



Explanation of Intended Effect

Bays West Stage 1 – White Bay Power Station and
Metro Sub-Precinct

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Acknowledgment of Country

The Department of Planning, Industry and Environment acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

Aboriginal people take a holistic view of land, water and culture and see them as one, not in isolation to each other. The Bays West Place Strategy implementation is based on the premise upheld by Aboriginal people that if we care for Country, it will care for us.

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Executive Summary

In accordance with the *Stage 1 Bays West Master Plan* and *The Bays West Place Strategy* this Explanation of Intended effect (EIE) document sets out the proposed planning controls for the White Bay Power Station (and Metro) Sub Precinct (shown in **Figure 1**).

These new proposed controls are to be primarily included in the *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*.



Figure 1 - Land to which the EIE applies

Background

In 2019 the Government announced approved investment for the Sydney Metro West project, including a station at Bays West adjacent to the White Bay Power Station. The Department of Planning and Environment was identified as the appropriate agency to progress an overall Place Strategy for Bays West, as well as planning controls for the sub-precincts immediately surrounding this major piece of infrastructure.

Bays West – a new kind of Sydney urbanism

Bays West will play an important role in the continued growth and economic success of Greater Sydney and the NSW economy over the next 20 years.

Endorsed by the Minister for Planning and Public Spaces in November 2021 *The Bays West Place Strategy* (Place Strategy) sets the vision for the Bays West Precinct as being a unique urbanised harbourside precinct that encapsulates Rozelle Bay, White Bay, Jones Bay, and a part of Johnsons Bay.

Bays West is the last strategic piece of inner harbour land available for urban renewal in our global city, and the new Metro station delivers the opportunity to transform the White Bay Power Station and surrounding area into a new harbourside precinct, that will draw new business, entertainment, and cultural opportunities.

The vision set in the Place Strategy celebrates Country and builds upon its natural, cultural, maritime and industrial stories to shape an innovative and sustainable new place for living, recreation and working. New proposed activities, places, connections and destinations will enrich Bays West's character and meaning through built form and public spaces that embrace its natural and cultural heritage.

Implementation of the Stage 1 Bays West Master Plan – White Bay Power Station (and Metro) and Robert St Sub-precincts

The Place Strategy also includes 14 Directions and 6 Big Moves, which were then further expanded and detailed through a comprehensive place analysis for the Stage 1 Master Plan for the sub-precincts of the White Bay Power Station (and Metro) and Robert Street (**Figure 2**).

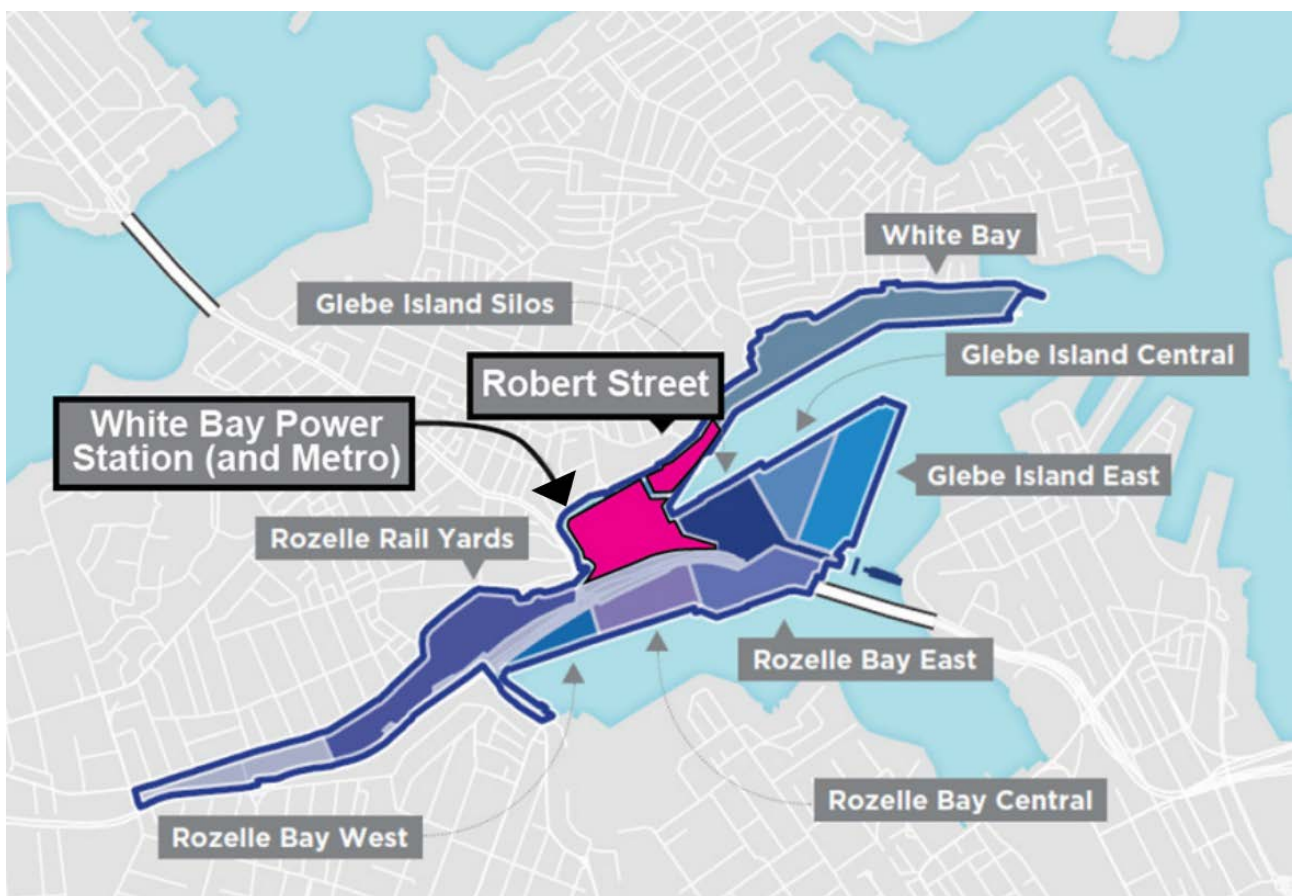


Figure 2 - Sub-precincts in the Bays West Place Strategy

Connection with Country has been a fundamental driver of many of the detailed principles of the Stage 1 Master Plan.

The Stage 1 Bays West Master Plan and Urban Design Framework were exhibited earlier this year and are based on the following urban design principles that evolved from the Place Strategy:

- Functional Water Landscapes
- Connect Community and Water
- Consolidated Open Space

- Celebrate Heritage Landmarks
- Reinforce a Layered and Evolving Heritage
- Active Multi-modal Interchange
- The Everyday and the Event
- Precinct-scale Activation from Day 1.

Based on the above principles, a detailed site structure was created for the Stage 1 Master Plan that also provided guidance on potential future land uses, street network and public and active transport, built form, community infrastructure, public space typologies, sustainability and design excellence.

New planning controls for White Bay Power Station and Metro sub-precinct

Through extensive urban design work, new and updated planning controls are proposed for the White Bay Power Station (and Metro) sub-precinct to ensure Metro over station development, and surrounding precinct achieve the intended design and place outcomes in the Place Strategy. This will support the delivery of a strong, activated precinct that capitalises on its history, opportunity and significant government investment in infrastructure.

Revisions were also made the Stage 1 Master Plan following exhibition, and this has also informed the new planning controls that will be implemented in the *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*.

Future development design and construction in the sub-precinct will also be guided by the draft Design Guidelines, which are exhibited alongside this EIE.

Summary of proposed amendments

The proposed rezoning of the White Bay Power Station and Metro sub-precinct will enable the delivery of:

- 71,000m² commercial floor space and 4,700m² retail floor space (4,954 jobs).
- 23,900m² residential floor space (250 homes).
- 41,650sqm of new public open and green space.
- District multi-purpose community floor space including a community centre, library hub and cultural uses.
- Revitalisation and protection of heritage listed White Bay Power Station.
- Improved public and active transport including cycle ways.

Part 5 of this report provides the explanation of intended effect to the legal exhibition of the planning amendments. It is proposed that the *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* be amended.

These amendments will deliver new planning controls for the sub-precinct that reflect the revised Stage 1 Master Plan (excluding Robert Street Sub Precinct) and realise the vision and principles of the broader Place Strategy.

Amendments will also be made to the *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* to refer to the draft Design Guide to guide future design outcomes for the precinct.

Exhibition documents

This document summarises the implementation work and proposed planning amendments to deliver certainty for key sites, as well as the infrastructure delivery and contributions regime.

The exhibition package includes:

- Revised Draft Stage 1 Master Plan
- Stage 1 Design Guideline – White Bay Power Station (and Metro)
- Infrastructure Delivery Plan
- Master Plan Community Engagement Report
- First Nations Summary Consultation Report
- Draft Affordable Housing Program
- Draft Place Based Transport Strategy
- Technical studies:
 - Transport Management and Accessibility Plan
 - Heritage Impact Assessment
 - Aboriginal Cultural Heritage
 - Ecology and Biodiversity Report
 - Contamination and Geotechnical Reports
 - Economic Impact Assessment and Retail Strategy
 - Social Infrastructure Assessment Report
 - Flood Study and Mitigation Plan.

The documents above provide a detailed consideration of the impacts of the proposed planning controls and have informed the rezoning proposal which will guide future development in the precinct.

Future Implementation of the Bays West Precinct

Future renewal of the remaining areas of the Bays West Precinct (Rozelle Bay, Glebe Island, and White Bay) will be subject to separate staged master planning and rezoning. This will include consultation and engagement with the community and will be guided by future decisions of Government.

Any master planning and rezoning of the remaining land within the Bays West Precinct will need to consider and respond appropriately to the final controls and land use zones that apply to Bays West Stage 1.

1. Bays West Place Strategy (2021) & Master Plan (May 2022)

2.1 Introduction

Bays West has changed over time from its Aboriginal origins, through the industrial age, to its present-day use as a significant harbour-side precinct supporting ports and a working harbour, framed by decommissioned heritage structures and important arterial road infrastructure.

Throughout its history, Bays West has seen wholesale shifts in patterns of land use. More recently, waves of industry have moved in, expanded, then become redundant or moved to other parts of Sydney, with the vital exception of ports and working harbour operations. As Bays West has evolved, people have been progressively excluded, so that much of the space has become inaccessible to the public.

The Bays West of the future will evolve over time into a mixed-use precinct integrated with enhanced port and working harbour activities, a 'blue economy' leveraging an already powerful economic contribution – some \$4 billion over 25 years from Port Authority land. It will be supported by the adaptive re-use of the White Bay Power Station and more convenient and direct active transport connections. These include revitalising heritage assets, creating an international gateway at the Cruise Terminal, capitalising on the innovation corridor to adapt to new technologies and sustainable port operations, and building a world-class foreshore walk with walking and cycling connections to the surrounding urban areas.

It will be host to activities, places, connections and destinations that enrich the precinct's character and meaning through built form and public spaces that embrace its natural and cultural heritage. The precinct will respect and celebrate Country, building on its past to shape a new place whilst recognising the ongoing connection for the local Aboriginal community.

Refer to **Figure 3** for a map of the wider Bays West precinct and its connectivity into surrounding areas.

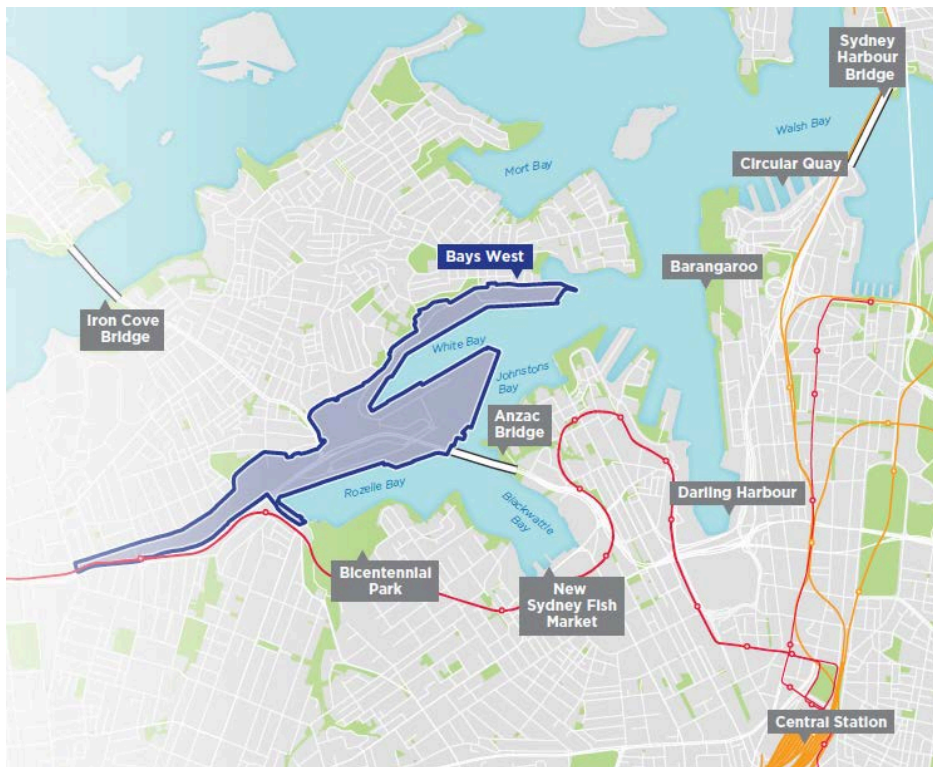


Figure 3 - Bays West Precinct (Bays West Place Strategy 2021)

2.2 Bays West Place Strategy

The NSW Government's decision to invest in the delivery of a Sydney Metro station in the Bays Precinct was the first step to unlock the precinct's potential and to ensure access for all. It provides a catalyst, offering significant development and connectivity opportunities for its future resident, worker and visitor populations and will allow the future vision and opportunities for the precinct to be realised.

