

## 8.0 CONTROLS FOR SPECIFIC SITES AND LOCALITIES

### 8.1 108, 112 and 124 Forest Road and 1 and 3 Wright Street, Hurstville (known as the “Bing Lee Site”)

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## 8.1 Bing Lee Site, Hurstville

### 8.1.1 General Information

#### 8.1.1.1 Name of Section

This section is known as the “Bing Lee Site, Hurstville” (“the Site”).

#### 8.1.1.2 Land to which this Section applies

This section applies to land which is the subject of the *Hurstville Local Environmental Plan 2012 (Amendment No.13) (HLEP 2012)* which came into operation on 28 February 2019. The site has been known as the “Bing Lee Site, Hurstville” and includes land bounded by Wright Street, Forest Road and Hudson Street (as outlined in **Figure 1**) and includes:

- 108 Forest Road, Hurstville (Lot 1 DP 78322);
- 112 Forest Road, Hurstville (Lot 1 DP 75572);
- 124 Forest Road, Hurstville (Lot 531 DP 777334);
- 1 Wright Street, Hurstville (Lot 55 DP 78322); and
- 3 Wright Street, Hurstville (Lot 54 DP 78322).



**Figure 1: The Bing Lee Site, Hurstville**

### **8.1.1.3 Purpose of this Section**

The purpose of this Section is to produce a detailed guide for the development of the Bing Lee Site that achieves the below urban design principles:

#### **8.1.1.4 Urban Design Principles**

- a) Create a sustainable and livable environment for people through leadership and integration of design excellence.
- b) Development is distinctive, visually interesting and appealing.
- c) Development is designed to address the context of the area.
- d) Provision of good residential amenity in terms of privacy and built form by complying with the *SEPP 65 Apartment Design Guide* and incorporating appropriate transition between the new development and the adjoining residential development.
- e) Development to ensure the built form outcome provides a transition to the adjoining sites.
- f) Clearly define the street edge with building podiums.
- g) Articulate the building façades to enhance the streetscape character.
- h) Maintain a human scale at the street level.
- i) Provide pedestrian connections between streets and communal spaces.
- j) Create a sense of place, particularly between buildings and in public open spaces.
- k) Provide adequate car parking and a safe and efficient access network.

Development of the site must also occur in accordance with the Planning Agreement registered on the title of the land.

### **8.1.2. Background and Context**

#### **8.1.2.1 Urban Context**

The site is located in the Eastern Bookend Precinct that currently includes small scale industrial / retail businesses. The Eastern Bookend and the adjoining City Centre East Precincts are under transformation with the construction of a number of large mixed use developments. The new development needs to be suitably designed to maintain a human scale and pleasant pedestrian experience. The new development needs to contribute to the public domain and maintain the amenity of adjoining residential land uses.

### 8.1.2.2 Concept Master Plan

A Concept Master Plan (refer to **Figure 2**) was prepared for the site as part of the assessment of the Planning Proposal which informed *HLEP 2012* (Amendment No.13) and provides general guidance on the overall form of development on the site.

Council will consider alternative schemes subject to compliance with the *HLEP 2012, State Environmental Planning Policy No.65 Design Quality of Residential Apartment Development (SEPP 65)* and the Apartment Design Guide, NSW Department of Planning and Environment (ADG), other sections of DCP No. 2 – Hurstville City Centre as well as the key features listed below being provided:

- dedication of land to Council along the Forest Road frontage;
- pedestrian linkages between Wright Street, Forest Road and Hudson Street;
- a central landscaped area; and
- active street frontages with commercial uses occupying the ground floor and comprising a minimum FSR of 0.5:1.



**Figure 2: Concept Master Plan**

### 8.1.3 Development Requirements

#### 8.1.3.1 Surveyor's Certificate

A Development Application for the site must be accompanied by a surveyor's certificate that indicates the break-up of the residential and non-residential floor area for the purpose of calculating the gross floor area.

Note: This is to be accompanied by a properly scaled surveyor diagram.

#### 8.1.3.2 Site amalgamation

**Objective:**

- a) Avoid the creation of isolated sites that have no prospects of amalgamating with adjoining sites.

