



Bankstown Development Control Plan 2015*

Key Development Sites

11.##

**Palms Hotel site at 167
Hume Highway,
Greenacre**

DRAFT February 2022

**Note: In this document references to
Bankstown LEP 2015 and Bankstown DCP
2015 are to be taken as references to the
Canterbury Bankstown DCP and
Canterbury Bankstown LEP*





167 HUME HIGHWAY IN GREENACRE

1.1 Land to which this DCP applies

This section of the DCP applies to the following properties as shown in Figure 1 below:

Table 1: Subject Site

Address	Real Property ID	Site Area (approximately)
167 Hume Highway, Greenacre	Lot 402 DP 631754	11,750m ²

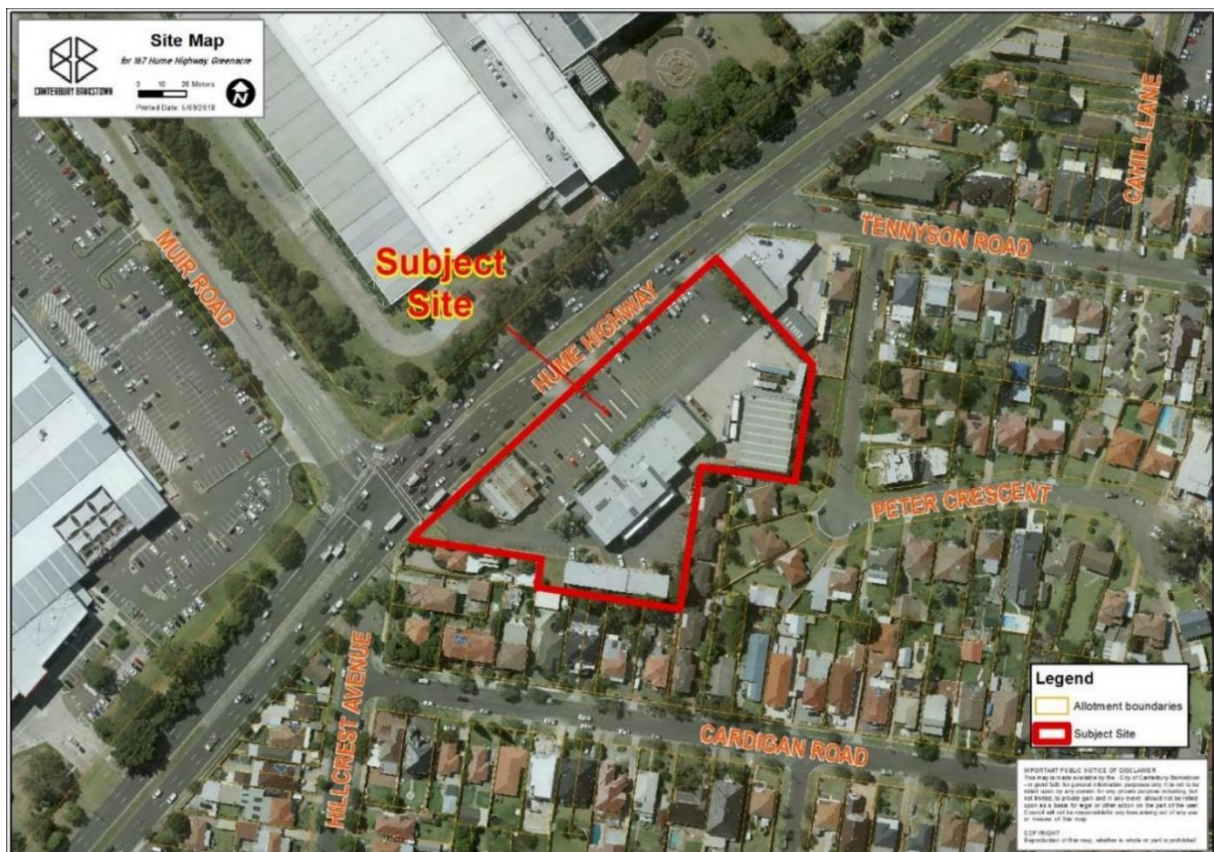


Figure 1: 167 Hume Highway, Greenacre

1.2 Application

This DCP applies to the subject site described in Table 1. This site specific DCP should be read in conjunction with other chapters of the Draft CB DCP 2021/ other parts of the Bankstown DCP 2015. This site -specific DCP will amend Section 6 of Part 8.3 Hume Highway Enterprise Corridor of the Draft CB DCP 2021 and Part A2-Corridors of the Bankstown DCP 2015.



