Key Development Sites

11.##
Chullora Marketplace
353-355 Waterloo Road, Greenacre
CHULLORA MARKETPLACE LOCAL CENTRE

**Explanation**

The Bankstown Local Environmental Plan 2015 provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights. The Bankstown Development Control Plan 2015 supports the LEP by providing additional objectives and development controls to enhance the function, design and amenity of the Chullora Marketplace site.

Note: The Bankstown Development Control Plan 2015 applies to land within the former Bankstown Local Government Area. If applicable to a development application, the development controls of Chapter #### of this DCP will prevail if there is an inconsistency with any other development controls in this DCP.

**Desired character for the Chullora Marketplace Local Centre**

The desired character for the Chullora Marketplace Local Centre is to create a vibrant mixed-use commercial destination with generous green and public open spaces, which also provides a ‘sense of community’ for future residents and the surrounding neighbourhoods. Council’s Local Strategic Planning Statement “Connective City 2036” envisages centres like Chullora Marketplace as being “hubs of community life, with high quality public, civic and community spaces and places. They are places designed for pedestrians.”

Chullora Local Centre will provide a high degree of amenity of future residents, visitors and workers through delivery of increased tree canopy, communal open space, a public Central Civic Plaza and public open space. The Central Civic Plaza is pedestrian focused, with active retail frontages on at least two sides of the Plaza. The Central Civic Plaza is to be a space designed for pedestrians and vehicle access will be limited.

The new internal street network must be permeable, legible and provide a 24 hour safe access to pedestrians and cyclists via inclusion of shared paths. High Street is pedestrian focused and located near the Central Civic Plaza. Retail parking and servicing will not be provided from the ‘High Street’ or adjacent to active retail frontages. High Street and the Central Civic Plaza will incorporate public art, heritage interpretation of the site and appropriate drop off zones for ride share vehicles and taxis. All retail and residential parking will be predominantly underground except for some limited on-street parking.

Well-designed terrace houses, shop top housing, residential flat buildings and mixed use buildings with new pedestrian-orientated streets and civic places will enhance the vitality and attractiveness of the local centre. New development will exhibit design excellence, provide appropriate articulation and architectural styles to add visual interest and avoid
large blank walls along public domain. The site will have a tree canopy that complements the built development on the site, mitigate urban heat, significantly cool streets and improve air quality. The future built form will also protect the ecologically significant Norfolk Reserve from unreasonable impacts.

Retaining the existing commercial floor space in the future redevelopment of the Chullora Marketplace is important and is to occur in accordance with the principles for local centres as stipulated in the South District Plan, Local Strategic Planning Statement and Council’s Employment Strategy 2020.

**Land to which Chapter Applies**

Chapter 11.##### of this DCP applies to the Chullora Marketplace at No. 353-355 Waterloo Road, Greenacre as shown in Figure 1.

*Figure 1: Existing Chullora Marketplace Shopping Centre*
1. **KEY DESIGN PRINCIPLES AND INDICATIVE STRUCTURE PLAN**

This section sets out the key design principles and priorities to guide any future development application for the site.

a) **Deliver a Central Civic Plaza as a community hub including a high quality public open spaces:** Create a new Central Civic Plaza as a focal point for Chullora Local Centre. The Central Civic Plaza must have active uses to at least two of its sides and linked to its surrounding with a network of pedestrian friendly internal streets.

b) **Create a vibrant local centre which protects and enhances existing commercial floor space:** Ensure the future development protects and enhances the commercial floor space and local employment opportunities within the local centre. Retail and commercial use will continue to remain as the predominant land use of the local centre.

c) **Improve permeability and access:** Introduce a legible and permeable pattern of new streets which are publicly accessible 24 hours a day and responds to key connections within and adjacent neighbourhood. All internal streets must consist of shared paths to prioritise access to pedestrians and cyclists.

d) **Create a new, activated ‘High Street’:** Ensure new development has permeable and active street frontages along the new High Street. The use of blank walls should be minimised and major retail parking and service areas of buildings should not be provided from the High Street or adjacent to active retail frontages.

e) **Primary retail and service access from Waterloo Road:** Ensure the retail, service vehicles and residential vehicle accesses the site from Waterloo Road and is designed to be highly legible, minimise traffic congestion and vehicle/pedestrian conflict. Major retail parking and servicing should not be provided from the High Street or adjacent to active retail frontages.