**Controls:**

- a) Where lot consolidation is proposed, applicants must demonstrate that:
  - Adjoining sites are not isolated and retain access;
  - The objectives and principles of this section can be achieved;
  - Adequate onsite parking, where permitted, can be achieved to meet the parking demands of the development;
  - The design and function of the development above podium level will achieve a high level of amenity to both its future occupants and to adjoining properties.
- b) Where a development may result in the creation of an isolated site or sites, the applicant is required to demonstrate any negotiations between the owners of the properties commenced prior to the lodgement of the Development Application (DA). Where no satisfactory result is achieved, the DA must include evidence of negotiations with the owners of the properties. These details must include evidence of offers to such owners. Such offers are to be reasonable and are to be based on at least one recent independent valuation and include other reasonable expenses likely to be incurred in the sale of the process.
- c) Where a development may result in the creation of an isolated site on an adjoining site, applicants must demonstrate that orderly and economic use and development of the isolated site can be achieved in a manner consistent with the planning controls. The applicant must provide:
  - A building envelope for that site, indicating height, setbacks, resultant site coverage and/or built area (building and basement), sufficient to understand the relationship between the development and that site, and
  - An assessment of the likely impacts the developments will have on each other, such as solar access, visual and acoustic privacy, impacts for

residential development and ability to provide site servicing such as parking.

Note:

- **Isolated sites** are sites that cannot comply with the frontage requirements for redevelopment because the adjoining sites have been developed at or near the maximum potential allowed in the zone.
- Refer to Section 5.3.1 of this DCP for more detail.

### 8.1.3.3 Land Dedication

**Objective:**

- a) To ensure that land for road widening of Forest Road is dedicated to Council to address the traffic impacts of the future development of the site.

**Controls:**

- a) Development of the site will include a dedication to Georges River Council of a strip of land of approximately 196m<sup>2</sup> and 2m wide along the Forest Road boundary, including land at Hudson Street and Wright Street at the intersection with Forest Road, for the purpose of widening Forest Road as detailed in the Planning Agreement applying to the site and as shown in **Figure 3**.
- b) No permanent structure may be built above or below this area of land.



**Figure 3: Land Dedication**

### 8.1.3.4 Built Form and Setbacks

**Objectives:**

- To provide a vibrant mixed-use development that takes advantage of the site's location within the Hurstville City Centre.
- To ensure that the height of the development responds to the existing scale and character of the adjacent residential development and the desired future character of the Hurstville City Centre (Eastern Bookend Precinct).
- To ensure adequate separation between the development and adjacent residential development to provide reasonable daylight access to all development, open space and the public domain and privacy to occupants of residential developments on the subject site and adjoining sites.
- To reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with modulation of form and articulation of facades.