To support the opportunity delivered through the new Metro Station and revitalisation of the White Bay Power Station, the NSW Government directed the Department of Planning and Environment to collaborate with other levels of government on the planning for Bays West. This included to prepare the Bays West Place Strategy for the wider precinct, as well as a Master Plan and new planning controls for Stage 1 of the Precinct directly adjacent to the Metro Station and White Bay Power Station (as proposed and outlined in this EIE).

Adopted in 2021 the Bays West Place Strategy responded directly to current state and local government policy frameworks and aligns with their strategic objectives and priorities. The vision and directions are a progression on the ambitions and commitments previously adopted in The Bays Precinct: Sydney Transformation Plan (2015) and the Figure below outlines the overall Bays West Structure Plan, provided at **Figure 4**.

Bays West Structure Plan 2040 and beyond

LEGEND

- Bays West site boundary
- Light rail station
- Light rail route
- Future 'The Bays' Metro Station
- Future 'The Bays' Metro Station box
- Proposed active transport connection
- Potential future active transport connection
- Proposed bus stops/interchange
- Key heritage landmarks
- Proposed Key public domain
- Key landform
- Foreshore promenade
- Proposed promenade linking connections
- ... Occasional foreshore promenade access (non-ship days)
- Existing foreshore promenade
- Proposed zone of development
- Development Zone with greater height potential
- Integrated development/ports & working harbour
- Public domain - Rozelle parklands
- Integrated ports facility with public domain
- Ports & working harbour zone
- Vessel berthing zone
- Road structures
- Heritage tracings

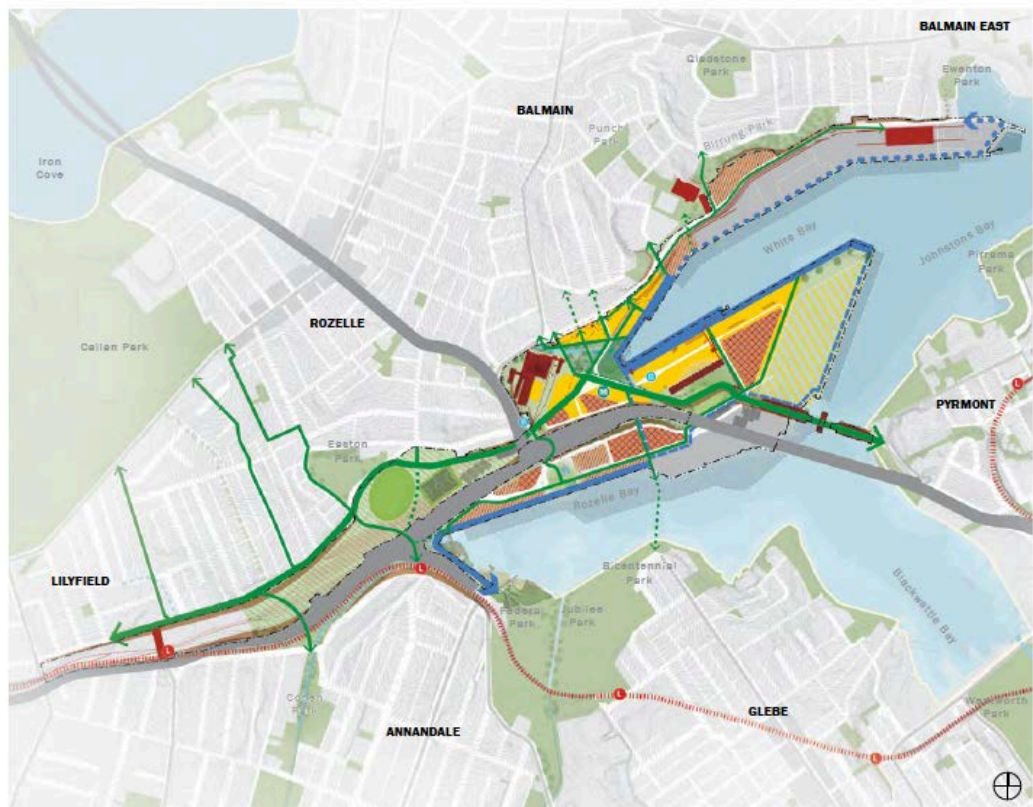


Figure 4 - Bays West Structure Plan, 2040 and beyond (Bays West Place Strategy 2021)

Bays West represents a major opportunity to address key NSW Government policy commitments and the Premier's Priorities, including the delivery of a strong economy, well-connected communities, and quality local environments. An integrated suite of policies reflect the NSW Government's focus to align land use, transport and infrastructure planning for Sydney and NSW.

This Bays West Place Strategy gives effect to the Regional Plan and Eastern Harbour City District Plan by aligning its directions with the region and district framework of infrastructure, liveability, productivity and sustainability. This strategy outlines a vision for the precinct that will be realised through the 14 directions, supported by progress towards six big moves, which are key interventions to realise the full potential of the precinct.

These big moves will realise exciting opportunities to integrate the directions and realise the vision for the precinct. These are ambitious, requiring co-ordination and resourcing from multiple agencies. Their implementation will require, and will benefit from, extensive community consultation.

- **Move 1:** Repurpose White Bay Power Station to become a focal point of the precinct.
- **Move 2:** Reinststate a crossing from Bays West to Pyrmont to create more convenient and direct active transport connections.
- **Move 3:** Connect community to water, while recognising and supporting the working harbour and port operational requirements.
- **Move 4:** Deliver a significant, connected, activated public open space near the water at an early stage.
- **Move 5:** Make the most of the opportunity that a new metro station presents to renew the precinct and surrounds through development that has a strong dependence on public and active transport.
- **Move 6:** Enable a world-class harbour foreshore walk.

The Place Strategy (**Figure 5**) supports the and identifies the key opportunities to successfully deliver 14 Directions and 6 Big Moves

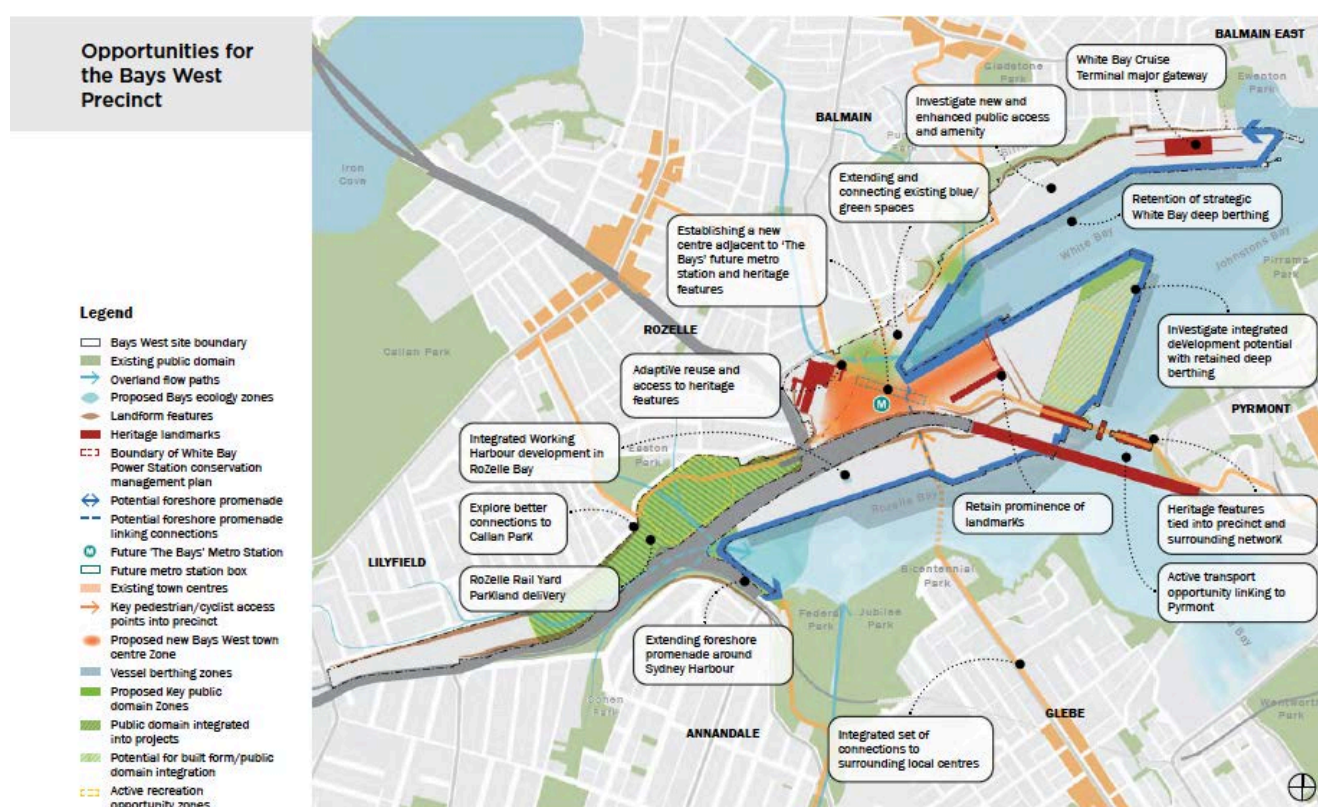


Figure 5 - Bays West Precinct Opportunities (Bays West Place Strategy 2021)

Sub-precincts

The Place Strategy acknowledged the Precinct is a collection of many places and identified ten sub-precincts (**Figure 6**) each with their own unique character and identity.

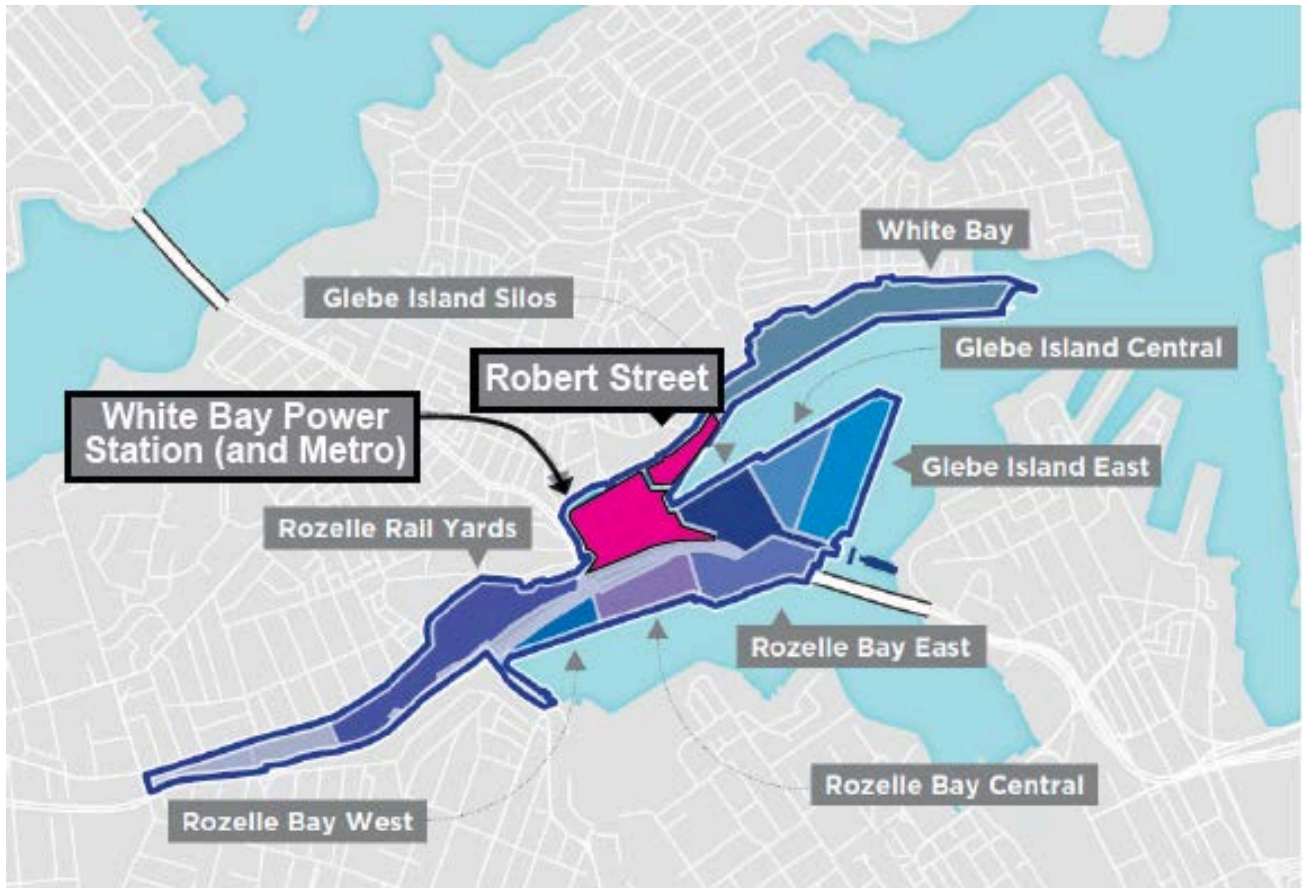


Figure 6 - Bays West Place Strategy (2021) and initial precincts (Bays West Stage 1 Master Plan)

The type of growth and change anticipated in each sub-precinct is described in existing and future character statements in the Place Strategy. They include an identification of the important place priorities for each sub-precinct across land use, movement, infrastructure, landscape and built form to guide new development to address the specific and different needs of each part of the Bays West Precinct.