If there are any inconsistencies between the objectives and controls in this chapter and any other objectives and controls in this DCP, the objectives and controls in this chapter will prevail, but only to the extent of that inconsistency.

In accordance with the State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65), the Apartment Design Guide (ADG) apply to any Residential Development Application for the subject site. Where there is any inconsistency between the ADG and this chapter of this DCP, the ADG will prevail (other than those matters specified within SEPP 65).

1.3 Desired character for the site

Canterbury Bankstown Council's *Local Strategic Planning Statement: 'Connective City 2036'* recognises the importance of employment lands in the economy. Employment lands are well-connected to Sydney's major road routes and freight network and support the delivery of jobs and urban services to meet community needs. Key actions of Connective City 2036 are to protect and enhance employment lands to provide a greater range of jobs, and to boost these places as quality locations to do business.

The Bankstown LEP 2015 identifies the site in Zone B6 Enterprise Corridor, the objectives of which are to promote highway related businesses along main road; limit retailing activity; and encourage a mix of compatible uses, including residential dwelling only as part of a mixed-use development.

The desired character for the site is to change the current outlook of the site from a standalone hotel to a mixed-use precinct, with an appropriate balance between residential and commercial development that is consistent with the development standards contained in the LEP.

The site will provide a mixed-use precinct with minimum commercial floor space requirements, consistent with the development standards contained in the LEP, to ensure that employment generating uses remain on the site, while enabling a high-quality living environment suitable to the location to create a 'sense of community' for future residents and workers.

Well-designed mixed-use buildings with a focus on pedestrian amenity will enhance the vitality and attractiveness of the site in this highway location. New development will exhibit design excellence, provide appropriate articulation and have a high standard of architectural design to add visual interest and avoid large blank walls visible to the public domain and adjoining residential properties.

The site's interface to the Hume Highway will include new landscaping to provide a green visual buffer for future occupants of the site and to improve the streetscape. The site will have landscaping, deep soil zones and tree canopy cover to complement the built form, mitigate urban heat island effects and improve air quality. The built form provides a transition to the adjacent Zone R2 Low Density Residential and Peter Reserve to protect the amenity of the surrounding residential properties and ensure future buildings minimise overshadowing of Peter Reserve, consistent with the ADG.



2. KEY DESIGN PRINCIPLES AND INDICATIVE STRUCTURE PLAN

This section sets out the key design principles and priorities to guide future Development Application for the site. Council may consider amendments to the indicative structure plan that is consistent with the desired character and the overarching key design principles for the site.

- a) **Create an active highway related commercial frontage:** Provide floor plates suitable for commercial uses mandated by the LEP, that are consistent with highway related commercial purposes.
- b) **Improve permeability and access to the site:** Improve site permeability and access for the residents and workers of the subject site by providing appropriate building layout and good design to allow easy access, effective orientation and clear wayfinding.
- c) **Provide a landscaped setback along Hume Highway:** Provide a landscaped buffer zone to Hume Highway in order to enhance the 'Remembrance Driveway' landscape corridor and to improve the amenity of development.
- d) **Provide high quality communal open space:** Create new landscaped and useable communal openspaces preferably on the ground floor to deliver a high level of amenity for all users. Open space areas above the ground plane may be permitted where they do not result in adverse overlooking impacts, or solar conditions, to adjoining land zoned R2 Low Density, or Peter Reserve.
- e) **Provide high quality built form:** Position, separate and scale new buildings to provide an urban form that is responsive to neighbouring land uses, supports the desired future character of the precinct and maximises amenity within apartments and to open space areas.
- f) **Minimise overlooking and overshadowing to adjoining land:** Provide appropriate side and rear setbacks to the surrounding Zone R2 Low Density Residential land and Peter Reserve to provide an acceptable transition and to address issues such as visual privacy, amenity and solar access. The setbacks may include deep soil zones to allow mature tree planting.
- g) **Address site topography and flooding:** Provide an architectural design that addresses the level change across the site (approximately 5m drop from Hume Highway to Peter Reserve) and the proposed maximum building heights. Flood risk management strategies are required to identify a safe evacuation route to a point above the PMF flooding extent and protect the basement parking or below ground structures that are located adjacent to the flood extents.
- h) **Provide good amenity for future occupiers:** To provide appropriate acoustic design and treatments to mitigate acoustic issues arising from Hume Highway and to address indoor air quality for future developments.