f) **New development along Waterloo Road to respect the amenity of low density residential properties to the west:** Ensure that any new development along Waterloo Road must not adversely impact on the amenity of the existing low density residential properties along Waterloo Road. The use of blank walls is to be minimised along Waterloo Road and new development facing the road is to facilitate passive surveillance.

g) **Minimise overlooking and overshadowing impacts:** Provide sufficient setbacks and landscape buffers where appropriate to address issues such as visual privacy, amenity and solar access to the surrounding properties and protect the Norfolk Reserve.
Figure 2: Indicative Structure Plan

Note:
The details of internal traffic movements are to be confirmed at the detailed design stage with consultation with Transport for NSW and Council.
2. DEVELOPMENT CONTROLS

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

3.1 Central Civic Plaza and Publicly Accessible Open Spaces

Objectives

O1 To create civic spaces of sufficient size, configuration and design that provide for a wide variety of community activities and events.

O2 Provide a Central Civic Plaza that is vibrant and a focus of activity during the day and night.

O3 To provide public domain and publicly accessible open spaces that is consistent with the needs of the local community.

O4 To create public domain that is visually cohesive, safe and functional and attractive destination.

O5 To increase the available public open space in Canterbury-Bankstown LGA.

Controls

C1. As a minimum, a total of 5,000m² to 7,000m² of the site area shall be provided as a sum of the Central Civic Plaza and other additional public open space throughout the site. Public open space refers to land such as civic spaces, green spaces and shared ways, that has no buildings or other built structures, and is always accessible to the public.

C2. Within the minimum of 5,000m² to 7,000m² public open space provision, a new Central Civic Plaza must be delivered and include:

a) A minimum area of 950m² and a minimum width of 25m. The new Central Civic plaza should function as a vibrant outdoor location, with a focus on food and drink premises with outdoor dining adjacent to a retail setting to provide a social ‘hub’ for the local community.

b) Be activated with retail uses on at least two sides, overlooking and facing the open space.
C3. Within the minimum of 5,000m$^2$ to 7,000m$^2$ provision, and in addition to a new Central Civic Plaza, provide a new publicly accessible local open space or a combination of local open spaces which consists of at least one park that has a minimum area of 1,500m$^2$. The new local open space must be visible from Waterloo Road and be predominately landscaped.

c) The design of the Central Civic Plaza and the publicly accessible open spaces must consider the following:
   i. Be always publicly accessible.
   ii. Be of dimensions which create useable spaces and accommodate a range of passive and recreational activities.
   iii. Have a minimum of 4 hours of continuous solar access with at least 50% of direct sunlight between 8am – 4pm at the mid-winter solstice.
   iv. Have sheltered edges, with places for people to sit back and relax.
   v. Be accessible from at least one, or ideally two streets.
   vi. Include tree plantings, landscaping for shading and cooling.
   vii. Include appropriate colour, lighting, signage, heritage interpretation of the site and other forms of public art and materials to improve way-finding and provide a high-quality public domain for pedestrians and cyclists.
   viii. Be designed with high quality and robust material to accommodate a diverse range of activities, events and users.
   ix. Include Water Sensitive Urban Design (WSUD) principles and features as an integral part of the designing of the public domain.

d) All spaces within the public domain should be accessible by people with disabilities (including those in wheelchairs) and elderly people.

3.2 Access and Movement

Objectives

O1 To provide a clear and legible street and movement network with through-site connectivity that is as safe as possible for all users 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 car-orientated shopping centre to a vibrant local centre prioritising people over the cars.
To encourage a reduced dependence on private motor vehicle trips by providing connections to existing and proposed walking, cycling and public transport infrastructure that services the site.

Controls

C1. The first development application for the development of any land within the site that includes residential accommodation, either standalone or part of a mixed use development, must be accompanied by an appropriate urban design and traffic and transport studies to inform the design of the following:

   a) new streets and connections including any easements/right of way where required;
   b) car park layout and access to separate traffic within the site between different uses and services, including residential, retail/commercial, service vehicles, other different uses and drop off areas to fully assess the impact of the development on the receiving road network and functionality of the site;
   c) locations of the public open space, including the Central Civic Plaza and the High Street; and
   d) publicly accessible open spaces.

C2. New streets and connections should generally be in accordance with the key design principles and indicative structure plan outlined in Section 1 and the typical street sections outlined in Figure 3. Provide new publicly accessible streets and pedestrian connections including:

   a) Min 20m wide internal streets for vehicles
   b) Min 12m wide for pedestrian only links

Figure 3: Typical street sections – residential street and shop top housing street
C3. New streets must be highly legible, permeable and publicly accessible 24 hours a day. New streets must respond to key connections within and adjacent neighbourhood. All internal streets must consist of shared paths to prioritise access to pedestrians and cyclists.