2.3 Stage 1 Bays West Master Plan

The delivery of the Metro Station by 2030 will be the first step in the renewal of the precinct. To support the delivery of the Metro Station and revitalisation of the White Bay Power Station, the Department of Planning and Environment collaborated with government and stakeholders to prepare the Bays West Stage 1 Draft Master Plan and Urban Design Framework (UDF) for the White Bay Power Station (and Metro) and Robert Street Sub-precincts. This Master Plan informs the rezoning which will unlock the future for White Bay Power Station and the land around the new Bays Metro Station (The Bays Station).

The draft UDF and Master Plan will enable the implementation of the Bays West Place Strategy for the two initial Sub-precincts and informs requirements for rezoning, development controls and supporting infrastructure for the Sub-precincts. At this point in time, the Robert Street Sub-precinct is not currently being considered for rezoning but forms part of the Master Plan.

The key outcomes sought from the Stage 1 Master Plan and UDF were to:

- Identify urban design principles and parameters that will underpin the proposed development including how Country has been embedded.
- Provide a site and context analysis that identifies opportunities to be considered.
- Demonstrate that potential future uses, built form and landscape can achieve high quality place outcomes.
- Propose building heights, building envelopes, and draft development principles to be incorporated into future planning controls at a later stage.
- Assess impacts on views to significant spaces and landmark structures such as the key view corridors associated with the state heritage listed White Bay Power Station (WBPS).

Sub-precinct Context

The Bays West Place Strategy established a series of 10 distinct Sub-precincts. These are shown in **Figure 6**. Specific boundary lines have been set for major structural elements, including changes in topography, roadways, key public domain zones and uses and users. These reflect a logical division of the Bays West precinct, based primarily on existing and desired future character zones.

Two Sub-precincts, being the White Bay Power Station (and Metro) and Robert Street Sub-precincts, have been identified for early phase realisation to reinforce the significant investment that the Sydney Metro West station and the remediation of the White Bay Power Station represent.

As catalytic areas with significant opportunities for the adaptive re-use of heritage elements, the unlocking of land for community access and use, and significant new public and environmental amenity, the opportunities and constraints posed by each Sub-precinct must be carefully balanced to maximise people and place-led outcomes.

The Sub-precinct boundaries have evolved following finalisation of the Bays West Place Strategy to include a larger White Bay Power Station (and Metro) Sub-precinct boundary and a smaller Robert Street Sub-precinct boundary. Refer to **Figure 7**.

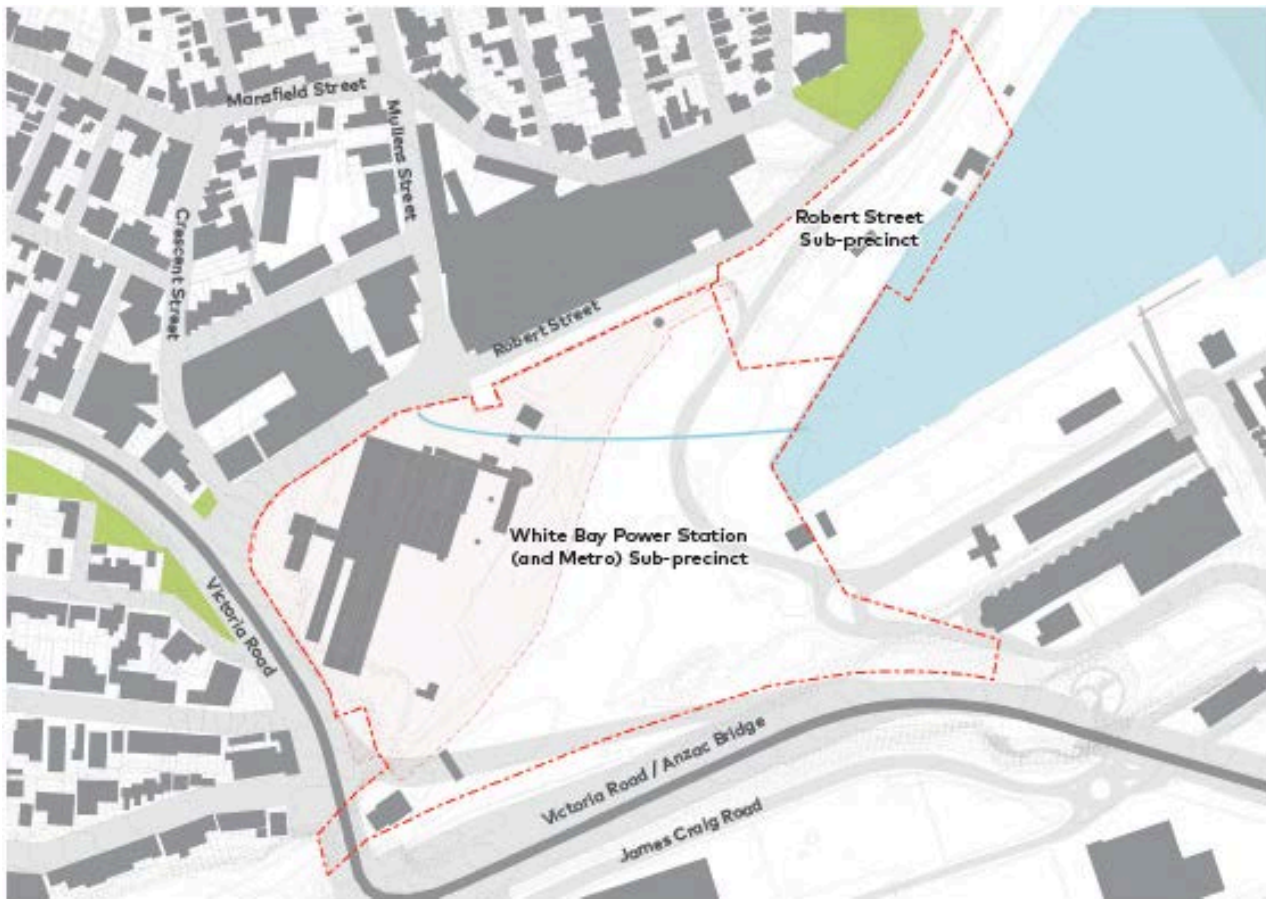


Figure 7 - White Bay Power Station (and Metro) and Robert Street Sub-precinct Boundaries (Bays West Stage 1 Master Plan)

White Bay Power Station (and Metro) Sub-precinct

This Sub-precinct is central to the renewal of the broader Bays West precinct incorporating the White Bay Power Station and the new Metro Station. This Sub-precinct will be a key activity centre for the broader Bays West precinct, providing for employment, recreation, retailing, civic and cultural opportunities for existing and new communities. It will be a link between other Sub-precincts and the surrounding communities, while potentially providing a new regional open space connecting White Bay Power Station and the head of White Bay.

The delivery of the new Metro Station and adaptive reuse of the White Bay Power Station create strong opportunities for place making. Delivery of these catalyst projects will create a desirable first stage, which responds to and recognises the importance of the wider precinct.

Robert Street Sub-precinct

Providing a key interface to the Balmain Peninsula, and the port zone at White Bay, the Robert Street Sub-precinct will be a permeable interface that respects this key transition point into the new Bays West. It needs to open up new access points into the precinct that benefit from engagement with heritage elements, the foreshore, the working harbour and the proposed new regional park adjacent to White Bay Power Station. There is also an opportunity to develop the Robert Street Sub-precinct itself into an attractive and welcoming approach to the White Bay Cruise Terminal.

The timing for the rezoning of the Robert St Sub-precinct will be subject to further investigations by Government.

2. Implementation of the Bays West Place Strategy and Stage 1 Master Plan

3.1 Overview

The Department has undertaken further collaborative work to implement the Place Strategy in the planning system during 2021 and early 2022, including exhibition of Stage 1 sub-precinct master plans. These draft plans have informed the development of new and updated planning controls for Stage 1 of the precinct to ensure growth and change balances character, heritage and amenity.

This section of the report details the work completed and being undertaken this year, including:

- finalisation of the sub-precinct master planning processes to inform proposed built form controls and public benefit outcomes for Stage 1 of the Place Strategy.
- detailed built form analysis resulting in proposed built form controls.
- design guidance that will inform future development applications to realise the vision and directions of Stage 1 of the Place Strategy.
- revision of the Conservation Management Plan of the White Bay Power Station to ensure that future development aligns with critical heritage and place considerations.
- an Infrastructure Delivery Plan, detailing how the framework of proposed State, local and key site contributions ensures infrastructure will be delivered with growth as it occurs over time.
- affordable housing contribution feasibility analysis.
- supporting technical analysis and consultation, including air quality, aviation, biodiversity, contamination, noise, non-Indigenous heritage, transport, and wind to support the sub-precinct master plan outcomes and proposed built form controls and inform subsequent planning processes.

Documents on exhibition

This document summarises the implementation work and proposed planning amendments to deliver certainty for key sites, as well as the infrastructure delivery and contributions regime.

The exhibition package includes:

- Revised Draft Stage 1 Master Plan
- Stage 1 Design Guideline – White Bay Power Station (and Metro)
- Infrastructure Delivery Plan
- Master Plan Community Engagement Report
- First Nations Summary Consultation Report
- Draft Affordable Housing Program
- Draft Place Based Transport Strategy
- Technical studies:
 - Transport Management and Accessibility Plan
 - Heritage Impact Assessment
 - Aboriginal Cultural Heritage
 - Ecology and Biodiversity Report
 - Contamination and Geotechnical Reports
 - Economic Impact Assessment and Retail Strategy
 - Social Infrastructure Assessment Report

- Flood Study and Mitigation Plan.

The documents above provide a detailed consideration of the impacts of the proposed planning controls and have informed the rezoning proposal which will guide future development in the precinct.

3.2 Key Development Precincts

The nominated four Key Development Precincts within the White Bay Power Station and Metro Sub-precinct (see **Figure 8**) that have the capacity to both contribute to forecasted floor space demand and deliver on key public benefits are identified as:

- Metro and Over Station Development;
- Southern Development Parcels;
- White Bay Power Station; and
- White Bay Park.



Figure 8 - Key Development Precincts

3.3 Metro and Over Station Development

The delivery of the Metro Station by 2030 will be the first step in the renewal of the broader Bays West precinct. The development surrounding the new Metro Station is intended to be predominantly non-residential including commercial use comprising of both office and retail space.

Figure 9 below illustrates the area the Metro and Over Station Development is to occupy within the sub precinct. The proposed controls outlined in this EIE will enable a built form of approximately 8 storeys and a commercial and retail GFA of approximately 11,400m².

