgraded; and
- Preliminary cost estimates are also provided.

## **3.8 Sharing Sydney Harbour Regional Action Plan**

The *Sharing Sydney Harbour Regional Action Plan* (released in 2000) is a NSW Government action plan for opening up the harbour for a wide range of users. Four themes underpin the 'Sharing Sydney Harbour' vision, namely to have a harbour that can be:

- Natural;
- Urban;
- Working; and
- the People's.

The Action Plan primarily follows ten 'priority projects' to achieve the vision. These projects included 'Plans for Strategic Sites', 'Improving Stormwater Quality' and 'Land Supply for the Working Harbour'. Further details into these individual projects are available on the Sharing Sydney Harbour website<sup>3</sup>.

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<sup>3</sup> [www.sydneyharbour.nsw.gov.au/sharig/index.php](http://www.sydneyharbour.nsw.gov.au/sharig/index.php)

### 3.9 Sharing Sydney Harbour Access Plan

The *Sharing Sydney Harbour Access Plan*<sup>4</sup> (August 2003) document, produced jointly by the Department of Infrastructure, Planning & Natural Resources (DIPNR) and the NSW Maritime, is in place to assist the NSW Government to achieve its vision of opening the harbour to residents and visitors of Sydney. The focus is on the provision of foreshore access for pedestrians and cyclists, and waterways facilities for recreational watercrafts. This document is relevant to the Bank Street site in that it considers land and water access issues together. The Access Plan identifies strategies for implementation over the next 20 years, with implementation being assisted by the Sharing Sydney Harbour Access Program, a five-year capital works program funded by the NSW Maritime, SHFA and DIPNR. Projects in accordance with the Access Plan may be eligible for the grant funding.

A Harbour Circle Walk has been defined as part of this program (refer **Figure 3.1**), which passes close to the Master Plan site by taking pedestrians along Quarry Master Drive, along the pedestrian and cyclist ramp to reach the Anzac Bridge and enabling them to follow Victoria Road through Rozelle. The entire circle walk is 26 kilometres long and is an important move towards improving access to the harbour.

#### **Implications for the *Bank Street, Pyrmont Master Plan***

Implications include the following:

- Diagrams within the report note cultural attractions and existing boat ramp facilities on the Bank Street site;
- The Old Glebe Island Bridge is listed as a 'cultural attraction';
- There is a 'new/improved' soft access boat ramp planned at the western side of Rozelle Bay;
- There are two new wharves/pontoons at the south and west of Blackwattle Bay, and another at Pyrmont Point Park/Harris Street; and
- The Master Plan's location in close proximity to an important harbour walk would encourage pedestrian movements in the area, increasing importance of signage indicating location of facilities such as the foreshore promenade.

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<sup>4</sup> Previously publicly exhibited under the name of *Integrated Land and Water Access Plan*