C4. A minimum 20m wide High Street should accommodate shared paths on either side for pedestrians and cyclists. High Street will have a provision of limited on-street retail parking and dedicated areas for ride share vehicles and taxi zone near the Central Civic Plaza. The design of internal road widths and manoeuvring paths must accommodate large vehicles including emergency, waste collection, delivery and removalist vehicles.

**NOTE:** Where Council collection staff or Council vehicles are required to enter private property to perform waste collection services, Council will require an unimpeded easement for access to undertake on-site or collect and return service.

C5. Major retail, service vehicles and/or residential vehicles should access the site either via Waterloo Road or via the northern entry as close to Waterloo Road as possible. Retail and residential traffic must be separated from service vehicles when moving within the site.

C6. Major retail parking and servicing must not be provided from the High Street or adjacent to active retail frontages.

C7. Major retail parking and servicing access roads must not encroach into the landscape buffer zone along the eastern boundary of the site.

C8. Development must optimise the opportunities for active street frontages and streetscape design by:
a) limiting the number of vehicle accessways to a minimum; and
b) avoiding the location of car park entries, driveways and loading docks at the corners of street intersections.

C9. The provision of parking to a public street is not acceptable. New car parking must avoid poor streetscape outcomes and ensure better utilisation of available land in the local centre. If underground car parking is not practicable, car parking is to be “sleeved” with retail and other active uses at ground level. Tree canopy coverage of 40% (at maturity) is required for at grade car parking areas.

C10. Internal streets will have provision for limited on-street residential and visitor parking, interspersed with street trees, to provide convenient visitor parking for ground level commercial/retail. All internal road reserves must also accommodate footpaths, cycleways, street tree planting and services.

C11. Traffic calming techniques should be adopted for all roads within the public domain with appropriate design considerations.

C12. On-site parking provision must comply with Part B5 Parking of the Bankstown DCP 2015.

C13. The provision of a cycleway along the site frontage on Waterloo Road must be located as an off-road cycleway and not located within the road carriageway. Refer to Figure 4.

Figure 4: Waterloo Road Section Concept Diagram. Note: final location and design of future cycleway to be approved by Council and Transport for NSW.
3.3 Land Use and Site Layout

Objectives

O1 The site must function as a local neighbourhood centre that allows for a range of uses including retail, commercial, residential, community and recreational uses to support the existing and future population of Greenacre.

O2 To promote mixed use development to enhance the vitality and attractiveness of the site which provides for the needs of the local community of Greenacre.

O3 To ensure that Chullora Marketplace Local Centre fits appropriately within the centres hierarchy of Canterbury-Bankstown LGA.

O4 To minimise overshadowing and visual impacts to adjoining properties and streets.

O5 Provide passive surveillance to Norfolk Reserve and along Waterloo Road.

O6 To minimise potential conflict between existing and proposed vehicle access routes and pedestrian access points.

Controls

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

C2. Ground level non-residential uses or active street frontages are to be located around the Central Civic Plaza and/or the new High Street to activate the public domain.

C3. Community uses such as childcare centres and community facilities are encouraged to be located in areas where they will assist in activating the public domain. The first application for the development of any land within the site for residential uses should be accompanied by a study to confirm levels of community facilities provisions for the centre.

C4. Taller buildings, up to 6-storeys are to be located in the centre of the site. The maximum building height of building will transition to 4-storeys along Waterloo Road and Norfolk Reserve boundary; and to 2 storeys along southern boundary.

C5. Buildings which interface with low density properties to the south must be designed to:
a) Maximise street activity through front gardens, terraces and the façade of the building.
b) Be directly accessible from the new internal street
c) Minimise overlooking into the private open space of adjoining residential properties to the south.

C6. Buildings along eastern boundary are designed to overlook Norfolk Reserve providing passive surveillance to the reserve and the informal pedestrian access point in the south east corner and the formal pedestrian access point in the north east corner (Watergum Way).

C7. Building sections shall be provided with any Development Application describing the relationship of the proposal to neighbours. These shall show boundary walls between sites, built form on the site and neighbouring open spaces and buildings with windows facing the site.

3.4 Built Form

Objectives

O1 To minimise overshadowing impacts to the surrounding residents.

O2 To minimise overshadowing impacts to the Ecologically Endangered Species in Norfolk Reserve.