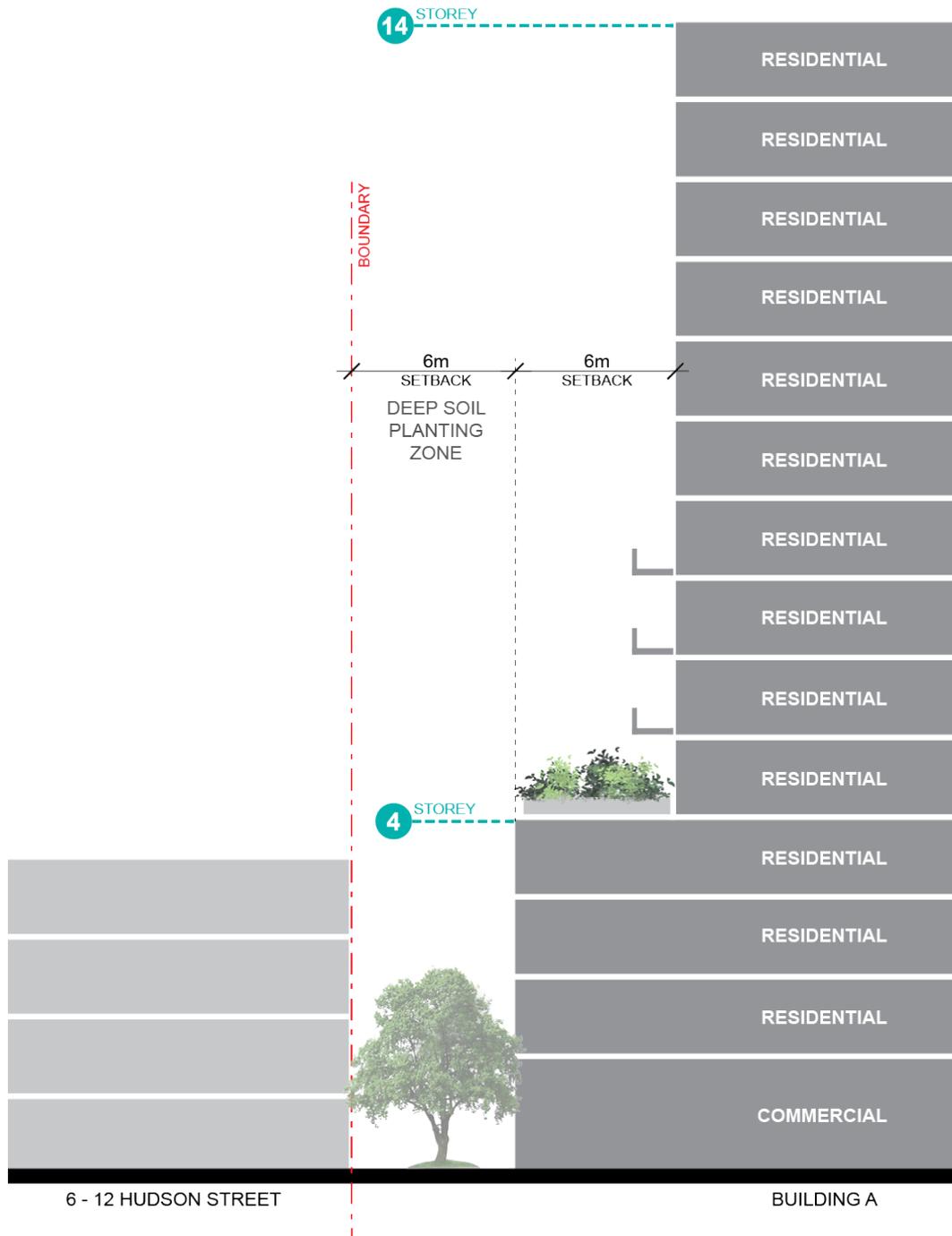
- e) To establish the desired spatial proportions of the street and define the street edge.
- f) To ensure acoustic privacy for occupants and neighbours.

**Controls:**

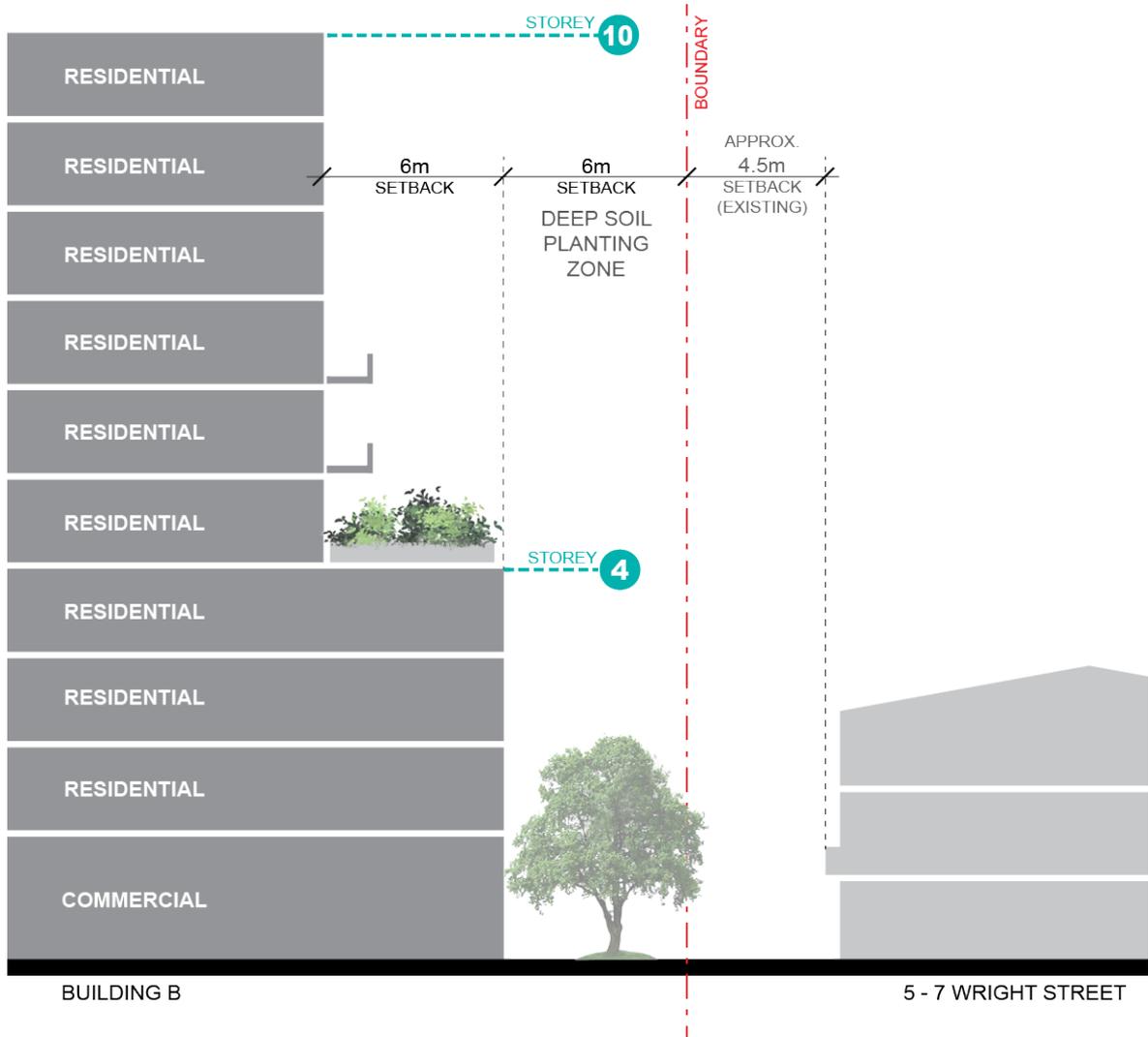
- a) Development shall display a built form comprising a maximum 4 storeys podium above ground level and built to the street frontage. The upper levels of buildings are to be set back at least 4m on Forest Road, Wright Street and Hudson Street.
- b) Development shall provide an appropriate transition in height and density to the adjoining R3 Medium Density Residential area along Hudson and Wright Streets to provide a comfortable pedestrian environment (Refer to **Figures 4 and 5**).
- c) Define the street edge by building the podium to the street frontage (Refer to **Figures 6 to 9**).
- d) Building layout and setbacks are to be in accordance with *SEPP 65* and the ADG.