Note: Details in this figure may be subject to change following Council's consideration of submissions received during public exhibition

Note:
The details of site access and traffic matters are to be confirmed at the detailed design stage with Transport for NSW and Council.

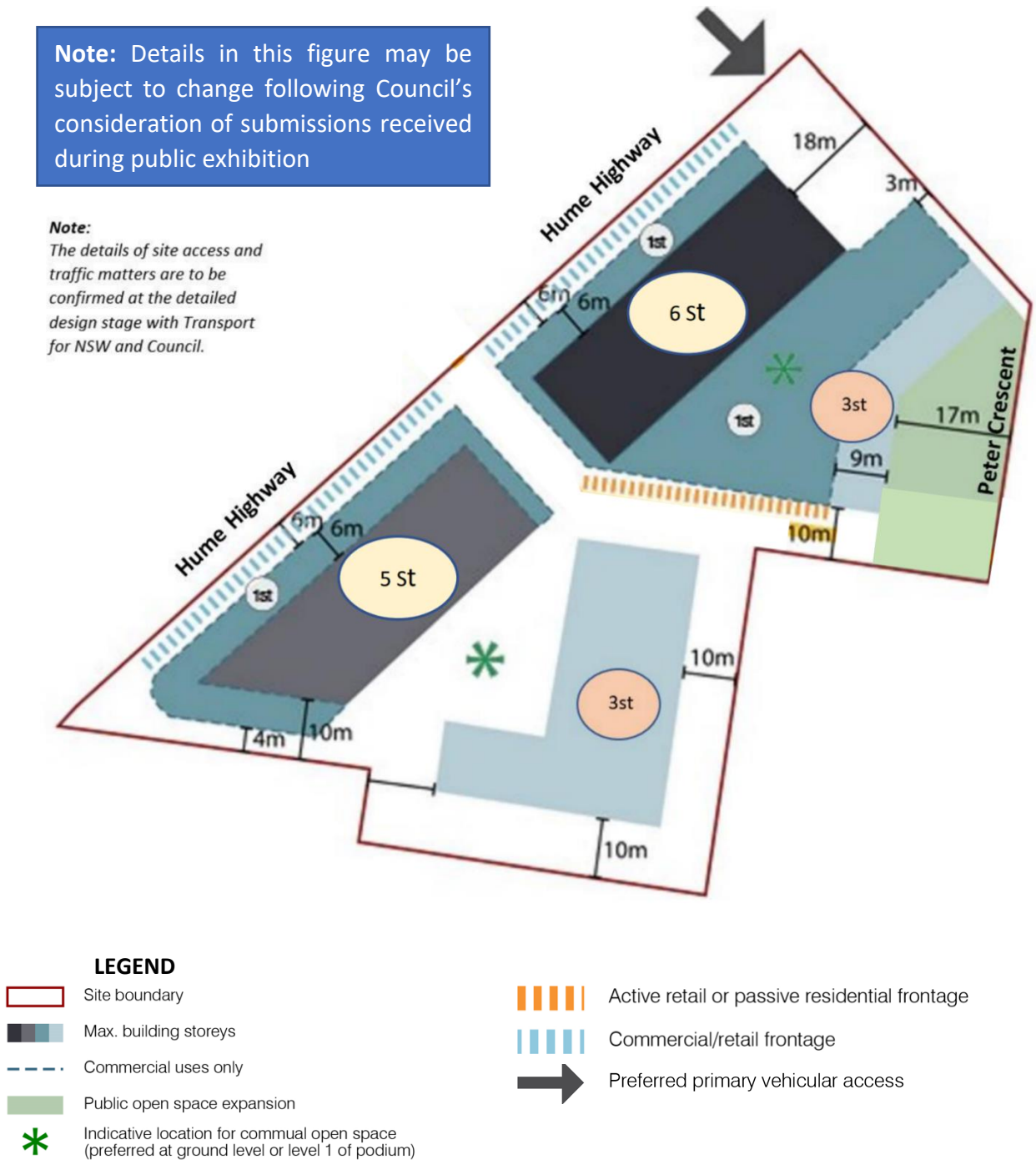


Figure 2: Indicative Structure Plan



3. DEVELOPMENT CONTROLS

The objectives and controls for the development of the subject site are set out in this Section. These controls also refer to the indicative structure plan outlined in Figure 2.