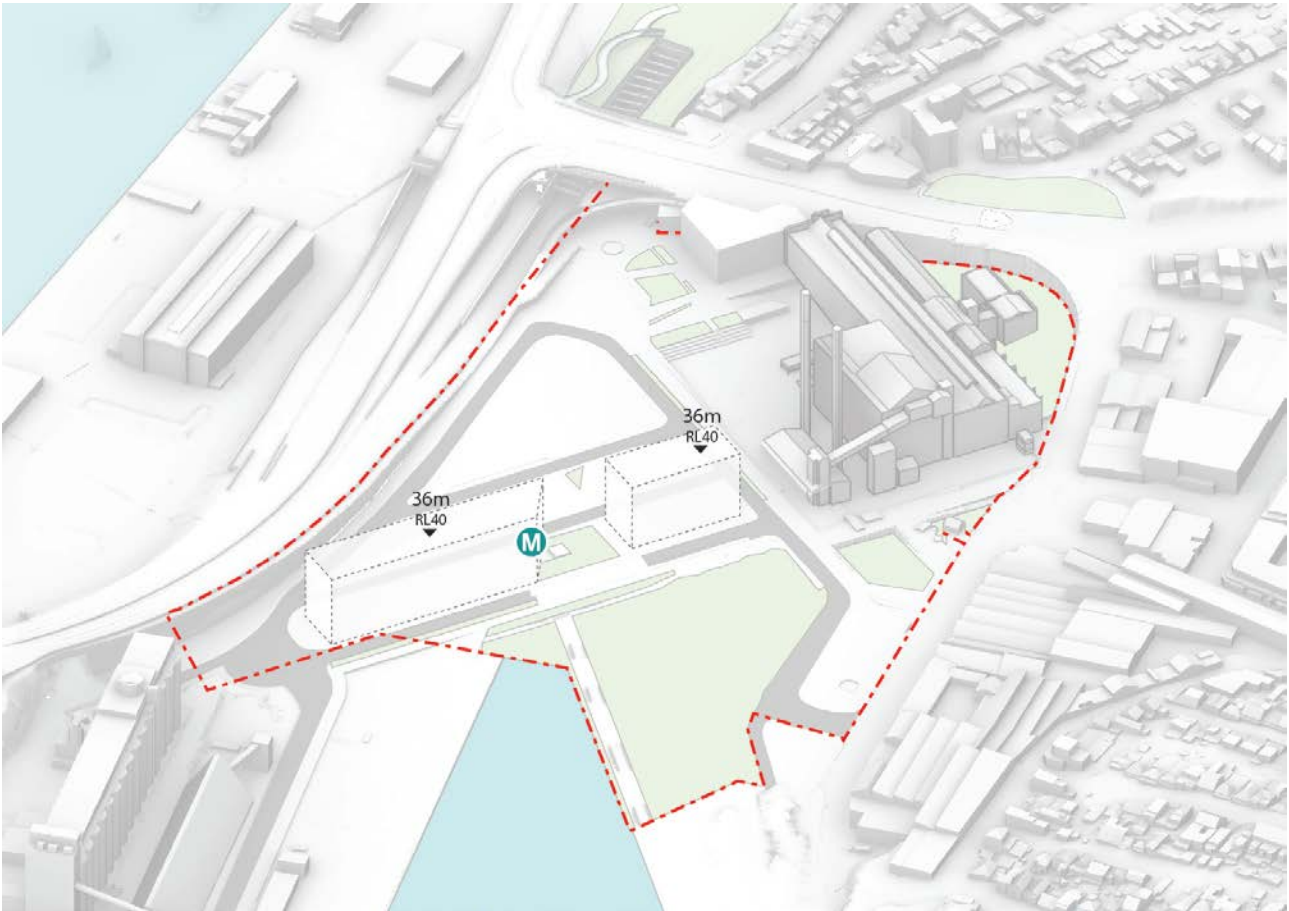


Figure 9 - Metro Over Station Development and Adjacent Development

3.4 Southern Development Blocks

The southern development blocks and wedge block may be appropriate for mixed uses including residential uses subject to ensuring key amenity criteria can be met with respect to wind, noise and air quality.

Figure 10 illustrates the location of these development blocks and proposed building heights resulting from the proposed planning controls outlined in this EIE.

The proposed controls enable approximately a combined commercial and retail GFA of approximately 39,000m² and residential GFA of approximately 23,900m².

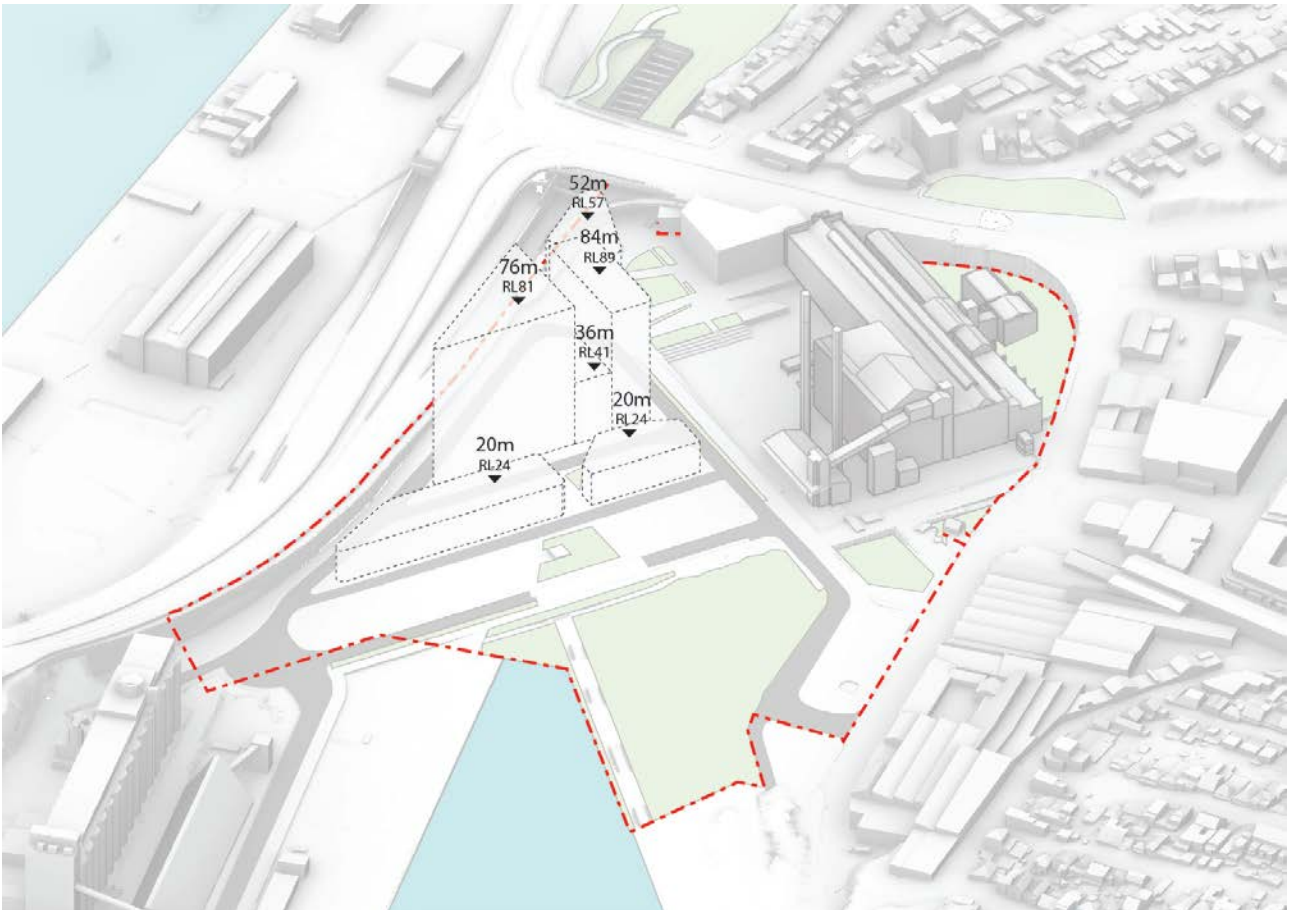


Figure 10 – Southern Development Block

3.5 White Bay Power Station Development

The White Bay Power Station is a State Heritage listed building with significant elements both outside and inside the building. New development surrounding the White Bay Power Station is to respect the scale, presence and curtilage of the White Bay Power Station and the Conservation Management Plan.

The proposed planning controls in this EIE seek to ensure future land uses within the Power Station can deliver a viable development outcome. The proposed controls will also ensure future development will enhance and celebrate the building's heritage, whilst also supporting a vibrant night-time economy and innovative cultural and creative uses. Building height and Floor Space Ratio controls will also guide the delivery of a new extension to the White Bay Power Station in the location of the demolished Boiler House #2.

Figure 11 illustrate the location of the boiler house and proposed building height. The proposed controls would enable a commercial and retail GFA of approximately 23,900m² and community GFA of 3,000m² across the White Bay Power Station reinstated boiler house built form.

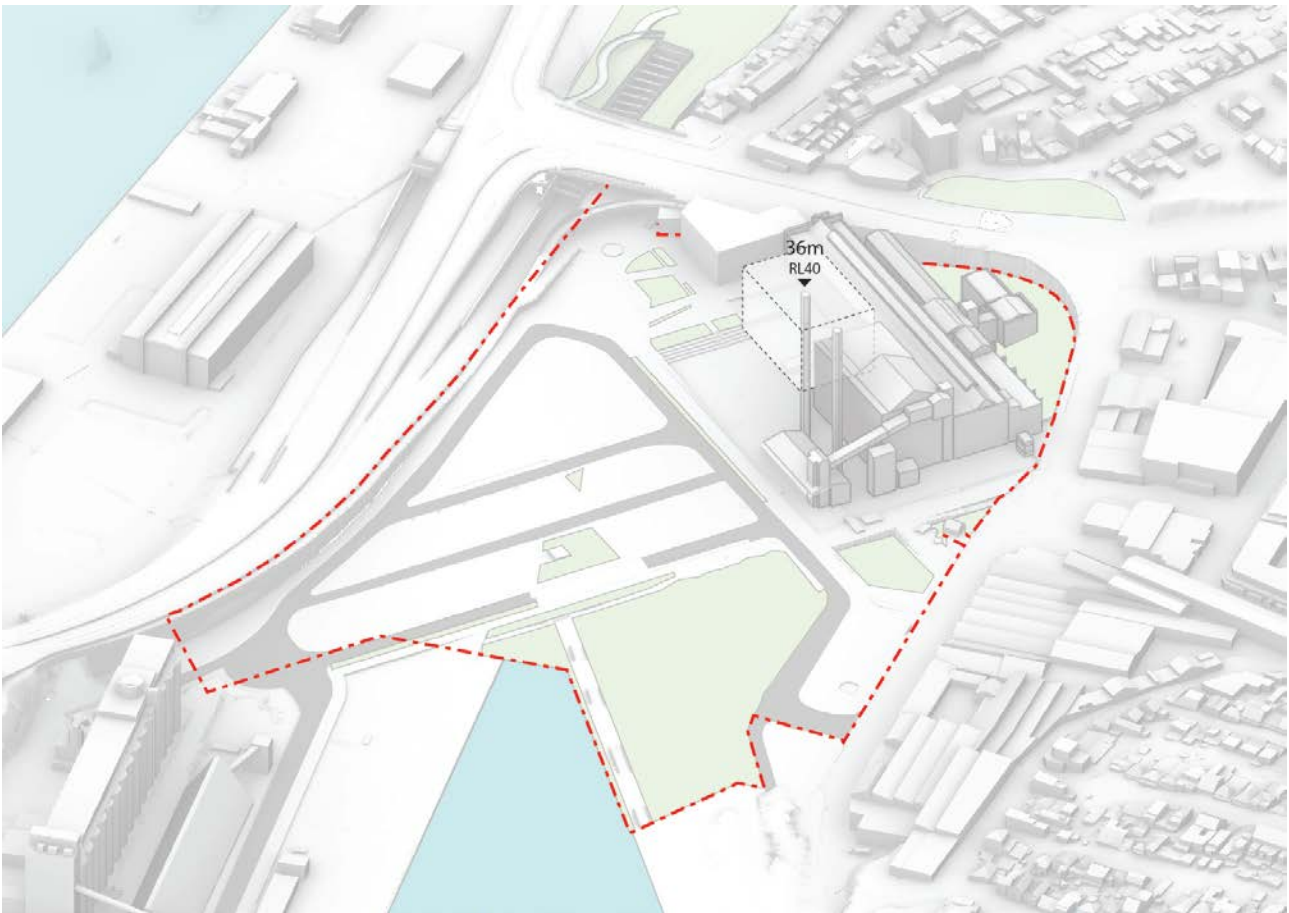


Figure 11 - White Bay Power Station and boiler house

2.6 White Bay Park and surrounds

The sub-precinct will include significant amounts of new public domain and open space, providing opportunities to create well connected and activated areas around the White Bay Power Station and the future Bays Metro Station.

More than 50% of the sub-precinct will be public open space including White Bay Park. The draft rezoning proposal includes planning controls to ensure protect solar access to this public open space.

Figure 12 illustrates the proposed White Bay Park and development to the north.