O3 To allow for an appropriate transition to adjoining uses including low density residential development.

O4 To allow for medium density living of high amenity and design excellence.

3.4.1 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:

Table 1: Building storey limits – Chullora Marketplace
### Maximum building height as shown on the Height of Buildings Map

<table>
<thead>
<tr>
<th>Maximum Building Height</th>
<th>Storey Limit (not including basements)</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 metres</td>
<td>2 storeys (plus attic)</td>
</tr>
<tr>
<td>11 metres</td>
<td>3 storeys (no attic)</td>
</tr>
<tr>
<td>14 metres</td>
<td>4 storeys (no attic)</td>
</tr>
<tr>
<td>20 metres</td>
<td>6 storeys (no attic)</td>
</tr>
</tbody>
</table>

**C2.** Development must comply with the maximum building height shown for the site on the Height of Buildings Map in the Local Environmental Plan.

**C3.** 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.

**C4.** The minimum floor to floor height for ground floor residential is 4.1m and above ground residential is 3.1m.

#### 3.4.2 Setbacks

**Setbacks to Waterloo Road**

**C5.** An 8m minimum front setback shall be provided from Waterloo Road to the development for a provision of landscape buffer along Waterloo Road.

**Setbacks to Zone R2 Low Density Residential on the south (maximum two storeys allowed)**

**C6.** A 10m minimum setback shall be provided to the rear boundary of properties facing Norfolk Road and to the northern side boundary of the property at No. 351 Waterloo Road.

**C7.** A 4m minimum setback shall be provided to the rear boundary of the properties at Nos. 349 and 351 Waterloo Road.

**Setbacks to Zone SP2 Infrastructure to the north**

**C8.** For commercial uses, a nil setback is permitted to the Zone SP2 Infrastructure boundary for ground and first storey. Commercial uses on second, third and fourth storeys must be setback a minimum of 6m from the boundary. Commercial uses on fifth and sixth storeys must be setback a minimum of 10m from the boundary.

**C9.** For residential uses, a minimum of 10m setback is required to the Zone SP2 boundary for up to four storeys and a minimum of 13m setback is required for fifth and sixth
storeys from Zone SP2 boundary. Setbacks to adjacent properties must be compliant with SEPP65 separation distances.

**Setback to the eastern boundary along Norfolk Reserve**

**C10.** Development must incorporate a landscaped buffer zone of a minimum of 15 metres along the eastern boundary.

**C11.** The proposed setbacks must minimise overshadowing to Norfolk Reserve.

### 3.5 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 interest in the architectural character, building components that are located adjacent to one another are not be the same or similar in design.

**Controls**

**C1.** The building length should not exceed 45m

**C2.** If unavoidable and the building length exceeds 45m, it should be broken into two or more components, so no length is longer than 45m, before which a:

a) Minimum 3x3m inset is to be provided at all levels up to 4 storeys. The inset must incorporate a green wall.

b) Minimum 9m separation is to be provided for all levels above 4 storeys.

**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.

### 3.6 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 ‘fine-grained’ and articulated building frontages.

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 Norfolk Reserve and along Waterloo Road.

O6 Ensure that the building design contributes design excellence to the public domain for the duration of the building life.

Controls

C1. Buildings are to be designed with a high level of architectural detail and articulation consisting of a variety of materials for an architectural response that creates a sense of depth and visual diversity.

C2. Facade treatments are to provide a high-quality visual outlook from adjacent residential neighbours, the school and the public domain, including Norfolk Reserve.

C3. Active ground level frontages are to be provided and focused along High Street and facing the Central Civic Plaza. Active frontages are to be designed with fine grained detailing, and provide for commercial, retail or other non-residential uses at ground level.

C4. 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; 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.

C5. Blank walls are not permitted where visible from the public domain (i.e., public street 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.
C6. 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 spaces.

C7. Private residential entries are to be designed to positively contribute to the adjacent residential streetscape character and where possible, to provide activation and passive surveillance to the adjacent public domain.

C8. All development is to be designed to maximise passive surveillance of streets and public places (including new open spaces, the civic space/s and Norfolk Reserve) by orienting buildings to promote overlooking of these spaces from windows, glazed doors and balconies.

C9. A signage strategy is to be prepared and submitted with a Development Application that proposes redevelopment of the site. The signage strategy is to incorporate all existing and future signage zones and have regard to all relevant policies and recommendations of any Conservation Management Plan and/or heritage inventory report for the site. The location, size and number of all new business and building identification signs is to be detailed within the signage strategy.