3.1 Access and Movement

Objectives

- O1** To provide a clear and legible site access and movement network with through-site connectivity that is as safe as possible for residents, workers and visitors of the development at all hours.
- O2** To ensure pedestrians and cyclists receive priority movement within and around the site.
- O3** To change the current outlook of the site from a standalone hotel to a mixed-use precinct with an appropriate balance between residential and commercial development that is consistent with the development standards contained in the LEP.

Controls

- C1.** Hume Highway is a classified State Road. Prior to lodging a Development Application, the applicant must consult with Transport for NSW (TfNSW) to confirm a scope for a Transport Impact Assessment Report (TIA) to seek confirmation on the following:
 - a) Access arrangements (including emergency vehicle access);
 - b) potential street upgrade requirements including network and intersection assessment;
 - c) demand management measures and trip generation rates and requirements;
 - d) Cumulative impact of the proposal on the surrounding road networks and Road network capacity;
 - e) Public transport access and pedestrian accessibility,
 - f) Potential road safety requirements; and
 - g) Air Quality and Noise Impact Assessment.
- C2.** The Development Application must be accompanied by urban design and traffic and transport studies to address the following:
 - a) Proposed site access, internal streets (if applicable following advice from TfNSW) and pedestrian connections including any easements/right of way, where required;
 - b) Basement car park layout to indicate proposed ingress/egress for different users and services including residential, commercial, service vehicles, drop off areas, etc;
 - c) Detailed assessment of the impact of the development on the receiving road network and on the proposed site circulation and functionality of the site;
 - d) Provision of any publicly accessible open spaces on the ground floor.



- C3.** Vehicular egress and ingress on the site must be facilitated by traffic management devices to minimise the impact upon the existing Hume Highway traffic flow and to appropriately accommodate traffic flows from the site onto Hume Highway. All costs associated with the provision of pedestrian protection measures and traffic management devices must be borne by the applicant.
- C4.** Commercial, residential and service vehicle traffic should access the site via TfNSW approved access point(s) along Hume Highway.
- C5.** Although all traffic (residents, commercial and service vehicles) may enter the site via a single access point (subject to TfNSW approval), commercial and residential traffic must be separated from service vehicles at the basement of the building for effective traffic circulation, safety and for waste collection purposes.
- C6.** Proposed site access and circulation must not encroach and/or affect deep soil zone onto the front landscape buffer zone (6m) along Hume Highway where possible, except where the entry and exit points into and from the site are located.
- C7.** Development must optimise the opportunities for active street frontages along Hume Highway for highway related commercial purposes and streetscape design by:
 - a) limiting the number of vehicle accessways to those approved by TfNSW; and
 - b) minimising the extent of retail functions along Hume Highway to be consistent with the objective of Zone B6 Enterprise Corridor.
- C8.** The preferred parking within the site is underground parking, the provision of which must not extend/encroach on the deep soil zone within the building setback areas.
- C9.** On-site parking provision must comply with Part B5 Parking of the Bankstown DCP 2015.
- C10.** Public domain design must incorporate appropriate provisions for on-site bicycle parking on the ground floor consistent with Part B5 Parking of the Bankstown DCP 2015.

3.2 Land Use and Site Layout

Objectives

- O1** To protect highway related commercial functions along Hume Highway through floor plates suitable for commercial uses mandated by the LEP, that are consistent with highway related commercial purposes.
- O2** To allow residential development only as part of a mixed-use development.



- O3** To minimise overlooking, acoustic privacy and overshadowing impacts to neighbouring properties.
- O4** To ensure the site layout takes considerations of site features such as topography, views, drainages, flooding impacts, services, access, orientation, landmarks, trees, vegetation and microclimate.
- O5** To minimise potential conflict between vehicle access routes and pedestrian access points.
- O6** To ensure built forms and landscaped areas contribute to public domain and streetscape.
- O7** To provide passive surveillance of Peter Reserve and Hume Highway.

Controls

- C1.** Land use shall be designed and located in accordance with the indicative structure plan and the key design principles presented in Section 1.

Note: The indicative structure plan may be subject to change after submissions have been received as part of the public exhibition process.

Commercial uses should be provided at ground floor facing the Hume Highway to activate the public domain and encourage passive surveillance. Residential uses should not be permitted on the ground floor facing Hume Highway due to amenity issues.