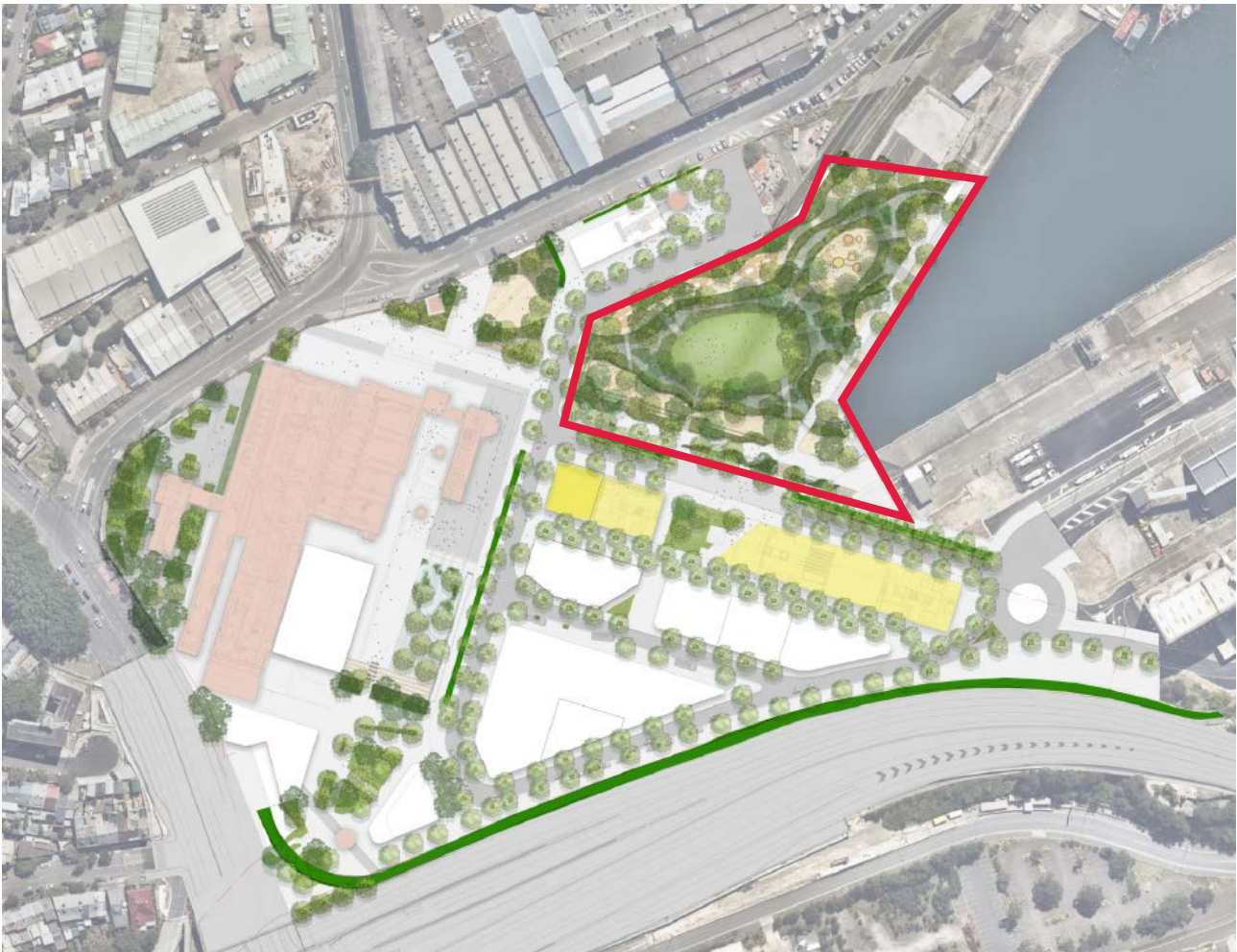


Figure 12 - White Bay Park

3.7 Draft Design Guideline

The rezoning proposal includes a draft Design Guidelines that has been informed by technical studies and investigations. The role of the Design Guidelines is to control and guide future detailed design development and approvals within the White Bay Power Station (and Metro) Sub Precinct.

The Design Guideline sets out a suite of built form and urban design provisions to ensure that new development in the precinct achieves high quality outcomes for built form, public domain and heritage and seeks to improve the amenity of the precinct and its surrounds.

4. Infrastructure Delivery Plan – State, local and key sites contributions

Overview

Infrastructure delivery

The coordinated and timely provision of high-quality infrastructure – such as open space, transport and community and cultural facilities – is critical to the realisation of the vision for Bays West.

As part of the Bays West Stage 1 Master Plan implementation, an Infrastructure Delivery Plan (IDP) has been prepared. It describes how the infrastructure planning framework for the sub-precinct has been reviewed and will be adjusted to implement the master plan and ensure that future development is supported by infrastructure delivery.

The IDP includes an infrastructure schedule, estimates of infrastructure costs, estimates of income for local and regional infrastructure contributions, and information about how infrastructure works will be funded and who could be responsible for delivery.

The purpose of the IDP is to:

- assist infrastructure agencies and the community in understanding the ‘infrastructure task’ needed to support the creation of great places in Bays West
- set out what infrastructure is needed, who could deliver it, and what mechanisms can be used to deliver it
- identify the potential for individual developments, including development on key sites, to incorporate infrastructure needed by the anticipated development
- assign priorities and an indicative staging schedule for delivery of the infrastructure
- provide a ‘road map’ to assist agencies to collaboratively plan, prioritise, program and deliver infrastructure in the sub-precinct in an orderly and timely manner.

The infrastructure items cover:

- **Roads and traffic** – including new streets, intersections, bust stops and cycleways
- **Open space** – including a new district waterfront park, Power Station Park
- **Social infrastructure** – including a new multipurpose library and community hub, district cultural spaces, local cultural theatre space, early education/child care, and district indoor sports/recreation centre
- **Drainage** – flooding and stormwater management infrastructure
- **Affordable housing** – per affordable rental housing targets of 5-10% of new residential floor space identified in the Greater Sydney Region Plan A Metropolis of Three Cities.

The IDP sets out a range of mechanisms that are expected to be used to fund and deliver the infrastructure. Key funding sources include (but are not limited to):

- **Proposed Regional Infrastructure Contributions (RIC)** – in late 2021 the NSW Government exhibited a package of proposed NSW infrastructure funding reforms including a new regional infrastructure contribution to provide funding towards state and regional infrastructure including regional open space, transport infrastructure and measures to conserve or enhance the natural environment. The proposed charge rates for Greater Sydney are (noting that a discounted rate will apply for the first two years before the full rate charged) \$10,000 per apartment and \$30 per square metre of new commercial and retail floor space.
- **Local infrastructure contributions** – to provide funding towards local infrastructure that may be owned and/or managed by the relevant local council, such as the new multipurpose

library and community hub. There may also be an opportunity for the State entity to enter into a planning agreement with Inner West Council to deliver the facility as 'works in-kind' in lieu of paying local infrastructure contributions. This would need to be discussed and agreed with Council.

- **Affordable housing contributions** – a proposed introduction new affordable housing contributions program for Bays West, under section 7.32 of the *Environmental Planning and Assessment Act 1979*
- **Proceeds from sale of development sites**– proceeds from the sale of government-owned land within the sub-precinct for future development.

The IDP notes that the new Bays West Metro Station is integrated within the sub-precinct master plan and is being funded and delivered by Sydney Metro as a separate project. The new Metro Station is City-shaping infrastructure item that will reshape the urban, economic and cultural elements of the precinct in line with the vision for Bays West.

The IDP outlines most if not all the sub-precinct infrastructure could be delivered by the State Government (or its related entities, such as a potential future delivery authority). This is because all the land within the sub-precinct is currently government-owned and the planned infrastructure is not located on any of the future development sites.

Similarly, the IDP notes that most if not all the infrastructure could also be owned and maintained by the State Government. A possible exception is the new multipurpose library and community hub which is to be provided in the precinct. These are typically operated by councils. The State could retain ownership or dedicate it to Council to own and manage. If the State retains ownership, it could enter into a partnership arrangement with Council or another third party to manage, for example, via a lease agreement. This would need to be discussed with Council and can be resolved in the delivery phase of the project.

A range of next steps will be required in the planning and delivery of infrastructure within the sub-precinct. These include:

- Further planning of the infrastructure to determine their need, timing, feasibility, and priority
- Ongoing consultation and collaboration with infrastructure agencies, the community, and other stakeholders
- More detailed investigation of the match between infrastructure items and funding / delivery mechanisms
- Establishment of an effective governance framework for coordinated infrastructure delivery by agencies and stakeholders
- Infrastructure delivery, including design, approval, and construction.

5. Explanation of Provisions

5.1 Overview

To deliver the proposed planning outcomes for the White Bay Power Station (and Metro) Sub Precinct amendments to the relevant planning controls are required.

This section of the EIE sets out the proposed amendments under the relevant planning instruments to give effect to the proposed planning controls outlined above.

The key strategic documents that support the amendments include:

- *The Greater Sydney Region Plan: A metropolis of three cities* (March 2018)
- *The Eastern City District Plan* (March 2018)
- Our Place Inner West: Local Strategic Planning Statement (published by Council on 31 March 2020)
- The Bays West Place Strategy (Place Strategy) (November 2021)
- The revised draft Bays West Stage 1 Master Plan (White Bay Power Station, Metro and Robert Street).

See **Appendix C** for a discussion regarding consistency with the first three documents and **Section 2** regarding the Place Strategy and Stage 1 Master Plan.

See **Appendix D** for a consistency check between the amendments proposed in this section, and relevant State Environmental Planning Policies and Ministerial directions under section 9.1 of the EP&A Act.

The following statutory planning instruments currently apply to the sub-precinct:

- *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

While the sub precinct is located within the Inner West Local Government area, Leichhardt Local Environmental Plan 2013 does not currently apply.

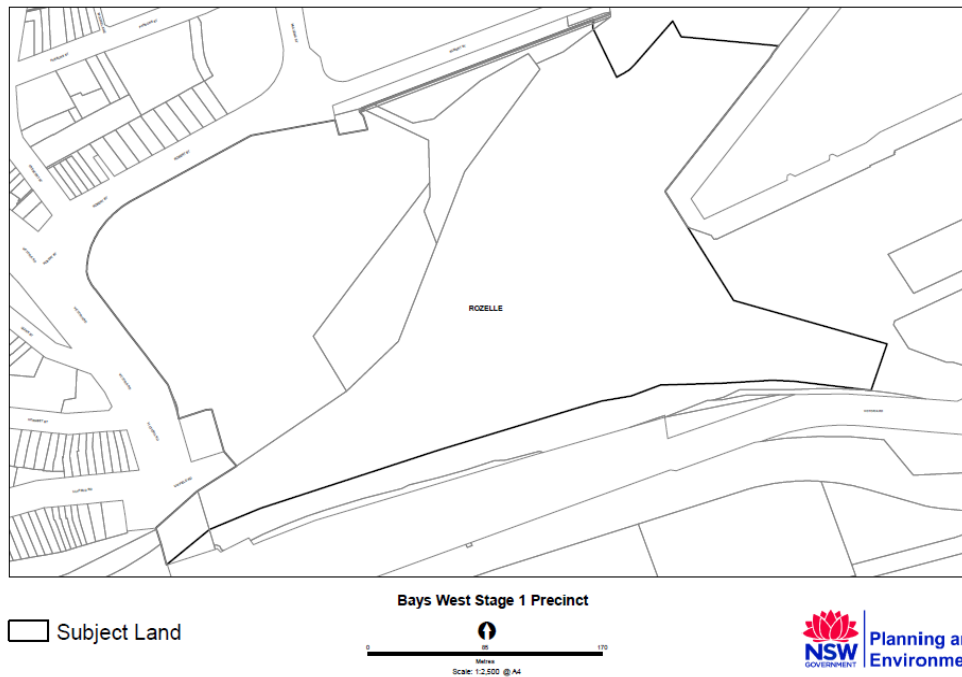


Figure 13– Land to which EIE applies

5.2 Objectives and intended outcomes of proposed amendments

State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021 is proposed to be amended to insert the proposed and new planning controls for the White Bay Power Station (and Metro) Sub-precinct. The following sections are to be read as an explanation of the intended effect of the proposed SEPP for the purposes of section 3.30(1)(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Objectives

- To support development of Bays West, in a manner that is consistent with the Place Strategy that balances growth and change with the character, heritage and amenity of the Precinct.
- To reinforce Bays West into a mixed-use precinct integrated with enhanced port and working harbour activities, supported by the adaptive re-use of the White Bay Power Station and more convenient and direct active transport connections through the new Metro.
- To support the revitalisation of critical heritage assets, and create an international gateway at the Cruise Terminal, capitalising on the innovation corridor to adapt to new technologies and sustainable port operations, and building a world-class foreshore walk with walking and cycling connection.
- To ensure the ongoing growth of employment floor space and residential accommodation in Sydney to meet NSW government forecasts and anticipated demand.
- Ensure future land uses within the Power Station can deliver a viable development outcome that enhances and celebrates the building's heritage, whilst also supporting a vibrant night-time economy and innovative cultural and creative uses.
- Ensure future development acknowledges and embeds Country, reflect Indigenous design principles and opportunities to connect with Country.

Intended outcomes

- Amend *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* to include comprehensive site-specific clauses for White Bay Power Station (and Metro) Sub precinct.
- Insert an affordable housing provision into *Leichhardt Local Environmental Plan 2013* or proposed Inner West LEP 2022 (if made in 2022) to enable an affordable housing program to be delivered as part of the Bays West Precinct.
- Consequential amendments to various other currently applicable instruments to ensure existing instruments align with the objectives and controls for White Bay Power Station (and Metro) Sub precinct.

5.3 Proposed amendments to State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021

Land Zoning

The sub-precinct is currently zoned 'Port and Employment' shown in Appendix A. Proposed amendments to the land use zoning will facilitate development of a mixed-use town centre in and around the Metro Station, new public open space in the form of White Bay Park, and a revitalised centre in and around the White Bay Power Station.