3.7 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 positively contributes to 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 local centre and adjacent low scale residential uses and Norfolk Reserve.

O5 To minimise and mitigate potential visual and privacy impacts of higher scale built form on existing adjacent low scale residential uses.

Controls
C1. Provide a green corridor through the site from Norfolk Reserve to Waterloo Road including substantial planted trees over 5m in mature height. This can be provided through street planting.

C2. Provide a minimum mature tree canopy coverage of 25% across the site.

C3. Deep soil zones shall consist of 7% of site area and have a minimum width of 6 metres.

C4. Proposed landscaping within the public domain and the mixed use development must consider Water Sensitive Urban Design (WSUD) principles and features.

C5. The first application for the development of any land within the site for residential or commercial uses should be accompanied by a Landscape Plan, which demonstrates how planting, outdoor structures, furniture and lighting will enhance the design and character of the development.

C6. Plant maintenance. The planted vegetation should be regularly maintained and watered for 12 months following planting. Should any plant loss occur during the maintenance period the plants should be replaced by the same plant species.

C7. Provide public art within the development in accordance with Council’s Creative City Strategic Plan 2019-2029 for each major mixed use or residential development application. This should include consideration of works by local artists and Aboriginal and Torres Strait Islander artists.

3.8 Heritage

Background

The Bankstown Local Environmental Plan 2015 lists the site at 355 Waterloo Road, Greenacre as an archaeological site. The statement of heritage significance states:

“The former Liebentritt Pottery site is historically significant as the location of one of metropolitan Sydney’s foremost and influential potteries producing clay products for the building industry.

Historically the site is of state significance for this reason. Part of the site was the location of one of Sydney’s first drive in theatres, which opened in December 1956. The site is associated with the Liebentritt family, significant pottery manufacturers from the middle of the nineteenth century through to the second half of the twentieth century. The site is almost certain to contain relics and evidence from the time of Liebentritt’s pottery making activities. It is considered to be relatively rare in terms of its archaeological potential and
is considered to have been representative of pottery manufacturing sites during the second half of the nineteenth century and into the twentieth century.”

Objectives

O1 To recognise and reflect the heritage of the Chullora Marketplace site in relation to its historical use as the former site of Liebentritt's Pottery and the later Chullora Drive-in.

O2 To ensure evidence of any potential historical artefacts uncovered during the site preparation and/or construction phase is secured consistent with the requirements of the Heritage Act 1977 and displayed at the site with appropriate interpretation strategy.

Controls

C1. Future development is to be undertaken in accordance with the recommendations of a heritage impact statement prepared by an appropriately qualified specialist. Considerations of the heritage impact statement must include the following:

a) Necessary permitting for excavation: Prior to any excavation work commencing, an application must be made to the NSW Heritage Office for an application permit under the terms of the Heritage Act 1977.

b) Geotechnical investigations: Prior to any excavation works commencing, geotechnical investigations of areas of archaeological sensitivity should be undertaken by a suitably qualified geotechnical engineer.

c) Monitoring: Any excavation works undertaken as part of the future development of the site should be monitored and recorded by an appropriately qualified archaeologist.

d) Unexpected finds: Should any unexpected relics be uncovered during the works, all work must stop, appropriate conservation and protection measures be implemented by a qualified archaeologist and the Heritage Division be notified.

e) Salvage: Prior to and during the undertaking of any future excavation works, brick and tile debris should be salvaged throughout the subject site and incorporated in the future design and display as part of heritage interpretation. Removal of any items to be carried out in accordance with specific salvage methodologies.
f) Heritage Interpretation Plan: The heritage interpretation plan is to reflect interpretation opportunities relating to the former use of the site (i.e., Liebentritt's Pottery/ Chullora Drive-in) and incorporate interpretation media where possible.

C2. An archaeologist or heritage specialist is to develop a Heritage Interpretation Plan in accordance with the Heritage Division of the NSW Office of Environment & Heritage publications, Interpreting Heritage Places and Items (2005) and Heritage Interpretation Policy (2005).

Examples of interpretation opportunities include:

a) Establishment of Heritage & Visitor Information Centre to celebrate history and heritage of the site and display materials unearth during excavation;

b) naming of the new pedestrian-oriented street and civic space(s) including use of art installations;

c) the use of discovered brick and tile as a building material;

d) incorporation of found artefacts and debris into new mixed use development, the Central Civic Plaza, publicly accessible open spaces, landscaping and public art; and

e) an installation which reflects the former location of the drive-in movie screen.