- C2.** Commercial floorplates should be designed to be flexible and adaptable to accommodate a range of commercial uses.
- C3.** Awnings are to be provided along commercial uses on the ground floor.
- C4.** Buildings which interface with low density properties to the south and west must be designed to minimise overlooking into the private open space of the existing residential properties.
- C5.** Buildings adjacent to Peter Reserve shall will orient to overlook Peter Reserve providing passive surveillance of the reserve.



3.3 Built Form

Objectives

- O1** To minimise overshadowing impacts to the surrounding low density residential zone and Peter Reserve.
- O2** To allow for an appropriate transition to adjoining uses including low density residential development and Peter Reserve.
- O3** To allow for medium density living of high amenity and design excellence.

3.3.1 Storey limit (not including basements)

- C1.** Development must not exceed the building storey limit that corresponds with the maximum building height shown for the site on the Height of Building Map and detailed in Table 1:

- C2.** **Table 2:** Building storey limits

Maximum building height as shown on the Height of Buildings Map	Storey limit (not including basements)
11 metres	3 storeys (no attic)
14 metres	4 storeys (no attic)
17 metres	5 storeys (no attic)
20 metres	6 storeys (no attic)

- C3.** Development must comply with the maximum building height shown for the site on the Height of Building Map in the Local Environmental Plan.
- C4.** The minimum floor to floor height for commercial development is 4.5m. Further increases may be required for servicing, removalist and waste truck clearance levels.



3.3.2 Setbacks

The minimum boundary setbacks for any development on the site must be consistent with those shown in the Indicative Structure Plan and Table 3:

Table 3: Minimum boundary setbacks

Note: Setbacks shown in the table below may be subject to change following public exhibition

Site boundary	Minimum setback
*Front setback along Hume Highway	6m for commercial use on ground floor. 12m for residential use for first, second and third floors with the DA achieving sufficient acoustic design treatments. 15m for residential use for fifth and sixth floors with the DA achieving sufficient acoustic design treatments.
Side setback to 185 Hume Highway	4m for commercial development on ground floor. 10m for all other uses above ground floor.
Side setback to the rear of 87-81A Cardigan Road	10m
Rear setback to 81 Cardigan Road	10m
Side setback to 27 Peter Crescent and the rear of 81 Cardigan Road	10m
Side setback to 165 Hume Highway	Nil setback for commercial use up to one storey in height. 3m for all other uses above this height.
Rear setback to expanded Peter Reserve	3m on the ground floor. 6m for the third floor to address overshadowing to the Reserve. Façade adjacent to Peter Reserve to be treated the same as a street façade.

* The front setback of 6m along Hume Highway for commercial use is applicable to the following lots:

- 165 Hume Highway, Greenacre (Lot 1 DP 302097);
- 167 Hume Highway, Greenacre (Lot 402 DP 631754); and
- 185 Hume Highway, Greenacre (Lot 401 DP 631754).

3.3.3 Building Separation

C1. All proposed buildings within the site must be adequately separated consistent with the principles of SEPP 65 and the ADG.



3.4 Architectural Diversity and Articulation

Objectives

- O1** To ensure the scale, modulation and façade articulation of development responds to its context.
- O2** To achieve architectural diversity and visual interest in development on the site.

Controls

- C1.** The building length should not exceed 45m.
- C2.** If the building length exceeds 45m, it should be broken into two or more components, so no length is longer than 45m, before which a minimum 3x3m inset is to be provided at all levels and be treated to provide visual relief.
- C3.** Each component of a building should have a different architectural character to the street or public domain and be articulated into smaller components at a scale or grain that reflects the interior and exterior uses and circulation of the building and site.

3.5 Facade Design, Streetscape Activation and Passive Surveillance

Objectives

- O1** To provide high quality façade treatments that contribute positively to streetscape character and the view from neighbouring properties.
- O2** To activate and meaningfully address streets and public places with articulated building frontages and openings that allow opportunities for passive surveillance.
- O3** To support pedestrian comfort and enjoyment with design elements that provide climate control and enable activity to occur in most weather conditions.
- O4** To require a continuous built edge to the street at locations where it is essential to have active street frontages.
- O5** To promote passive surveillance of Peter Reserve and Hume Highway through the use of openings that break up the facade such as windows and balconies.
- O6** Ensure that the building design contributes design excellence to the public domain for the duration of the building life.