The Land Zoning Map (as shown at **Figure 14**) is proposed to be amended to include the following zones:

- E2 Commercial Centre
- MU1 Mixed Use
- RE1 Public Recreation
- SP1 Special Activities - Commercial premises, Community facilities, Creative industry, Hotel and Educational Establishment, Entertainment Facilities

A land use table will be inserted to reflect the standard instrument uses.

White Bay Power Station

A SP1 zone is proposed for the White Bay Power Station and surrounds to enable flexibility in its future use. The intention to include education establishments as a permitted use is for tertiary uses rather than a school. A site-specific provision is proposed to require that the majority of the White Bay Power Station consist of a combination of community facilities, creative industry, and / or entertainment facilities.

Refer to the proposed land use zoning mapping available at **Appendix B**.

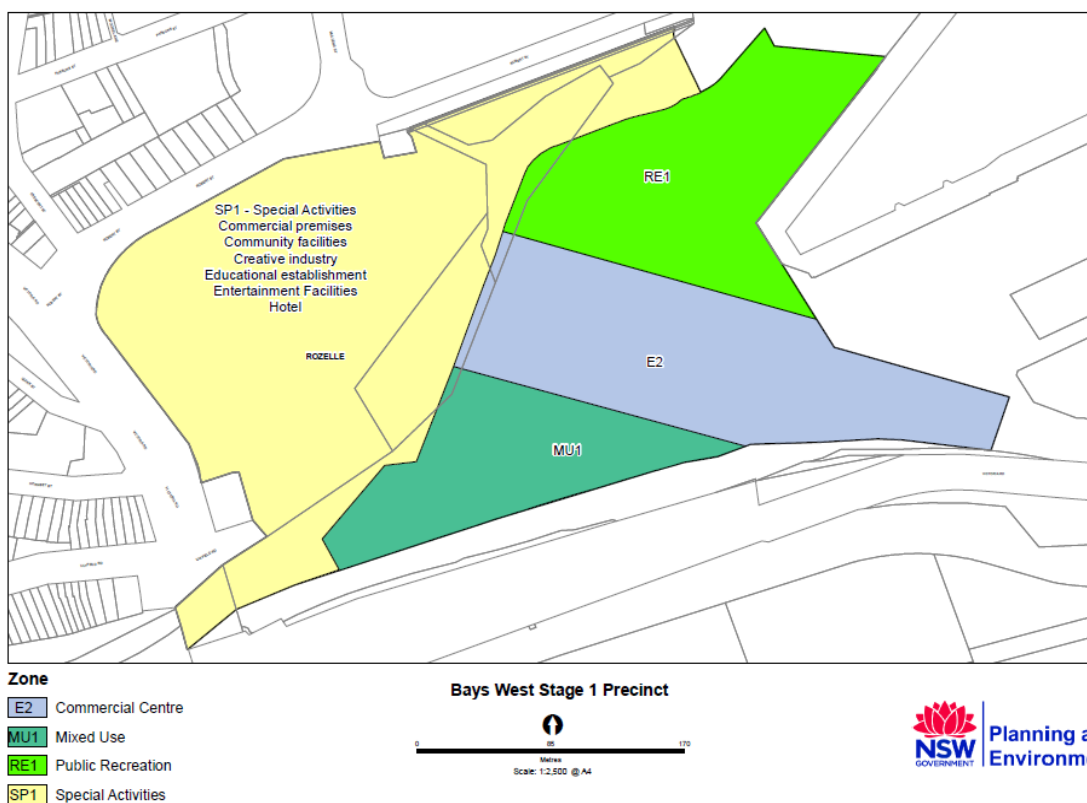


Figure 14- Proposed land use zones map

Height of buildings map

No maximum building heights currently apply to the sub-precinct. It is proposed to introduce maximum building heights to align with the Stage 1 Bays West Master Plan to provide a transition in building heights that ensures future development is consistent with:

- Requirements to protect key view corridors to and from the White Bay Power Station as outlined in the Conservation Management Plan.
- Aligns with the desired future local character of the precinct.
- Necessary amount of development to enable activation and the renewal of the precinct including delivery of social and community infrastructure such as parks, public domain and community facilities.

It is proposed to introduce heights as shown in **Figure 15** and the Height of Buildings Map provided at **Appendix B**. No building height is proposed for the White Bay Power Station.

The Height of Buildings Map is proposed to be represented as maximum RL (reduced levels in metres) to remove any uncertainty around future building height when measured against the standard instrument definition of 'existing ground level'.

Proposed lower building heights within the future open space at the head of White Bay are to allow for small scale, supporting structures which support the activation and function of the future open space.

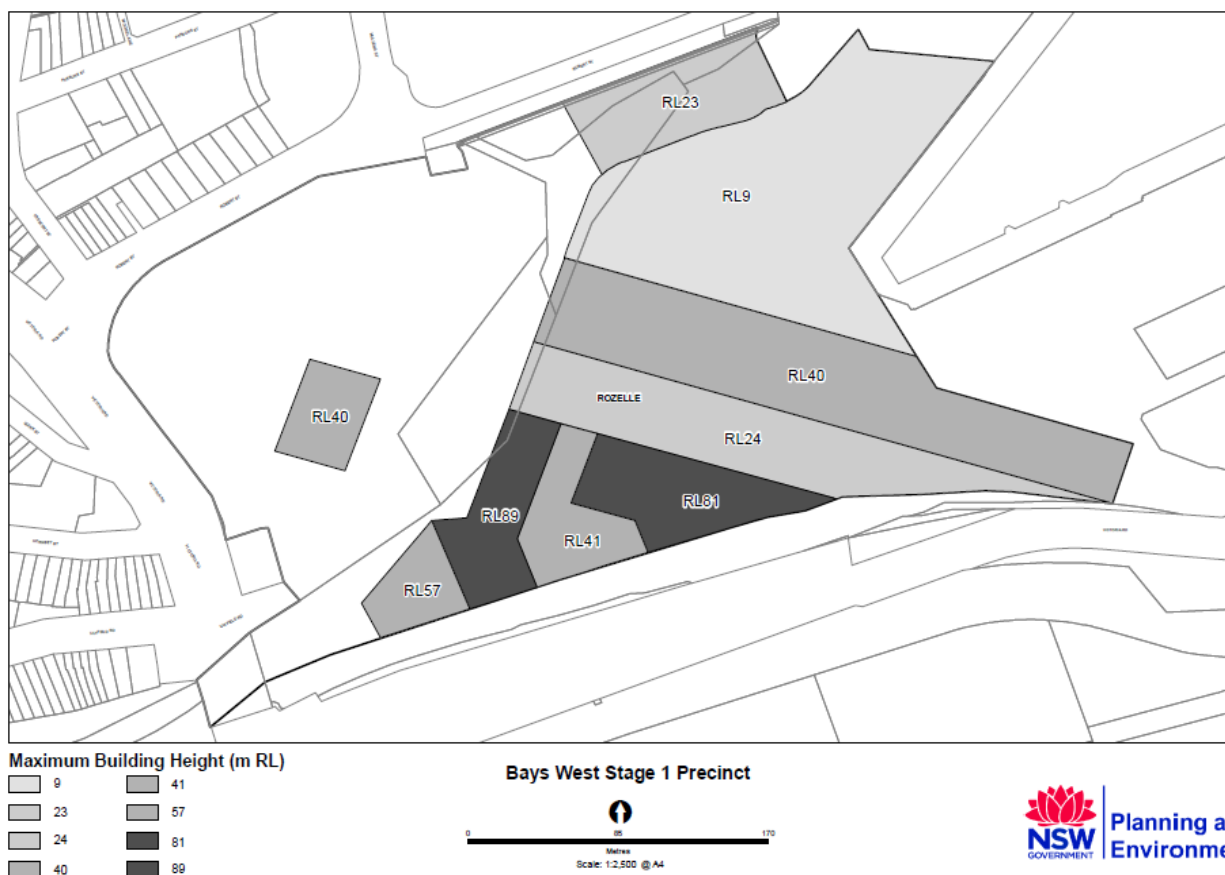


Figure 15 – Proposed maximum building height map

FSR

No maximum FSR controls currently apply to the sub-precinct. Proposed maximum floor space ratio controls are being introduced to ensure development density aligns with Place Strategy and the Master Plan for Stage 1 of the Precinct.

It is proposed to introduce and implement a Floor Space Ratio (FSR) Map as shown in **Figure 16**. The calculation of FSR is to consider the following:

- Calculation of FSR does not include uses within the RE1 zone such as a kiosk or ancillary community facilities which support the activation and function of the future open space.
- The calculation of FSR for the development directly above the future Metro Station is to exclude any gross floor area associated with 'Passenger transport facilities'¹.

Further floor space testing is ongoing and there may be minor changes to the calculation of total FSR. For example, including or excluding floor space bonuses for the purposes of design excellence or sustainability may alter the FSR number, but not change the maximum building height controls. To ensure flexibility and accommodate the staging of development a maximum Gross Floor Area (GFA) control may be implemented. Section 3.2 Key Development Precincts provides an overview of the GFA to be achieved in the development.

Given the land is currently not subdivided into development and public domain parcels, it is proposed to also insert a Clause similar to Clause 7.10 of the *Canada Bay Local Environmental Plan 2013* to ensure that the site area for proposed development includes land dedicated back to government for a public purpose. Clause 7.10 of Canada Bay Local Environmental Plan 2013 provides:

7.10 Site area of proposed development in Rhodes Precinct includes dedicated land

The site area of proposed development on land in the Rhodes Precinct is, for the purpose of applying a floor space ratio under clause 4.5, taken to include land that—

- (a) is dedicated to the Council for a public purpose or otherwise set aside as publicly accessible open space or as a pedestrian link, and*
- (b) would have been part of the site area if it had not been dedicated or set aside.*

It is also proposed to insert an 'Active Frontages' model Clause to ensure appropriate non-residential uses at ground-floor and enable street level activation. The draft floor space ratio mapping is available at **Appendix B**.

¹ **passenger transport facility** means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place (*Standard Instrument—Principal Local Environmental Plan 2006*)

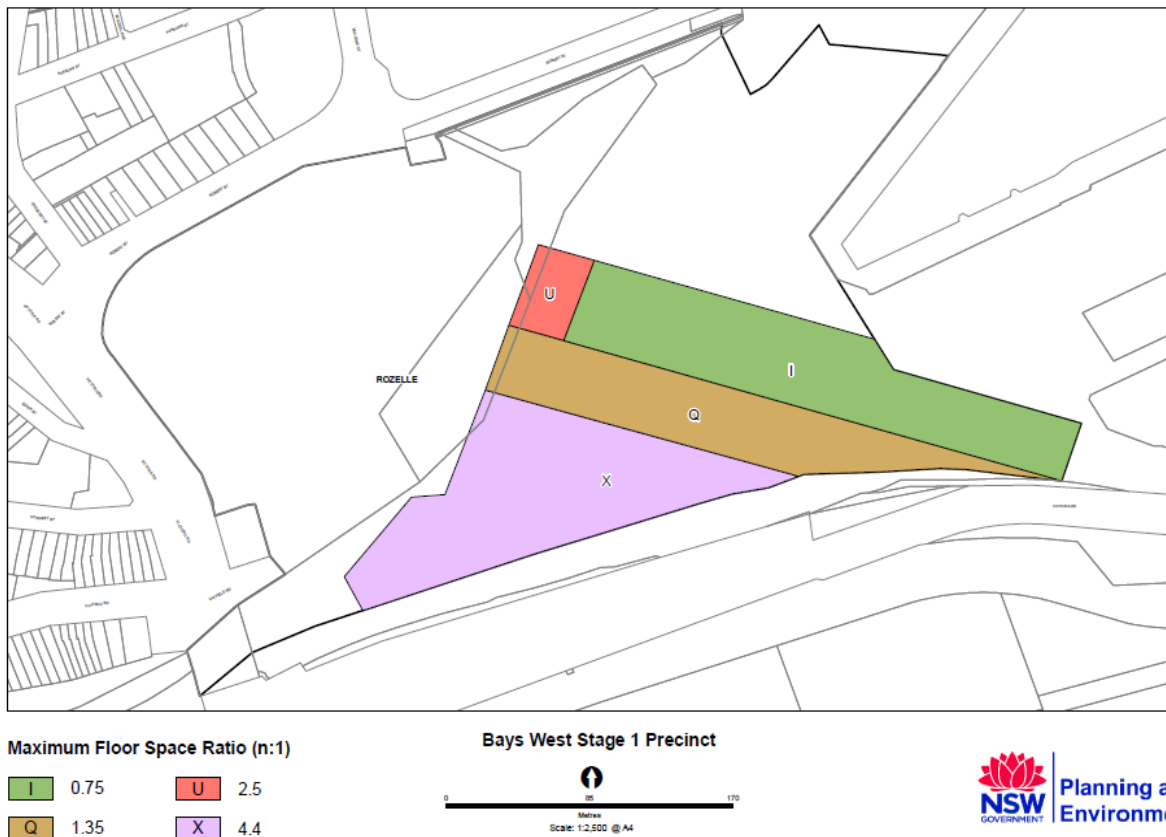


Figure 16– Proposed floor space ratio map

Heritage and Conservation Map

The sub-precinct includes two items identified as 'Heritage Items' in Schedule 4 of the *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* being the White Bay Power Station and the Sewerage pumping station in Robert Street.