Note: Refer to Figure 5.3.3: Indicative Building Floor to Ceiling heights in *Section 5.3 Built Form Controls* of this DCP.

- e) All residential apartments are to be insulated and to have Impact Isolation between floors to achieve an Acoustical Star Rating of 5 in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC). An Acoustic Report is to be submitted with the Development Application to ensure that the above standards have been achieved.



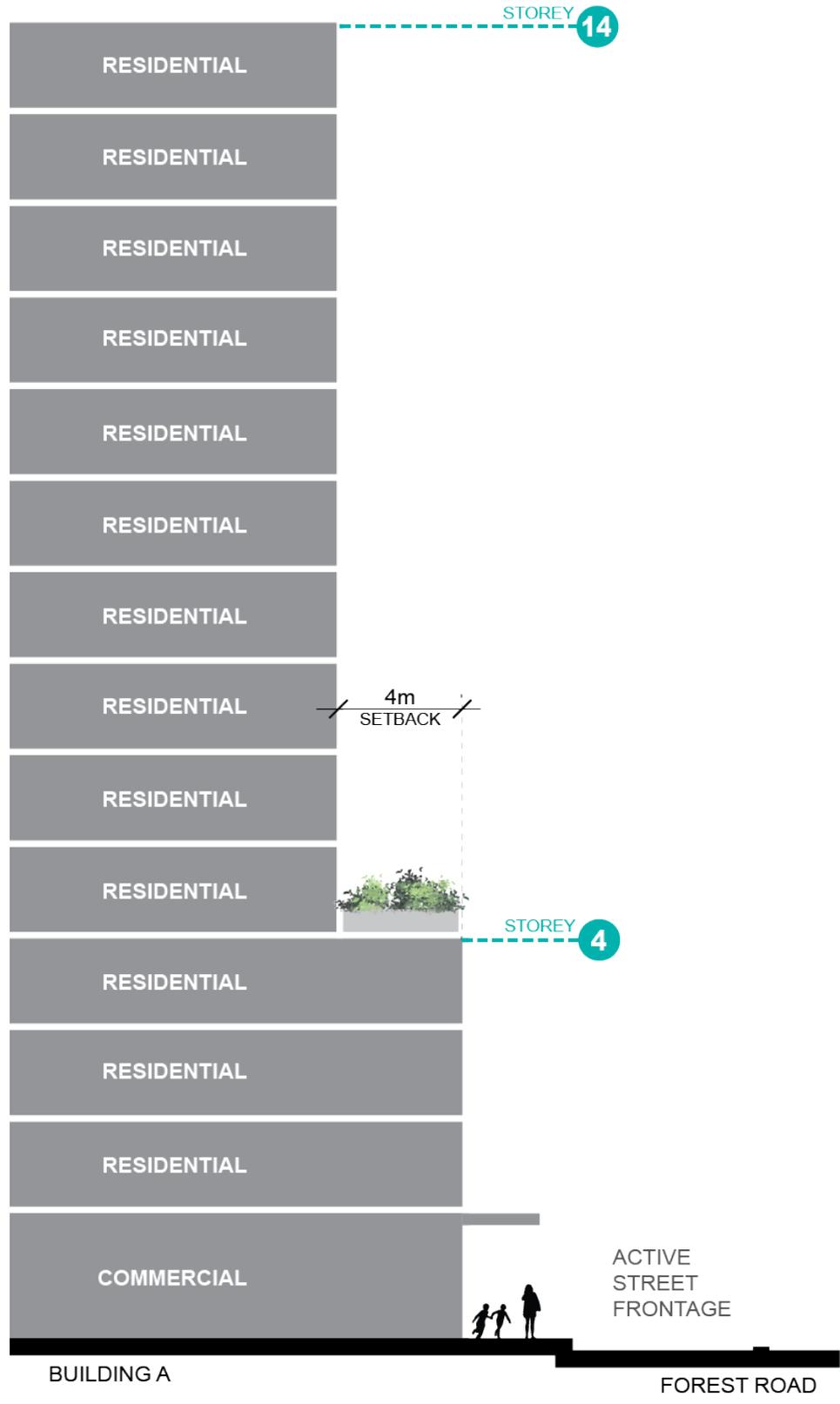
**Figure 4: Section A - Hudson Street transition to adjoining residential development**



**Figure 5: Section B - Wright Street transition to adjoining residential development**

**Note with respect to Figures 4 and 5:**

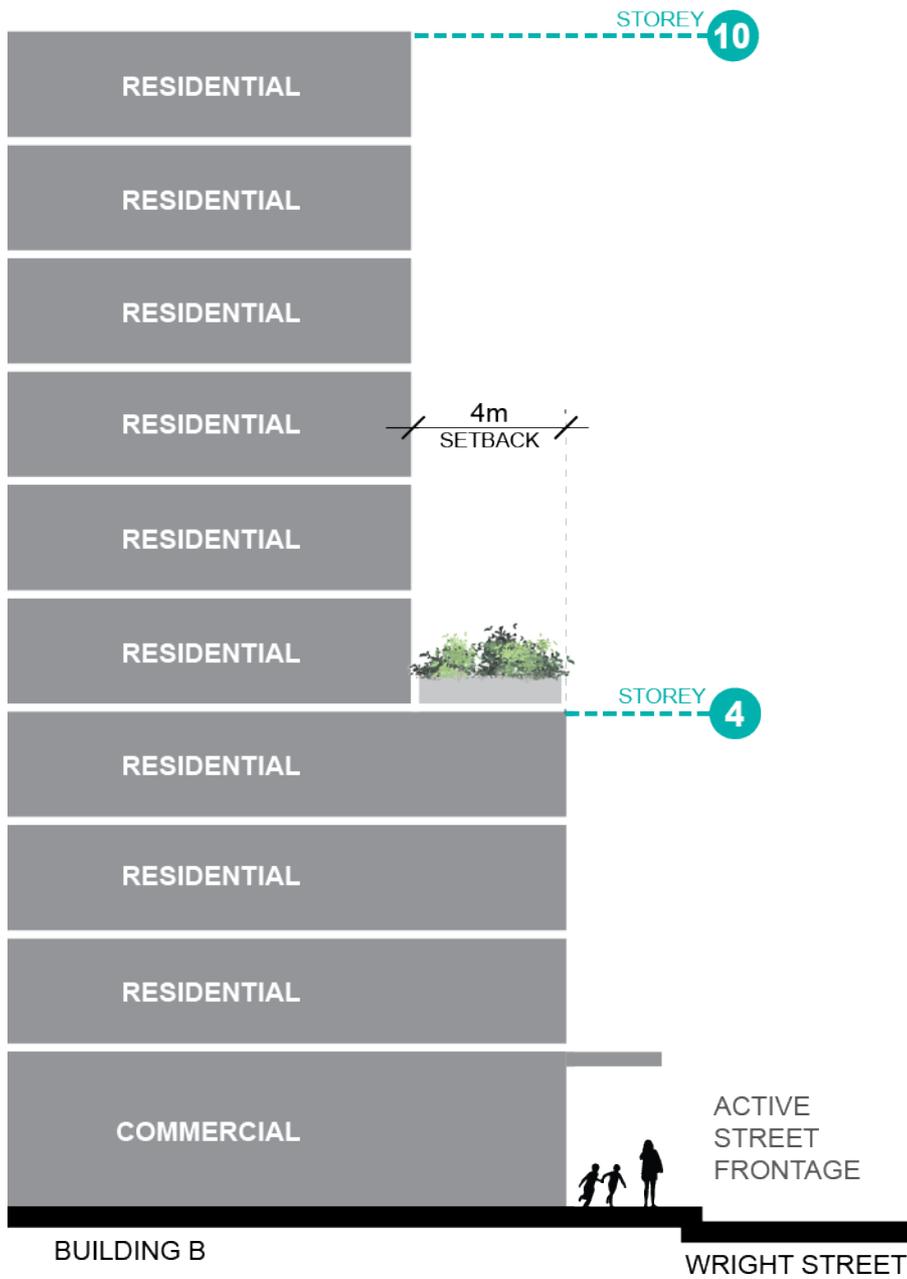
Council accepts that the design criteria and design guidance under Objective 3F-1 of the Apartment Design Guide (which relate to building separation) take precedent over that which is depicted in this Figure and the proponent must make every attempt to comply with the criteria and guidance.