Controls

- C1.** Facade treatments are to provide a high-quality visual outlook from adjacent residential neighbours, Hume Highway and Peter Reserve.



- C2.** Active ground level frontages are to be provided along Hume Highway, and provide for commercial, retail or other non-residential uses at ground level.
- C3.** The design of street frontages must ensure that:
 - a) the ground floor is at the same general level as the footpath and accessible directly from the street, unless otherwise restricted by flood control; and
 - b) the ground floor provides a positive street address in the form of entries, lobbies and clear glazing, which positively contribute to street activity and promote passive surveillance. The ground floor facade must be designed to minimise large expanses of blank walls.
- C4.** Large expanses of blank walls are not permitted where visible from the public domain (i.e., public streets or public open space). In circumstances where walls are provided with minimal or no openings (i.e., windows, glazed doors and balconies), such walls are to be treated with an appropriate level of design detail and visual articulation to create visual interest, including public art.
- C5.** Continuous awnings are to be provided to all development with a non-residential ground level frontage for the shading and shelter of the adjacent street or civic/communal spaces.
- C6.** Private residential entries are to be designed to positively contribute to the residential streetscape character and to provide activation and passive surveillance to the adjacent public domain.
- C7.** All development is to be designed to maximise passive surveillance of streets and public places (including Hume Highway, communal spaces and Peter Reserve) by orienting buildings to promote overlooking of these spaces from windows, glazed doors and balconies.
- C9.** A public art and signage strategy is to be prepared and submitted as part of the development application to promote way finding, site history and public art within the development. This should include consideration of works by local artists and Aboriginal and Torres Strait Islander artists. The public art and signage strategy needs to be consistent with Council's Creative City Strategic Plan 2019-2029.

3.6 Landscaping and Public Domain

Objectives

- O1** To promote attractive settings for development and provide pleasant spaces for people to use.
- O2** To provide landscaping that uses local native provenance plant species from the Cooks River/Castlereagh Ironbark Forest (rather than use non-local native or exotic species) to positively contribute to improving local biodiversity, the streetscape and amenity.



- O3** To promote green corridors and streetscapes of a high visual quality that provide continual landscaping connections to open space.
- O4** To establish a landscaped buffer between the site and Hume Highway.
- O5** To minimise and mitigate potential visual and privacy impacts of built form on existing low density residential buildings.

Controls

- C1.** Provide a landscape buffer between the site and Hume Highway to include trees that grow to more than 5m in mature height.
- C2.** A detailed landscape plan must be prepared by a quality landscape architect to demonstrate how planting, outdoor structures, furniture and lighting will enhance the design and character of the development.
- C3.** Provide a minimum mature tree canopy coverage of 25% across the site and demonstrate it on the landscape plan.
- C4.** Deep soil zones shall consist of 15% of site area and have a minimum width of 6 metres. In order to allow for mature tree planting, no basement will be permitted under deep soil zones and is to be restricted within the building footprint.
- C5.** Proposed landscaping within the public domain and the mixed used development must consider Water Sensitive Urban Design (WSUD) principles and features.
- C6.** All landscaping is to be regularly maintained for 12 months following planting. Should any plant loss occur during the maintenance period, the plants should be replaced by the same plant species. Details of landscaping maintenance must be provided as part of the Development Application.

Tree planting shall use advanced and established local native trees with a minimum plant container pot size of 100 litres, or greater for local native tree species which are commercially available. The trees should be planted at 5 metre intervals along the length of the Hume Highway boundary of the site. Other local native tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed.

- C7.** Careful consideration should be given to the species of vegetation and planting locations to ensure that the vegetation does not adversely impact on safety by reducing sight lines. Species with invasive roots should also be avoided to circumvent impacts to utilities and lifting footpath pavement which can lead to trips and obstructions to people who use a wheelchair or people with prams.



3.7 Stormwater

Objectives

- O1** The width of the existing easement and any existing or new infrastructure within that easement at the southern boundary of the property is to be retained in favour of Council.
- O2** Any proposed realignment or modification to Council's existing stormwater infrastructure will require a detailed stormwater drainage design to be prepared by a qualified practicing Civil Engineer for Council's review and approval.

Controls

- C1.** The easement must be centrally located over the pipeline and clear of other structures or utility services.
- C2.** The terms of the easement dedication should be submitted to, and approved by, Council prior to lodgement at NSW Land Registry.