It is proposed to retain these items in a new Heritage Map as shown in **Figure 17** as follows:

- White Bay Power Station - State Heritage Item 01015
- Sewerage pumping station, Robert Street.

Refer to the proposed heritage map available at **Appendix B**.

It is proposed to retain and update the existing heritage and conservation provisions for these items within the new planning controls.

Further heritage investigations will be undertaken to recognise and protect the potential heritage significance of other structures on the site, subject to further analysis.

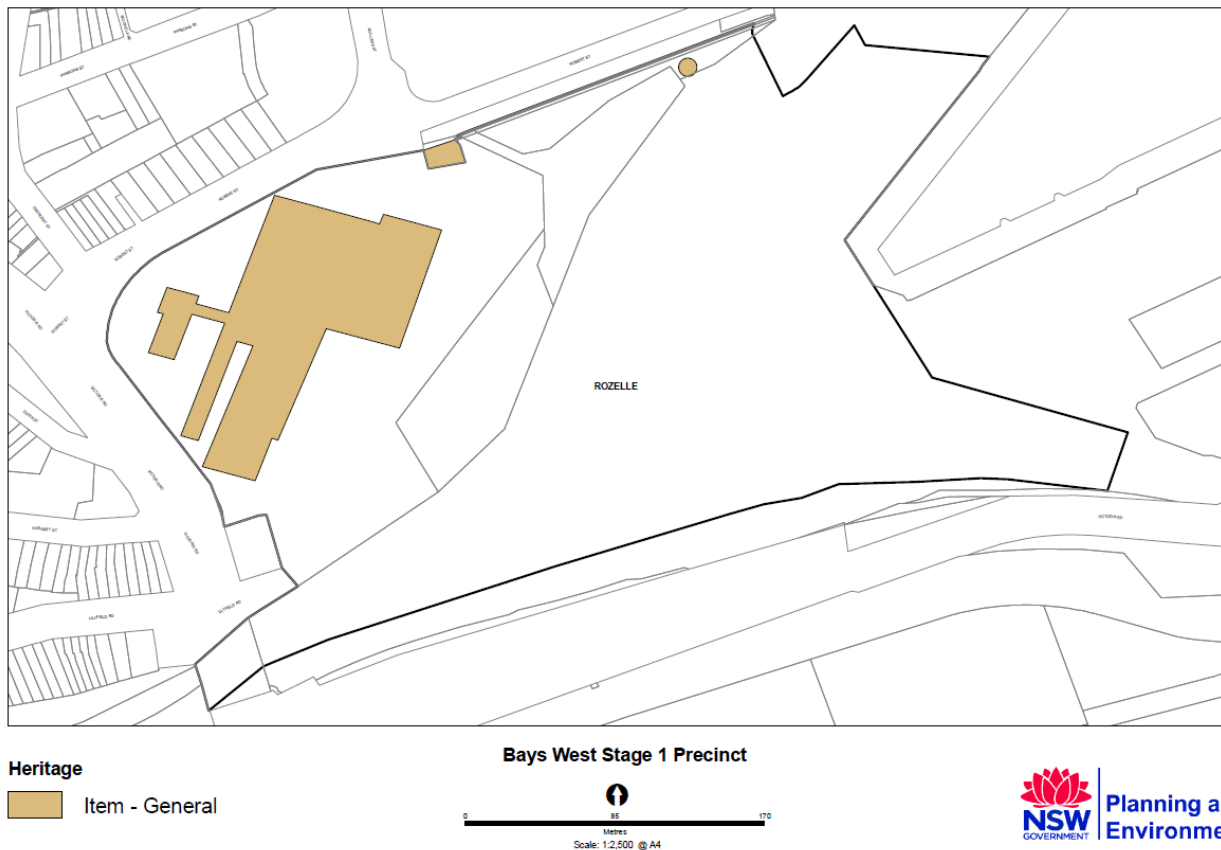


Figure 17– Heritage map

Key Sites map

A Key Sites Map will be amended to include the sub-precinct as a key site and identify the four character areas, which will identify more specific planning controls. The four areas shown in **Figure 18** include:

- Metro and over-station development (Site A).
- Southern development lots (Site B)
- White Bay Power Station (Site C).
- White Bay Park (Site D).

and the proposed mapping is available at **Appendix B**.

A new provision is also proposed that allows for the departure from the master plan or Design Guide but only where a new Master Plan, Design Guide or Development Control Plan is prepared.

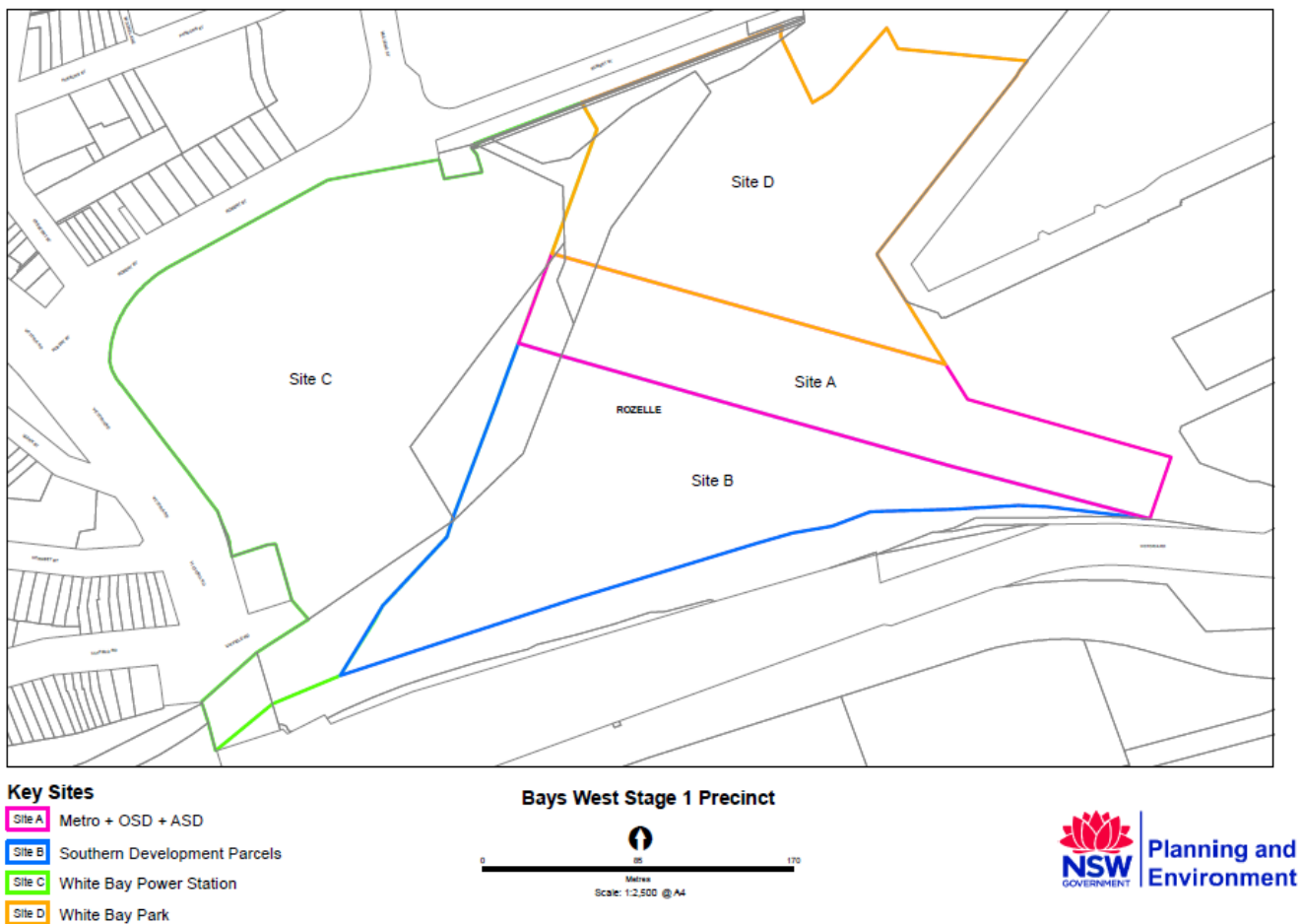


Figure 18– Proposed key sites map

Land reservation

It is intended that the rezoning proposal will enable the delivery of infrastructure such as open space and roads and the need to reserve land to where the infrastructure will be located.

The introduction of a Land Reservation Map may be required to enabled this.

Design Excellence

A new site-specific clause is proposed to require new development within the Bays Precinct to demonstrate design excellence.

Specifically, new buildings in the sub-precinct will be required to adhere to design excellence provisions and a Competitive Design Process as outlined in the Draft Design Guideline. Notably a design competition will be required for buildings which is greater than \$10,000,000 in capital investment value and/or key public domain areas such as future White Bay Park.

Further testing is being undertaking to determine whether additional FSR will be awarded.

The detailed design excellence and competitive design process requirements that will apply will be set out in the Design Guidelines.

A clause will be inserted to mandate the preparation of a design excellence strategy for the public domain. The Design Guidelines will also provide further detail on the requirement to prepare a design excellence strategy for the public domain.

The Clause will apply to all land identified on the draft Key Sites Map within the White Bay Power Station (and Metro) Sub Precinct.

Site-specific Provisions

The proposed site-specific provisions detail controls that apply to development of certain areas of the Precinct, as identified in **Figure 18**.

Proposed provisions for Sites A, B, C and D

- Consideration of and consistency with the Design Guideline made by the Planning Secretary. No additional overshadowing of any public open space (unless the additional overshadowing is caused by playground equipment, a shade structure, an awning, a sculpture or artwork, a community notice or a public information sign), in accordance with the Solar Access Map and the Design Guideline.
- No adverse wind impacts on the site and surrounds in accordance with the Design Guidelines.
- Preparation of a study/ report identifying active transport routes and public domain improvements to enable passengers to travel to and from the station entrances and further afield to the Sydney CBD and surrounding inner west.

Design Guideline

The rezoning proposal includes a draft Design Guideline that will form a guideline made by the Planning Secretary. It has been prepared to inform and guide future development within the White Bay Power Station (and Metro) Sub Precinct

Setting out new development in the sub-precinct the draft Guideline seeks to ensure that high quality outcomes for built form, public domain and heritage outcomes are achieved and that future development improves the amenity of the precinct and its surrounds.

Maximum Parking Rates

The Place Strategy and Stage 1 Master Plan both seek to minimise vehicular traffic generated in the Precinct and encourage the use of alternative modes of transport. To achieve this a clause is proposed nominating the maximum number of private parking spaces that can be provided for development as described in **Table 1**.

Table 1: Car parking rates

Land use		Parking rate
Residential	Studio	0 / residential unit
	1 Bed	0.25 / residential unit
	2 Beds	0.5 / residential unit
	3 Beds	0.5 / residential unit
Commercial		1 / 1100sqm GFA ^[1]

^[1] Parking provision equivalent to 1% of the expected building occupancy, assuming an office density of 10 employees per 100sqm NLA (90% of GFA). This equates to a rate of 1 space per ~1100sqm GFA

Land use	Parking rate
Retail	0

Walking and cycling will be encouraged by requiring developments to provide bicycle parking that complies with the following minimum bicycle parking requirements in **Table 2**.

End of trip facilities are required also to be provided as part of future development to support prioritisation of active transport and will be calculated as part of the GFA of a development.

Table 2: Minimum Cycle parking rates

Land use		Parking rate
Residential	Studio and 1 Beds	1 / residential unit
	2+ Beds	2 / residential unit
	Visitor	0.1 / residential unit
Commercial	Occupants	1 / 100sqm GFA
	Visitor	0.25 / 100sqm
Retail	Employees	0.5 / 100sqm GFA
	Visitor	0.6 / 100sqm GFA

Sustainability - Resilient Development

The Place Strategy and Stage 1 Master Plan recommends the introduction of sustainable utilities infrastructure to ensure resilient development and improve water and energy efficiency in the precinct. This is also consistent with the Greater Cities Commission's identification of Bays West as a collaboration area, including a focus on sustainability.

A new site-specific provision to require the sustainability targets detailed in the draft Design Guide, this includes requirements for Green Star, exceeding BASIX, NABERS and other sustainability measures.

The proposed increased BASIX targets will be linked to an incentive provision for additional floor space.

Further detailed sustainability provisions will also be provided in the Design Guideline to provide further guidance for implementation.

Infrastructure and Delivery

The infrastructure delivery strategy is yet to be finalised and requires further decisions by government around a final delivery strategy. It is important that development does not proceed without ensuring that a mechanism is in place to provide contributions towards State infrastructure.

As a result, it is proposed a new clause be inserted requiring the concurrence of the Planning Secretary upon consideration of the impact of proposed development on existing state public infrastructure and the need for additional designated state public infrastructure before development consent can be granted.

In deciding whether to grant concurrent, the Planning Secretary will consult with public authorities that the Planning Secretary considers relevant to the proposed development at the precinct.