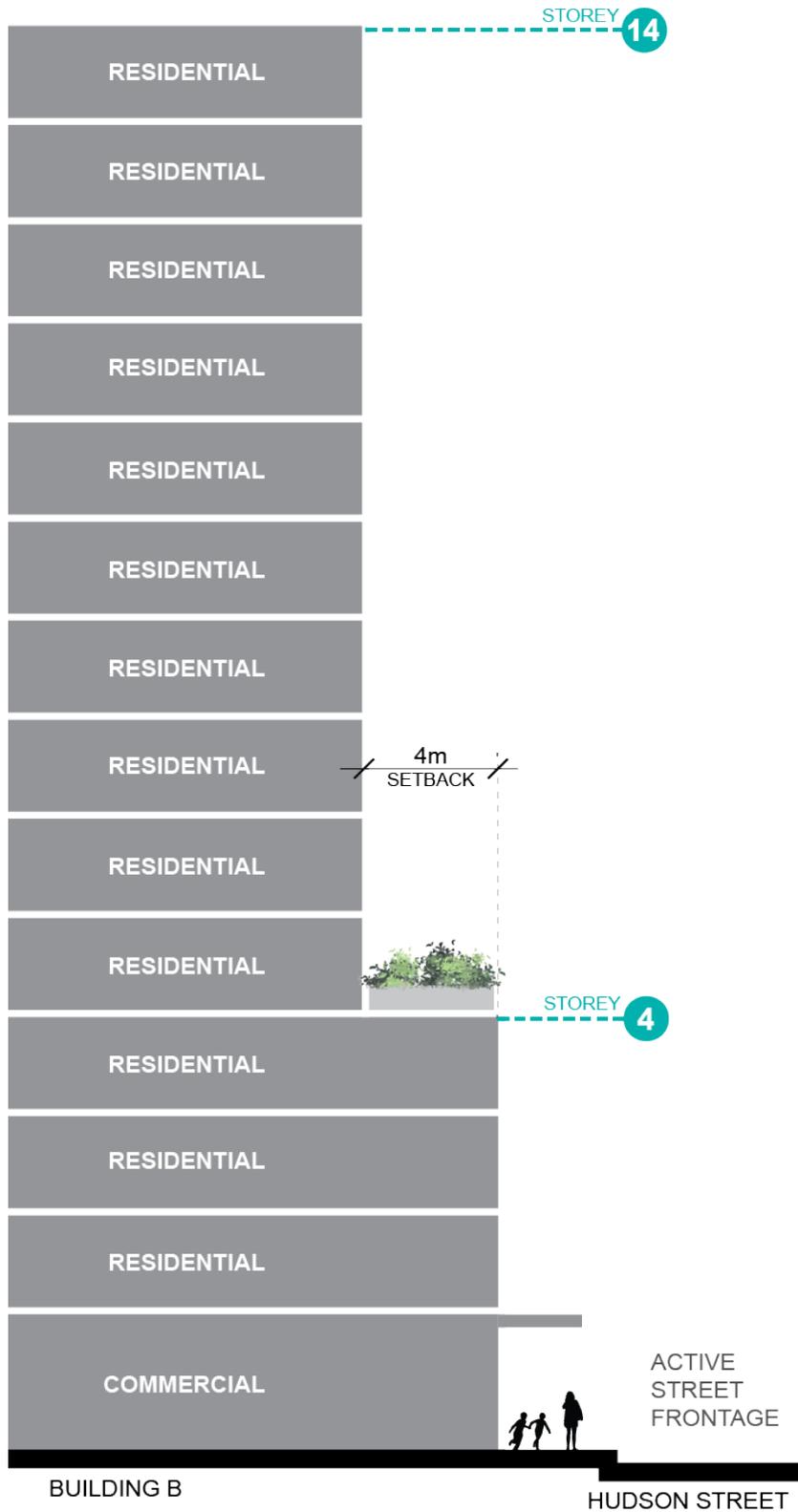
**Figure 6: Section C - Forest Road frontage – Building A**