3.8 Flood Risk Management

Controls

- C1.** The Development Application must address an appropriate flood risk management strategy to include an emergency evacuation management plan to demonstrate how a safe evacuation route to a point above the PMF can be made available for the future occupants, including provision of flood free access for emergency vehicles/personnel to service the proposed development. The Flood Risk Management Strategy must address on site carparking areas and driveway access.
- C2.** Any access to basement parking or below ground structures located adjacent to the flood extents should be protected against flooding as per the requirements of the relevant DCP and Development Engineering Standards. This is to minimise risk of flooding to vehicles and occupants in basement areas. This includes consideration of events up to the PMF where warranted.
- C3.** Proposed flood risk management is to be consistent with Chapter 2.2 Flood Risk Management of the Canterbury Bankstown Development Control Plan 2021 (Part B12- Flood Risk Management of the Bankstown DCP 2015).

3.9 Air quality



Controls

- C1.** A Development Application is to provide a quantitative air quality assessment using well known air quality models (CALINE, CAL3QHC, CAL3QHCR, or equivalent) to demonstrate air quality levels.
- C2.** Design and construction of the building should meet building air tightness standards such as Green Star, ATTMA or NIBS. The air leakage rate is to be measured during the construction phase and/or after completion to confirm compliance with air leakage standards.
- C3.** To prevent airborne particulates being drawn into the building through the mechanical ventilation system (if installed), appropriately designed particulate filters are recommended, e.g. MERV 13 or higher. If installed, the mechanical design should consider the pressure differential between outdoors and indoors.
- C4.** Indoor air quality testing should be conducted after construction is complete and mechanical systems are operating normally to confirm indoor air quality is acceptable at the site.
- C5.** The design of the main entrance (i.e. the main entrance facing the Hume Highway) should limit the flow of unfiltered air from external sources.

3.10 Acoustic privacy

Objectives

- O1** To ensure that sufficient acoustic design is incorporated at the Development Application stage to ensure adequate internal noise amenity for both the commercial and residential components of the development.

Controls

- C1.** Specific noise control treatments for dwellings exposed to Hume Highway will be required to meet indoor noise goals arising from Hume Highway.
- C2.** The siting and design of the development is to address the requirements of the Development Near Rail Corridors and Busy Roads- Interim Guideline (Department of Planning, 2008) and, where appropriate, incorporate any recommendations into the design of the development for acoustics.
- C3.** The Development Application is required to provide a Noise Impact Statement prepared by a suitably qualified acoustic consultant (Member of the ASA or AAAC). The Noise Impact Statement should demonstrate acoustic protection measures necessary to achieve an indoor environment meeting residential standards, in accordance with the Interim Guideline, 2008 as well as any other relevant Australian Standards, or building code requirements.



- C4.** For residential use within the site, appropriate acoustic measures should be undertaken to ensure the following L_{Aeq} level are not exceeded:
- in any bedroom in the building, 35dB(A) at any time 10pm-7am; and
 - anywhere else in the building (other than a garage, kitchen, bathroom or hallway), 40dB(A) $_{L_{Aeq,1 \text{ hour}}}$ at any time.
- C5.** For any future use of the site that proposes to trade beyond 6:00pm, a Plan of Management is to accompany the development application setting out appropriate security, management and mitigation measures to protect the amenity of residents within the site and those within the immediate locality.

3.11 Rooftop Solar Features and Lighting

Objectives

- O1.** To encourage and maximise the use of renewable energy to lessen the carbon footprint of the proposed development.
- O2.** To avoid adverse implications of light spill/glare to the surrounding residential areas.

Controls

- C1.** The development will include the installation of a solar photovoltaic (PV) system to supply energy to the common areas of buildings, communal open space including outdoor lighting and any other parts of the development, as appropriate.
- C2.** The Development Application must provide a roof plan showing the area(s) allocated to PVs, necessary access requirements for cleaning and maintenance, other plant and equipment that may include solar water heater storage tanks, ventilators, wind generators, air conditioning units and satellite dishes and antennae. Details including connections to battery storage within individual apartments are to be provided within DA plans.
- C3.** The solar panels must not adversely affect the architectural presentation of the building or views from the streetscape.
- C4.** The use, location and placement of photovoltaic solar panels should be considered, taking into account the impact on surrounding built forms and overshadowing impacts.
- C5.** The development is to minimise light spill into the adjacent residential areas.