5.4 Proposed amendments to Leichhardt LEP 2013 or proposed Inner West LEP 2022

Affordable Housing

Inner West LEP 2022 (if made in 2022) is proposed to be amended to include a clause that will require new development to contribute to the provision of affordable housing. The proposed clause will enable the relevant authority to impose an affordable housing levy in accordance with the Bays West Affordable Housing Contribution Scheme when granting development consent. The Bays West Stage 1 Rezoning Proposal is also supported by a Draft Affordable Housing Program which is provided at **Appendix E**.

The intent of the provision is to allow for the consent authority to impose a condition requiring a contribution towards affordable housing. It is proposed that this contribution rate will be equivalent to 7.5% the total floor area of the development. This contribution rate is consistent with the Eastern City District Plan which stipulates an affordable housing contribution rate between 5-10%. Further feasibility testing will be undertaken as part of the finalisation of the Bays West Stage 1 Rezoning Proposal to determine the final contribution rate.

The draft Affordable Housing Program provides a robust and flexible framework for affordable housing contributions from Day 1. As the future of the broader Bays West Precinct is planned for, the total affordable housing contribution rate could be expanded and increased, subject to needs analysis and feasibility testing. The proposed controls for the Bays West Stage 1 Rezoning Proposal ensure that affordable housing sits as a fundamental development principle. Whilst Stage 1 of Bays West is predominantly non-residential, the broader Bays West Precinct may have higher amounts of housing. As the broader area is planned for, the total affordable housing contribution rate will be further considered and reviewed.

The following statutory planning instruments currently apply to the site:

- *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

It is proposed that the relevant sections and mapping of the instruments be amended to align with the objectives and controls for White Bay Power Station (and Metro) Sub precinct.

5.6 Part 5 Assessments

The Department wants to ensure that any development under Part 5 of the *Environmental and Assessment Act 1979* in the Bays West Precinct will be required to consider the strategic vision for the precinct provided in the Bays West Place Strategy. This will be achieved through appropriate amendments to ensure that development under Part 5 of the *Environmental Planning and Assessment Act 1979* within the Bays West Precinct is consistent with the Bays West Place Strategy and other supporting policies and documents (as appropriate)..

6. Next steps

The draft planning controls and design guide will be reviewed following public exhibition and feedback received from submissions. An outline of the process is shown in **Figure 19**.

The legal drafting of the final instrument and planning controls will be undertaken by Parliamentary Counsel.

Where we are now

Step one **COMPLETED** ✓

Exhibit the draft Bays West Place Strategy for community feedback

The draft place strategy set out the proposed narrative and vision for Bays West.



Step two **COMPLETED** ✓

Use feedback to finalise the Bays West Place Strategy

Community and stakeholder feedback was reviewed to update and finalise the Bays West Place Strategy. The strategy sets the vision for Bays West and provides information about the next phases of the project.



Step three **COMPLETED** ✓

Undertake further investigation and studies

Additional technical studies/investigations were undertaken to inform and develop the stage 1 master planning phase. This includes precinct-wide studies and sub-precinct specific investigations.



Step four

Stage 1 – White Bay Power Station (and Metro) sub-precinct

COMPLETED ✓

WE ARE HERE 📍

4a Master planning

- included detailed site investigations, testing of built form and density, consideration of appropriate land uses, and identified required supporting infrastructure.
- Was exhibited May 2022

4b Rezoning

- identifies what planning controls will come into effect that will guide and limit future development
- provides detailed guidance through a Design Guide
- includes Affordable Housing Program and Infrastructure Delivery Plan

4c Planning approval

- assesses future development against the planning controls established in step 4b and includes further refinement and detail of the final built-form
- includes exhibition

4d Delivery

- government led tender process for development partners
- government selects chosen development / delivery partners
- construction commences post final planning approvals

Step five

Master planning and rezoning for future sub-precincts within Bays West

Involves undertaking a staged master planning process and rezoning of sub-precincts. This will include consultation and engagement with the community and will be guided by future decisions of the NSW Government. It will follow a similar process to that outlined in Step 4.



Figure 19 - Where we are and next steps

Appendix A – Current Maps

Appendix B – Proposed Maps

Appendix C - Consistency with strategic planning framework

Greater Sydney Region Plan: A metropolis of three cities

A Metropolis of Three Cities – the Greater Sydney Region Plan is the NSW Government's overarching strategic plan for growth and change in Sydney. The 20 year plan with a 40 year vision seeks to transform Greater Sydney into a metropolis of three cities being the: Western Parkland City, the Central River City, and the Eastern Harbour City. The Region Plan identifies key challenges facing Sydney including a population increase of 3.3 million by 2056, 817,000 new jobs by 2036 and a requirement for 725,000 new homes over the next 20 years.

The plan sets out four goals:

- Infrastructure and collaboration – securing 'a city supported by infrastructure' and 'a collaborative city'
- Liveability – achieving 'a city for people', 'housing the city' and 'a city of green places'
- Productivity – creating 'a well-connected city' and 'jobs and skills for the city'
- Sustainability – delivering 'a city in its landscape', 'an efficient city' and 'a resilient city'.

Eastern City District Plan

There are plans for each of the five districts that comprise the Greater Sydney area. The Bays West Precinct falls within the Eastern City District.

The District Plan sets out how the Greater Sydney Region Plan will apply to the area. It influences the delivery of housing supply, informs and influences planning for business and jobs growth, particularly in strategic centres and informs the decision making for infrastructure planning.

The District Plan, identifies 22 planning priorities and associated actions that are important to achieving a liveable, productive and sustainable future for the area, including the alignment of infrastructure with growth.

Key relevant priorities are addressed below:

Planning Priority E1 Planning for a city supported by infrastructure

Action 3. Align forecast growth with infrastructure

Action 4. Sequence infrastructure provision using a place-based approach

The White Bay Power Station (and Metro) Sub-precinct is central to the renewal of the broader Bays West precinct incorporating the White Bay Power Station and the new Metro station. This Sub-precinct will be a key activity centre for the broader Bays West precinct, providing for employment, recreation, retailing, civic, cultural and living opportunities for existing and new communities. It will be a nexus of connection between other Sub-precincts and the surrounding communities, while potentially providing a new regional open space connecting White Bay Power Station and the head of White Bay.

The delivery of the new Metro Station and adaptive reuse of the White Bay Power Station create strong opportunities for place making and delivering a precinct which responds to and recognises the importance of the precinct.

Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage

Action 18. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places

The preparation of the Place Strategy and the detailed sub-precinct master plan represents a place based approach to the planning of Bays West. They have been prepared with early identification of the environmental heritage values of the Precinct.

The proposed changes to building height and floor space have been prepared based upon the detailed analysis within the sub-precinct master plan.

The master plan and rezoning proposal also balances the aim of maintaining and enhancing a people-friendly public realm and of the area being a dynamic and desirable place to live, with the aim of expanding the precincts capacity for employment based around public transport and its position within the Innovation Corridor.

Planning Priority E7. Growing a stronger and more competitive Harbour CBD

Action 24. Strengthen the international competitiveness of the Harbour CBD and grow its vibrancy by:

- a) further growing an internationally competitive commercial sector to support an innovation economy***
- b) providing residential development without compromising commercial development***
- c) providing a wide range of cultural, entertainment, arts and leisure activities***

The rezoning proposal supports this action by enabling up to an additional 71,000m² square metres of commercial space 4,700m² retail space which could equate to up to 4,954 jobs.

Planning Priority E10 Delivering integrated land use and transport planning and a 30-minute city

Action 36. Plan for urban development, new centres, better places and employment uses that are integrated with, and optimise opportunities of, the public value and use of Sydney Metro City & South West, CBD and South East Light Rail, and Westconnex as well as other city shaping projects.

The rezoning proposal leverages the new Bays West Metro Station and the White Bay Power Station (and Metro) Sub Precinct will be a key activity centre for the broader Bays West precinct, providing for employment, recreation, retailing, civic, cultural and living opportunities for existing and new communities.

The Stage 1 Master Plan are part of the detailed place-based planning undertaken for the Precinct and the sites capable of change also support the forecast growth in commercial and residential floor space.

Planning Priority E11. Growing investment, business opportunities and jobs in strategic centres

Action 38. Provide access to jobs, goods and services in centres

The focus of the proposed changes is to promote employment land uses and some additional residential in the Precinct.

The proposed controls are strongly aligned to State Government objectives to adaptive reuse of the White Bay Power Station create strong opportunities for place making and delivering a precinct which responds to and recognises the importance of the precinct.

Inner West Council Local Strategic Planning Statement

This Local Strategic Planning Statement (LSPS) reinforces the links between the NSW Government's strategic plans and Council's community strategic plan, Sustainable Sydney 2030, and the planning controls that guide development in the city.

The LSPS sets out the:

- 20-year vision for land use planning in the city
- basis or context for planning
- planning priorities and actions needed to achieve the vision
- governance and monitoring of the priorities and actions.

The LSPS will guide future changes to the planning controls in the Council's LEP and DCP 2012. The LSPS may also inform other planning tools, such as contribution plans to ensure that local infrastructure is provided as the community's needs change.

The planning amendments for the Peninsula are consistent with the intent of the following planning priorities and actions of the LSPS:

Priority 13- Develop diverse and strong stakeholder relationships through collaboration with government, community and business to deliver positive planning outcomes and realise the benefits of growth

13.10 Work with State Government to ensure that the Bays Precinct redevelopment delivers strong benefits for both the Inner West community and the region and becomes a low carbon high performance precinct

Goals to be progressed collaboratively include:

- *Maintaining a major focus on employment generating uses with a minimum required non-residential FSR*
- *Delivering social housing, seniors housing and affordable housing including rental housing for key workers with 30% of all new housing owned by community housing providers*
- *Ensuring well defined and connected open space linkages to the Balmain Foreshore, Glebe Island and the City of Sydney LGA. This should include shared spaces to support and promote alternative modes of transport including cycling and publicly owned foreshore promenades, parks and a recreation area on the former Rozelle rail yards*
- *Adaptive reuse of White Bay power station that retains its heritage significance and provides a focal point for the precinct*
- *Ensuring green infrastructure is embedded in the redevelopment*
- *Maintain and expand the unique range of land uses and activities currently found within the Bays Precinct, for example historical maritime land uses, the heritage fleet, rowing and dragon boating and acknowledge the existing port activities at Glebe Island*
- *Minimize the impacts of current / upcoming construction projects on the amenity and function of the surrounding area.*

Whilst the proposal does not deliver the 30% of new housing owned by community housing providers, the proposal is supported by sufficient justification as part of the Affordable Housing Program and Affordable Housing Need Study.

Appendix D - Consistency with applicable SEPPs and 9.1 Directions

Table 3: Applicable SEPPs

SEPP	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
State Environmental Planning Policy (Industry and Employment) 2021	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.

Table 4: Applicable 9.1 Directions

No.	Title	Comment	Consistent
Planning Systems			
1.1	Implementation of Regional Plans	The planning amendments are consistent with the relevant aims, objectives and provisions of the Region Plan.	Yes
1.3	Approval and Referral Requirements	The planning amendments do not include concurrence, consultation or referral provisions or identify any developments as designated development.	Yes
1.4	Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls. The planning amendments do not contain provisions that contradict or would hinder application of this direction.	Yes

No.	Title	Comment	Consistent
Planning Systems - Place Based			
1.17	Implementation of the Bays West Place Strategy	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> a) facilitate development within the Bays West precinct that is consistent with the Bays West Place Strategy (Place Strategy) and the Urban Design Framework (which includes the Sustainability Framework and Connecting with Country Framework), b) actively support the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan, and c) guide growth and change balanced with character, Indigenous and European heritage, working harbour and infrastructure considerations across the Bays West precinct under the Place Strategy. <p>The proposal has been informed by the Bays West Place Strategy and the amendments are consistent with this direction.</p>	Yes
Biodiversity and Conservation			
3.2	Heritage Conservation	<p>The objective this direction is to conserve items, areas, objects and places of environmental heritage significance and Indigenous heritage significance.</p> <p>The planning amendments contain provisions to facilitate the conservation of the heritage items within the precinct.</p> <p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p>	Yes
Resilience and Hazards			
4.1	Flooding	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land. <p>The planning amendments enable intensification of development in this area. The proposal is supported a Flood Study and a Design Guide which provides flooding controls to mitigate and manage risks.</p>	Yes

No.	Title	Comment	Consistent
		Future development applications will continue to be required to address flooding risks.	
4.4	Remediation of Contaminated Land	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p> <p>While the provisions in this planning amendments may result in some intensification of land uses in the Precinct, the proposal is supported by a Geotechnical and Contamination study.</p>	Yes
4.5	Acid Sulfate Soils	<p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	Yes
Transport and Infrastructure			
5.3	Development Near Regulated Airports and Defence Airfields	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>The proposal is support by Aeronautical advice and the planning amendments do not contain provisions that contradict or would hinder application of this direction.</p>	Yes
Industry and Employment			
7.1	Business and Industrial Zones	<p>The objectives of this direction are to encourage employment growth, protect employment land, and support the viability of strategic centres.</p> <p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p>	Yes

Appendix E – Bays West Draft Affordable Housing Program