**Figure 7: Section D– Forest Road frontage – Building B**



**Figure 8: Section E – Wright Street frontage – Building B**



**Figure 9: Section F – Hudson Street frontage**

### 8.1.3.5 Façade Treatment and Street Corners

**Objectives:**

- a) To ensure building facades are appropriately modulated and articulated to provide visual interest along the street and well-proportioned built forms.
- b) To ensure that the street corners are clearly defined and emphasised.

**Controls:**

- a) Building facades must be articulated and employ materials and finishes that enhance and complement the streetscape character.
- b) Street corners must be given prominence by a change in building articulation, materials, color, form or height.

### 8.1.3.6 Pedestrian Access and the Public Domain

**Objectives:**

- a) To ensure that the development incorporates publicly accessible pedestrian paths that enhance the permeability of the site.
- b) To provide direct and safe pedestrian paths between public spaces.
- c) To enable the ground level landscaped public open space to be used in a variety of ways.
- d) To provide an attractive and cohesive public domain.
- e) To ensure that site facilities are thoughtfully integrated into development and provide a comfortable pedestrian environment.

**Controls:**

- a) All pedestrian links are to have appropriate levels of illumination.
- b) Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas and pedestrian pathways.
- c) The design of through site links is to ensure that a clear and safe path that is unobstructed by parking and services is available for pedestrians at all times.

- d) Separate and clearly distinguish between public and private pedestrian accessways and vehicle accessways and utilise consistent paving treatments throughout the site.
- e) The through-site links from Forest Road to the landscaped central area is to have a clear width of a minimum 4.5m and a minimum clear height of 1.5 times the width or 6m, whichever is greater.
- f) The landscaped public open space on the ground level is to provide the opportunity to be used in a variety of ways over different times of the day, week and year.
- g) A public domain plan is to be submitted with the Development Application detailing public domain improvements adjacent to the subject site, including footpaths, street tree planting and street furniture.
- h) The existing above ground electricity and telecommunication cables within the road reserve and within the site area are to be replaced, at the applicant's expense, by underground cables and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines.

#### **8.1.3.7 Active Street Frontages**

Active street frontages have been identified for the site in accordance with Clause 6.6 of the *HLEP 2012* as shown in Figure 10.

##### **Objectives:**

- a) Ensure ground floor frontages are pedestrian oriented and of high design quality to add vitality to the streets.
- b) Encourage frequent building entries that face and open towards the street.

##### **Controls:**

- a) Active street frontages are to be provided along Hudson Street, Forest Road and Wright Street in accordance with the *HLEP 2012* Active Street Frontage Map (the "ASF Map") (refer to extract in **Figure 10**).

Note: The ASF Map will be amended as part of the Planning Proposal for the subject site.

- b) Active street frontages are to contribute to the liveliness and vitality of streets by:
  - maximising entries and display windows to commercial premises or other uses that provide pedestrian interest and interaction;

- providing a high standard of finish and appropriate level of architectural detail for shopfronts; and
  - providing elements of visual interest (minimising blank walls), such as display cases, or creative use of materials where fire escapes, service doors, equipment hatches and other services are provided.
- c) Generally, a minimum of 70% of the ground floor frontage is to be transparent glazing with a predominantly unobstructed view from the adjacent footpath to at least a depth of 6m within the building.
- d) Active frontages are to be designed with the ground floor level at the same level as the footpath.
- e) Security grilles may only be fitted internally behind the shopfront and are to be fully retractable and at least 50% transparent when closed.



Figure 10: Extract from proposed Active Street Frontages Map

### 8.1.3.8 Open Space and Landscaping

#### **Objectives:**

- a) To provide residents with passive and active recreational opportunities.
- b) To provide an area within the site that enables soft landscaping and deep soil planting which will provide for the planting of trees that are, or will, grow to a large or medium size.

- c) To ensure that communal open space is consolidated, configured and designed to be useable and attractive.
- d) To provide a pleasant outlook and privacy for future residents of the development.
- e) To ensure that landscaping is integrated into the design of the development and improve the overall appearance of the development when viewed from neighbouring sites.
- f) To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.

**Controls:**

- a) A landscaped public open space is to be provided generally in the location shown in **Figure 11** and is to include:
  - 6m wide deep soil landscaped screening along the interface with residential properties to the west;
  - north facing central landscaped common area;
  - street tree planting and provision of street furniture in accordance with the *Hurstville City Centre Public Domain Plan 2007*.
- b) Landscape design is to be in scale with the development and should relate to building form; facilitate storm water infiltration through the use of permeable surfaces; and be easily maintained.
- c) Landscaping is to ensure amenity of private and publicly accessible open spaces and solar efficiency of apartments by providing shade from the sun and shelter from the wind, including the use of deciduous trees for shading of windows and open space areas in summer and allowing solar access in winter.
- d) Deep soil planting is to be provided in accordance with the ADG and incorporated in the landscaped central common area – the deep soil area should not be above the basement parking.
- e) Communal open spaces are to be provided in accordance with the ADG above the podium level.
- f) Planting, seating and play equipment is to be provided in the communal open spaces.
- g) All applications are to include a landscaping plan for all landscaped areas prepared by a qualified landscape designer. The landscaping plan should demonstrate that there is no conflict with the location of services on the site and any deep soil planting area.



**Figure 11: Public Open Space and Landscaping**

### 8.1.3.9 On-Site Parking

**Objectives:**

- a) To provide adequate car parking for the buildings users and visitors.
- b) To integrate the location and design of car parking with the design of the site and the building.
- c) To ensure that car parking, loading/unloading and servicing access is accommodated within the property and not on public roads.

**Controls:**

- a) Car parking provision and design is to be in accordance with *Section 5.4 Transport, Traffic, Parking and Access* of this DCP.
- b) Parking for the development is to be off the street and accommodated underground.
- c) All loading and unloading of goods is to be accommodated within the property and off the public roads, including garbage pickup.
- d) All vehicles are to enter and leave the site in a forward direction at all times.
- e) All the designs for all the levels of the basement car park are to adhere to the latest edition of relevant AS/NZS 2890.1, 2890.2 and 2890.6.
- f) Safe and secure access is to be provided for building users, direct access to residential apartments and convenient access to customers /staff of the commercial uses.
- g) Ventilation grilles or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development.

**8.1.3.10 Vehicle Access**

**Objectives:**

- a) To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.
- b) To encourage the active use of street frontages.
- c) To ensure that vehicle access to buildings is not incompatible with pedestrian movements and the public domain.

**Controls:**

- a) Vehicular access to the site is to be provided in accordance with *Section 5.4 Transport, Traffic, Parking and Access* of this DCP.
- b) Vehicle access to the site is to be located off Hudson Street
- c) An additional vehicle access may be provided off Wright Street if supported by a traffic report that demonstrates:
  - all parking demands from the development including loading and unloading vehicles, can be accommodated on site, without the loss of significant public amenities; and

- it is demonstrated that turning manoeuvres in and out of the site for all vehicles accessing the development are maintained.
- d) The appearance of car parking and service vehicle entries are to be improved by screening and locating garbage collection, loading/unloading and servicing areas within the basement of the development. Refer to *Section 6.2.2 Waste Minimisation and Management* of this DCP.
- e) Vehicle access to the site is to be setback a minimum of 6m from the neighbouring residential properties to provide for a landscaping buffer as shown above in **Figure 11**.